

## LEGAL POLICY ANALYSIS ON THE GRANTING OF REMISSIONS FOR PRISONERS IN CLASS IIB PRABUMULIH PRISON



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### **ABSTRACT**

*This study analyzes the implementation of remission policies at the Class IIB Detention Center in Prabumulih and evaluates their alignment with Indonesia's correctional goals of rehabilitation and social reintegration. It also examines the challenges encountered in the remission process, including overcrowding, inconsistent monitoring of rehabilitation programs, and concerns about fairness, particularly for serious offenders. Using a qualitative empirical approach, the research combines legal analysis with in-depth interviews involving prison officials, inmates, and legal experts, as well as documentation of remission data. The findings show that, in general, inmates who receive remission have fulfilled the required legal criteria. Remission is granted in two forms: general remission, typically provided during national and religious holidays, and special remission, which is given to inmates demonstrating significant rehabilitative progress. However, the effectiveness of the policy is constrained by several factors, including overcrowded conditions and inconsistent supervision of inmate development programs. In addition, public perceptions of fairness, especially regarding remission for serious offenders, pose challenges to the credibility of the system. These issues highlight the need for greater transparency and consistency in policy implementation. In conclusion, while remission policies contribute to the correctional objectives of rehabilitation and reintegration, improvements are necessary. Strengthening access to rehabilitation programs, enhancing monitoring mechanisms, and increasing public awareness about the purpose of remission are recommended to ensure a more effective, fair, and accountable system.*

**Keywords:** *Remission; Correctional System; Rehabilitation*

## INTRODUCTION

Indonesia's criminal justice system is founded on the principles set out in the 1945 Constitution, which characterizes the nation as a "rule-of-law" state (*rechtstaat*). This means that the governance of Indonesia is based on laws rather than the arbitrary power of rulers. The primary objective of this system is to safeguard the interests of the nation, as well as to ensure the welfare and protect the rights of all citizens. The Indonesian legal framework incorporates a variety of criminal sanctions, with imprisonment being one of the most commonly imposed penalties (Maesty & Soeskandi, 2022).

Imprisonment, now referred to as "correctional" or "penitentiary," serves not only as a punitive measure but also as an essential process for rehabilitating and reintegrating offenders into society. Over the years, Indonesia has moved away from a strictly punitive approach, focusing instead on rehabilitation and reintegration. Law No. 22 of 2022 on Corrections introduced new concepts designed to prioritize the protection of human rights, rehabilitation, and social reintegration, marking a significant shift in the correctional system (Pratama & Faniyah, 2025).

Remission, defined as the reduction of a sentence, plays a vital role within the correctional system. It provides inmates with the opportunity to reduce their prison sentences if they meet specific criteria, such as good behavior and active participation in rehabilitation programs. This tool not only motivates inmates to comply with the rules and participate in corrective activities but also fosters a positive environment within correctional facilities. As such, remission can be viewed as an important instrument in achieving the broader goals of rehabilitation and reintegration (Firdaus dkk., 2025).

The main focus of this article is to analyze the implementation of remission policies at Rutan Kelas IIB Prabumulih, a facility where the Indonesian government applies such policies. This study aims to evaluate how these policies are implemented in line with Indonesia's positive law and to assess both the advantages and the challenges associated with the remission process.

The article will also explore how the legal framework has evolved to support the human rights of prisoners, focusing on the ways in which remission is used to promote their rehabilitation and eventual reintegration into society. Through this analysis, the article aims to offer insights into the effectiveness of Indonesia's current correctional policies, particularly with regard to the impact of remission on reducing recidivism and supporting social reintegration. Moreover, it will provide recommendations for improving the implementation of remission in Indonesia's correctional system, ensuring that it remains a fair, transparent, and rehabilitative process for all prisoners.

## LITERATURE REVIEW AND RESEARCH FRAMEWORK

Remission, or the reduction of a sentence, holds a significant role within Indonesia's correctional system. It is seen as an essential tool for promoting positive behavior among prisoners and encouraging their active participation in rehabilitation programs. The Indonesian Correctional Law (Law No. 22 of 2022) outlines the principles behind remission, providing that prisoners who meet specific criteria such as good behavior, compliance with prison rules, and active participation in rehabilitation programs are eligible for sentence reductions. The purpose of remission is twofold: to incentivize inmates to follow rules and engage in constructive activities, and to facilitate their reintegration into society once their sentence is served.

The process of granting remission is governed by the Ministry of Law and Human Rights through Regulation No. 16 of 2023, which details the procedures and requirements for granting various types of remission, including general remission,

special remission, and remission based on humanitarian grounds. These regulations also cover conditions for assimilation, family leave, parole, and other forms of conditional release. The legal framework reflects the principles of restorative justice, focusing on rehabilitation rather than punitive measures. Restorative justice encourages reintegration and rehabilitation, aiming to restore offenders to their communities as law-abiding citizens, rather than focusing solely on punishment. Despite the clear legal framework for remission, the implementation of these policies faces several practical challenges. One of the significant issues is the overcrowding in Indonesian prisons, which strains resources and complicates the effective implementation of correctional programs. Additionally, inconsistencies in the application of remission policies often arise, as there are variations in the criteria and processes used across different regions and correctional facilities. These inconsistencies can lead to perceptions of unfairness, which undermine the credibility of the remission system and its goals (Davai dkk., 2025).

Another challenge is the public's perception of remission, especially in high-profile cases involving serious crimes such as drug trafficking or corruption. While remission is designed as a rehabilitative tool, it can be viewed negatively by the public when granted to prisoners convicted of such crimes, leading to concerns about the fairness and effectiveness of the criminal justice system. To address these issues, there is an ongoing need to strengthen transparency and accountability in the remission process, ensuring that it remains fair and consistent across the nation.

### **Research Framework**

This research will focus on the implementation of remission policies at Rutan Kelas IIB Prabumulih, a correctional facility in South Sumatra, Indonesia. The study aims to explore how the policies outlined in the Correctional Law and the Ministry of Law and Human Rights' regulations are applied in practice, particularly in this specific context. The study will investigate the processes involved in granting remission to prisoners, the criteria used, and the outcomes of the remission system in terms of rehabilitation and reintegration.

The research will address the following key questions:

1. How is the remission policy implemented for prisoners at Rutan Kelas IIB Prabumulih?
2. What efforts has the Indonesian government made to apply remission policies in accordance with positive law, ensuring fairness and transparency in the process?

To answer these questions, the study will employ a mixed-methods approach, combining legal analysis, qualitative interviews, and data analysis. The research will begin with a review of relevant legal texts, including the Indonesian Correctional Law, Regulation No. 16 of 2023, and other related legal instruments. The legal review will focus on the framework and principles that govern the remission process and its application in correctional facilities across Indonesia, particularly at Rutan Kelas IIB Prabumulih.

In addition to the legal analysis, the study will involve qualitative research, including interviews with prison officials, legal experts, and inmates at Rutan Kelas IIB Prabumulih. These interviews will provide valuable insights into the day-to-day implementation of remission policies, the challenges faced by correctional officers, and the perceptions of inmates regarding the fairness and effectiveness of the remission process. The research will also collect data on the remission granted to prisoners from 2023 to 2025, which will be analyzed to assess patterns in remission applications, including any inconsistencies or disparities in how remission is granted.

This research framework aims to provide a comprehensive understanding of the remission system at Rutan Kelas IIB Prabumulih, focusing on the effectiveness, fairness, and challenges of the policy's implementation. By analyzing the experiences of prison staff and inmates, the research will contribute to a broader understanding of the strengths and weaknesses of the remission system in Indonesia, providing recommendations for improvements to ensure that the system aligns with its rehabilitative goals.

## **METHOD**

This research adopts a qualitative, empirical approach to examine the implementation of remission policies at Rutan Kelas IIB Prabumulih. Data will be collected through in-depth interviews with prison officials, inmates, and legal experts. Observations will also be conducted at the facility to understand the daily practices and challenges in granting remission. Additionally, document analysis will be performed on relevant legal texts, such as Law No. 22 of 2022 and Regulation No. 16 of 2023, as well as remission records from 2023 to 2025. This comprehensive data collection aims to evaluate the effectiveness and fairness of the remission process.

## **RESULTS AND DISCUSSION**

The implementation of remission policies at Rutan Kelas IIB Prabumulih has yielded promising results in terms of its alignment with the goals of rehabilitation and reintegration. Preliminary data collected from the facility indicates that the majority of prisoners eligible for remission meet the criteria outlined in Law No. 22 of 2022 on Corrections. These criteria, which include good behavior, participation in rehabilitation programs, and meeting other legal requirements, have generally been met by the inmates who applied for remission. The remission granted to these inmates is primarily in the form of "general remission" during national holidays such as Indonesia's Independence Day on August 17, as well as during specific religious celebrations, like Idul Fitri and Christmas. In addition to this, a "special remission" is granted to prisoners who have shown significant progress in their rehabilitation efforts, which includes participating actively in educational or vocational training programs (Affandy, 2025).

### **General Remission vs Special Remission**

Remission is a significant feature within Indonesia's correctional system, designed to provide prisoners with an opportunity for a reduced sentence based on specific criteria. In Rutan Kelas IIB Prabumulih, remission is categorized primarily into two types: general remission and special remission. These two types of remission, though part of the same overarching policy, differ in their purpose, eligibility requirements, and the circumstances under which they are granted.

#### **1. General Remission**

General remission is one of the most widely applied forms of sentence reduction in Indonesia's correctional system. Unlike other forms of remission that may be based on an inmate's rehabilitation progress, general remission is typically granted during public holidays, national celebrations, and religious holidays. In Indonesia, these holidays include national days such as the Independence Day on August 17, as well as major religious holidays like Idul Fitri and Christmas. The key characteristic of general remission is that it serves as an automatic reduction of an inmate's sentence based on compliance with the rules of the correctional institution.

For instance, in 2023, on Indonesia's Independence Day, a significant number of prisoners 312 in total received general remission. Similarly, 288 inmates were granted remission during the religious holidays of Idul Fitri and Christmas. These are not isolated instances; throughout the year, general remission is granted during several national and religious holidays. The process is largely ceremonial and symbolic, reinforcing the idea of rehabilitation as part of the nation's collective observances.

#### 1) Symbolic Function of General Remission

The primary function of general remission is symbolic. It acts as a form of recognition for prisoners who have complied with the prison's rules and regulations, indicating that they have served their time without serious infractions. While the reduction in sentence may not be substantial, the symbolism behind this reward is important. It provides inmates with a sense of acknowledgment for their conduct and creates an opportunity for them to experience a form of positive recognition while serving their sentences.

The psychological aspect of general remission is particularly significant. Many prisoners face isolation, frustration, and a sense of hopelessness during their incarceration. By granting remission on holidays, the correctional system provides a sense of connection with the outside world, offering inmates a tangible reward for their compliance. This reward does not merely symbolize the passage of time—it offers prisoners hope and the motivation to maintain good behavior. The psychological benefits of such recognition are essential in a correctional environment, as they help inmates reduce negative emotions such as despair, hopelessness, and frustration, which can lead to problematic behavior.

From a broader perspective, general remission serves as a tool for maintaining order within the prison. Inmates may be more likely to follow the rules and regulations if they know there is a tangible reward, however symbolic, attached to their good behavior. The anticipation of remission can act as an incentive for prisoners to cooperate with prison authorities and avoid conflict, making the management of the institution more predictable and controlled. Thus, even though the remission process is primarily symbolic, it contributes to the stability and functionality of the correctional system.

#### 2) The Psychological Impact on Inmates

Psychologically, general remission can play a crucial role in reducing the mental strain experienced by prisoners. Many incarcerated individuals face profound emotional challenges as they endure long sentences in often bleak conditions. The feeling of being cut off from society, coupled with limited opportunities for personal development, can lead to a sense of hopelessness that undermines the rehabilitation process. General remission helps counteract these feelings by providing prisoners with a clear, tangible incentive for good behavior.

By recognizing that inmates have adhered to the correctional institution's rules, general remission offers a form of acknowledgment that can positively affect their mental well-being. Inmates may perceive this reduction in their sentence as a reward for their discipline, which in turn can bolster their sense of self-worth and encourage further positive behavior. It also signals to them that their efforts are being noticed, fostering an internal motivation to continue on the path toward better behavior.

Additionally, general remission offers a brief respite from the burden of a lengthy sentence. The reduction in time can have a significant psychological effect, as it

gives inmates a sense that their sentence is becoming more manageable. This hope for an earlier release can reduce the mental toll that prolonged imprisonment may have on prisoners, contributing to better overall mental health and lowering the likelihood of disruptive behavior (Hutasohit dkk., 2022).

### 3) Limitations of General Remission

Despite its positive effects, the limitations of general remission should not be overlooked. As mentioned, general remission is most commonly tied to public holidays and national celebrations, rather than being linked to any substantial rehabilitative progress made by the prisoner. This makes it more of a procedural or symbolic reward rather than a reflection of an inmate's true rehabilitative achievements.

General remission typically occurs based on an inmate's general compliance with prison rules. While this is important, compliance alone does not necessarily indicate that the prisoner has undergone a meaningful change in behavior, character, or attitude. In many cases, prisoners who receive general remission may not have made any notable strides in rehabilitation. This raises the question of whether general remission truly serves the rehabilitative purpose that the correctional system aims for.

The lack of a clear link between remission and rehabilitation can undermine the overall goals of the correctional system. Remission granted purely for rule compliance may give the false impression that rehabilitation is occurring when, in reality, it is not. In this way, general remission can sometimes be viewed as a superficial reward that does not reflect the inmate's progress in terms of reformation or rehabilitation.

Furthermore, the lack of a meaningful connection between remission and rehabilitation raises concerns about fairness. Inmates who are actively working on their rehabilitation through educational programs, therapy, or vocational training may feel that their efforts are being overlooked if they receive the same level of remission as inmates who have not demonstrated similar progress. This disparity could discourage prisoners from engaging fully in rehabilitative programs, as the rewards for such efforts may seem insufficient or unfair.

### 4) Is General Remission Sufficient for Rehabilitation?

Although general remission is beneficial in its symbolic role, it does not necessarily align with the deeper rehabilitative goals of the correctional system. If the intention behind remission is to encourage positive behavioral change and reintegration into society, then remission policies must be restructured to better align with these goals. This could involve focusing more on rehabilitation-centered remission, where reductions in sentence are based on active engagement in rehabilitation efforts, such as completing educational programs, participating in counseling, or demonstrating significant improvement in behavior.

There is also a need to rethink how remission is granted in terms of its broader implications. For instance, general remission could be complemented by other forms of recognition that are more closely tied to rehabilitative success, such as reduced periods of solitary confinement or access to higher-quality rehabilitation programs. This would ensure that inmates are motivated not only by the prospect of a sentence reduction but also by the opportunity to genuinely reform.

In conclusion, while general remission plays an important role in the correctional system of Indonesia, its application is not without limitations. It serves as a symbolic acknowledgment for prisoners who comply with institutional rules, offering them a sense of hope and maintaining order within the facility. However, the connection between general remission and actual rehabilitative progress is weak, leading to questions about whether it truly contributes to the broader goals of rehabilitation. To enhance the rehabilitative function of remission, a more comprehensive approach should be adopted, where remission is closely linked to tangible rehabilitative achievements, rather than being a purely ceremonial reduction. In doing so, general remission could serve not only as an acknowledgment of good behavior but also as a more meaningful incentive for personal reform and successful reintegration into society (Zainab, 2022).

## 2. Special Remission

Special remission represents a more targeted and transformative form of sentence reduction within the Indonesian correctional system. Unlike general remission, which is granted automatically during public holidays and national celebrations, special remission is awarded based on specific criteria related to an inmate's individual rehabilitation efforts and behavioral improvements. Special remission, therefore, aligns more closely with the rehabilitative goals of the correctional system, rewarding inmates who demonstrate genuine progress toward reintegration into society as law-abiding citizens.

### 1) The Criteria for Special Remission

Special remission is not an automatic or celebratory gesture; rather, it is based on a prisoner's active participation in rehabilitation programs and their demonstrated improvement in behavior. To be eligible for special remission, inmates must show that they have engaged in rehabilitative efforts such as vocational training, educational courses, psychological counseling, or work programs. These programs are intended to equip prisoners with the skills, knowledge, and emotional support necessary for reintegration into society.

The fact that special remission is tied to concrete efforts in rehabilitation makes it more meaningful than general remission, which is often viewed as a symbolic gesture. While general remission rewards prisoners for compliance with institutional rules, special remission acknowledges genuine efforts to reform and actively contribute to their own rehabilitation. As such, it plays a crucial role in motivating inmates to take responsibility for their actions and to participate in programs that promote their personal development (Aldianto & Phahlevy, 2024). The data from Rutan Kelas IIB Prabumulih from 2023 to 2025 shows a clear increase in the number of prisoners receiving special remission. This trend reflects a growing emphasis on rehabilitation within the institution, aligning with broader goals of restorative justice. Restorative justice prioritizes rehabilitation over punitive measures, focusing on offenders' personal growth and their eventual reintegration into society. Special remission is a clear manifestation of this philosophy, as it rewards the rehabilitative efforts of inmates, encouraging them to engage more deeply with the correctional programs available to them.

### 2) Motivational Role of Special Remission

One of the key strengths of special remission is its role in motivating inmates to actively participate in rehabilitation programs. By directly linking remission to

tangible achievements such as completing an educational program, demonstrating improved behavior, or undergoing successful therapy special remission encourages prisoners to engage with the tools and resources that are available to them for their rehabilitation.

For many inmates, the prospect of receiving special remission becomes a powerful motivator. The opportunity to reduce their sentence through demonstrated reform provides a clear incentive to engage in rehabilitation programs. Knowing that their efforts will be recognized and rewarded with a reduction in their sentence can drive inmates to take their rehabilitation seriously, participate in educational and vocational training, and make a sustained effort to address the underlying issues that led to their incarceration in the first place. This can ultimately help break the cycle of recidivism and ensure that inmates are better prepared for life after prison.

Additionally, the psychological impact of special remission should not be underestimated. For many prisoners, the opportunity for special remission can be a source of hope. It gives them a tangible goal to work toward during their incarceration, which can contribute to improving their mental health and outlook on the future. The sense of accomplishment that comes with earning special remission can help prisoners build self-worth and confidence, encouraging them to continue striving for personal growth and change.

### 3) Challenges in the Implementation of Special Remission

While special remission has clear rehabilitative value, its implementation is not without challenges. One of the most significant obstacles is the inconsistent monitoring and evaluation of inmates' progress in rehabilitation programs. Although special remission is awarded based on specific rehabilitative criteria, the current system may not always provide adequate oversight to ensure that all prisoners who qualify for special remission have truly made the necessary changes. Without comprehensive and consistent evaluation mechanisms in place, it becomes difficult to assess whether remission decisions are genuinely based on rehabilitative progress or merely on superficial compliance with program participation.

In some cases, inmates may not receive enough individualized attention in rehabilitation programs, particularly in overcrowded facilities like Rutan Kelas IIB Prabumulih. The high volume of inmates can lead to limited access to quality rehabilitation resources, such as vocational training or psychological counseling. As a result, prisoners may not fully benefit from these programs, despite meeting the basic eligibility criteria for special remission. This situation can result in inmates receiving special remission without having demonstrated significant improvement in behavior or rehabilitation, which diminishes the policy's effectiveness as a tool for reintegration.

Additionally, the issue of overcrowding remains a significant challenge in the successful implementation of special remission. Overcrowded prisons often struggle to provide adequate rehabilitation services, as resources are stretched thin. The quality of rehabilitative programs suffers when there are too many prisoners and not enough space, staff, or materials to meet everyone's needs. For special remission to function effectively, the correctional system must address overcrowding and ensure that all prisoners have equitable access to the resources and support necessary for their rehabilitation.

#### 4) The Need for Improved Monitoring and Support

To maximize the rehabilitative potential of special remission, the correctional system must implement a more consistent and comprehensive monitoring and evaluation system. Clear, standardized criteria should be established for assessing the progress of inmates in rehabilitation programs, and these assessments should be regularly reviewed. The evaluation process should include feedback from instructors, counselors, and other correctional staff who are involved in the rehabilitation process. In addition, progress reports should be more detailed and individualized to ensure that each prisoner's unique needs and progress are accounted for.

Furthermore, there should be a stronger emphasis on individualized rehabilitation plans that cater to the specific needs of each inmate. By tailoring rehabilitation programs to the individual, the correctional system can ensure that prisoners are given the best opportunity to make meaningful progress toward reintegration. Inmates who are engaged in specialized therapy, education, or vocational training that addresses their particular issues are more likely to show genuine reform and thus qualify for special remission.

#### 5) The Role of Special Remission in Restorative Justice

Special remission aligns closely with the principles of restorative justice, which focus on rehabilitation and reintegration rather than punishment. Restorative justice seeks to address the root causes of criminal behavior and provides offenders with the tools they need to reintegrate into society as law-abiding citizens. Special remission rewards prisoners who actively participate in this process, providing them with an incentive to engage in reform and demonstrating that the correctional system values rehabilitation. Unlike general remission, which can be seen as a ceremonial gesture, special remission is a more targeted reward that acknowledges a prisoner's genuine efforts to reform. By reducing a prisoner's sentence based on progress made in rehabilitation, special remission helps bridge the gap between punishment and reintegration, contributing to a more humane and effective correctional system.

In conclusion, special remission plays a pivotal role in Indonesia's correctional system by serving as an incentive for prisoners to engage in rehabilitation and actively work toward their reintegration into society. Unlike general remission, which is largely symbolic, special remission is directly tied to the inmate's rehabilitative efforts, making it a more meaningful and impactful reward. However, the effectiveness of special remission is constrained by challenges such as inconsistent monitoring of rehabilitation programs and the issue of overcrowding. To enhance the impact of special remission, the correctional system must improve monitoring, provide individualized rehabilitation programs, and address overcrowding. By doing so, special remission can more effectively support the rehabilitation and reintegration of offenders, aligning with the goals of restorative justice and reducing recidivism (Maesty & Soeskandi, 2022).

### 3. Challenges in the Remission Process

Despite the positive impact of both general and special remission in Rutan Kelas IIB Prabumulih, several challenges persist that affect the fairness and effectiveness of the remission process. One of the most pressing challenges is overcrowding in Indonesian prisons. The prison system, including Rutan Kelas IIB Prabumulih, operates well beyond

its capacity. This results in insufficient resources for rehabilitation programs, making it difficult for all prisoners to have equal access to programs that could qualify them for special remission. Furthermore, overcrowding creates an environment where tensions among prisoners can rise, undermining the rehabilitative atmosphere that remission policies are designed to foster.

In addition, inconsistent monitoring of rehabilitation programs complicates the process of granting special remission. While the criteria for special remission are clear, the actual implementation of these criteria is sometimes inconsistent. Some prisoners may not have access to the same quality of rehabilitation programs, depending on factors such as their classification, available resources, and the facility's staffing levels. This inconsistency can lead to discrepancies in how remission is applied, which in turn raises concerns about fairness and equal treatment. Furthermore, public perception of remission remains a significant issue. The granting of remission to prisoners convicted of serious crimes, such as drug trafficking or corruption, often faces public backlash. There is a perception that such prisoners should not be eligible for remission, especially when the crimes committed have had severe social and economic consequences. The debate over whether prisoners convicted of serious crimes should be granted remission complicates the remission process and challenges the principle of equal treatment under the law.

In conclusion, both general and special remission play vital roles in the Indonesian correctional system, offering prisoners the opportunity for sentence reduction based on behavior and rehabilitation efforts. While general remission serves as a symbolic reward for compliance with prison rules, special remission aligns more closely with the rehabilitative goals of the correctional system. However, challenges such as overcrowding, inconsistent monitoring of rehabilitation programs, and public perceptions about fairness continue to affect the effectiveness of the remission process. To improve the system, it is essential to ensure that remission policies are applied consistently and transparently, while also addressing the broader challenges that hinder the full potential of the remission process (Fahlevi dkk., 2024).

### **Challenges in the Implementation of Remission**

While the remission policy at Rutan Kelas IIB Prabumulih has generally been effective in offering inmates the opportunity for rehabilitation and reintegration into society, several significant challenges impede its overall success. These challenges include overcrowding, inconsistent monitoring of rehabilitation programs, debates surrounding the eligibility of serious offenders, and concerns over fairness and abuse of power in the decision-making process. Addressing these challenges is critical to improving the effectiveness of the remission policy and ensuring that it aligns with the rehabilitative goals of the Indonesian correctional system.

#### **1. Overcrowding in Prisons**

One of the most pressing issues facing the remission process in Rutan Kelas IIB Prabumulih, as well as in prisons across Indonesia, is the problem of overcrowding. As of October 2025, the facility, which has a capacity to house 248 inmates, is overcrowded with 115 detainees and 363 convicted prisoners, resulting in a total population of 478. This severe overcrowding creates a host of problems that hinder the effective implementation of remission policies and the broader goals of rehabilitation within the prison system.

Overcrowding exacerbates several issues within the prison, particularly the availability and quality of rehabilitation programs. With a large number of inmates in a relatively small space, there is limited room for individualized support and counseling, which are essential for rehabilitating offenders. Many rehabilitation programs, such as vocational training, educational courses, and psychological counseling, are either overbooked or poorly resourced due to the high number of prisoners. As a result, inmates who might benefit from specialized programs are often left without adequate support, undermining the goal of rehabilitation.

Additionally, overcrowding places tremendous pressure on the facility's resources, including staff, healthcare services, and educational programs. The prison staff, already stretched thin, often lack the capacity to properly monitor inmates' progress in rehabilitation, which is crucial for granting remission, especially special remission, which is based on an inmate's rehabilitation efforts. The result is a less effective system that fails to offer all prisoners the same opportunity to qualify for remission.

Moreover, overcrowding can also lead to heightened tensions among inmates. Prisoners living in overcrowded conditions may experience increased stress, frustration, and aggression, which can lead to conflicts within the prison. This not only jeopardizes the safety and security of both inmates and staff but also interferes with the overall rehabilitative environment. The lack of proper rehabilitation due to overcrowding ultimately leaves many prisoners less prepared to reintegrate into society, thereby undermining the long-term goals of the correctional system.

## 2. Inconsistent Monitoring of Rehabilitation Programs

The success of remission as a rehabilitative tool hinges significantly on the effectiveness of rehabilitation programs provided to prisoners. At Rutan Kelas IIB Prabumulih, however, the quality and consistency of these programs have been mixed. While some inmates actively engage in vocational training, educational courses, and counseling programs, others are less involved due to the lack of structured activities, limited resources, or insufficient opportunities for rehabilitation.

A key issue in this regard is the inadequate monitoring of inmates' participation in rehabilitation programs. Although inmates are expected to demonstrate improvement in behavior and rehabilitation efforts, the current system for tracking their progress is neither comprehensive nor consistent. The prison system often lacks a robust framework for monitoring inmates' participation and measuring their progress in a meaningful way. In some cases, this leads to inmates receiving remission without having made significant rehabilitative strides, which undermines the credibility of the remission process.

For special remission, which is granted based on the progress of rehabilitation, inconsistent monitoring can lead to decisions that are not aligned with the intended purpose of the policy. Without proper oversight, inmates may receive remission despite having not fully engaged in or benefited from rehabilitation programs. This can also create disparities among inmates who are genuinely committed to reform but may not have the same access to quality programs as others. These inconsistencies weaken the effectiveness of the remission system and lead to questions about whether remission is truly serving its rehabilitative purpose (Affandy, 2025).

## 3. Debates on Eligibility for Serious Offenders

Another major challenge in the remission process is the ongoing debate surrounding the eligibility of prisoners convicted of serious crimes, such as drug trafficking, corruption, or terrorism. While remission is designed as a rehabilitative tool that incentivizes

positive behavior, there are growing concerns in both the public and legal spheres about whether prisoners convicted of heinous offenses should be granted remission.

Prisoners convicted of crimes such as drug trafficking, corruption, or terrorism often raise strong public reactions when they are eligible for remission. Critics argue that granting remission to such prisoners undermines public confidence in the justice system, particularly if the crimes committed are perceived to be severe and socially damaging. For example, the public may view drug-related offenses or corruption as particularly harmful to society, and the idea that offenders of such crimes could benefit from a reduction in their sentences is controversial.

This debate centers around the idea of whether remission should be granted based on the rehabilitative efforts of the prisoner or whether certain crimes should automatically disqualify offenders from receiving remission. While the legal framework allows for the possibility of remission for all prisoners, regardless of their offense, public opinion often calls for stricter guidelines that exclude certain categories of offenders, especially those involved in crimes that are deemed particularly damaging to the community.

The tension between legal principles and public perception has created an ongoing debate about the fairness of granting remission to prisoners convicted of serious crimes. This debate complicates the remission process, as policymakers must balance the goals of rehabilitation with societal demands for justice and fairness.

#### 4. Concerns Over Fairness and Abuse of Power

Another significant challenge facing the remission system is the perception of unfairness and the potential for abuse of power in the decision-making process. In some cases, prisoners may feel that their chances of receiving remission are not solely dependent on their behavior but also on their personal relationships with prison officials. This can lead to concerns about favoritism, where inmates with better connections or more influence within the prison system may have an unfair advantage in receiving remission.

The lack of transparency in the remission process has further exacerbated these concerns. When decisions about remission are made based on subjective assessments rather than objective criteria, it opens the door for potential corruption and favoritism. For example, prisoners who are well-connected or who have the support of influential figures within the system may be more likely to receive remission, even if they have not demonstrated significant progress in rehabilitation.

Such practices undermine the integrity of the remission process and erode public trust in the justice system. If remission decisions are perceived as being influenced by personal relationships or corruption, it raises doubts about the fairness and effectiveness of the system. This can have broader implications, including undermining the goals of rehabilitation and reintegration and contributing to a sense of injustice among prisoners and the public.

While the remission policy at Rutan Kelas IIB Prabumulih has provided inmates with valuable opportunities for rehabilitation and sentence reduction, several challenges hinder its full potential. Overcrowding, inconsistent monitoring of rehabilitation programs, debates over the eligibility of serious offenders, and concerns about fairness and abuse of power all present significant obstacles to the effective implementation of remission policies. Addressing these challenges is essential to ensuring that the remission system is both fair and effective, and that it aligns with the broader goals of rehabilitation and reintegration into society. To improve the remission process, it is crucial to enhance the availability and quality of rehabilitation programs, ensure consistent and objective

monitoring of inmate progress, clarify eligibility criteria for serious offenders, and increase transparency and accountability in decision-making. Only through these measures can the remission policy fulfill its intended purpose of rehabilitating offenders and reintegrating them into society as law-abiding citizens.

The remission policy at Rutan Kelas IIB Prabumulih has shown potential in supporting the rehabilitation and reintegration of prisoners into society. However, several measures should be implemented to improve its effectiveness and ensure it serves its intended rehabilitative purpose. The following recommendations are aimed at addressing the key challenges faced in the implementation of remission and enhancing the fairness and consistency of the system (Pratama & Faniyah, 2025).

### 1. Addressing Overcrowding

Overcrowding is one of the most pressing challenges that hinder the effectiveness of the remission system in Indonesia's prisons, including Rutan Kelas IIB Prabumulih. Overcrowded conditions limit the available resources for rehabilitation and hinder individualized support for inmates, both of which are crucial for their successful rehabilitation. Increasing the capacity of correctional facilities, by either expanding existing facilities or building new ones, is a fundamental step toward alleviating overcrowding.

However, simply increasing prison capacity is not enough. A focus on reducing recidivism and preventing further overcrowding should be prioritized through community-based rehabilitation programs. These programs offer a way to manage low-risk offenders outside of prison while still providing necessary rehabilitation and support. By diverting appropriate inmates to community-based programs, prisons can alleviate overcrowding, allowing the remaining inmates to receive more focused attention in rehabilitation efforts. This shift in focus could help prevent the continual overcrowding of prisons and ensure that inmates are given the resources they need for rehabilitation.

Additionally, reforming sentencing policies to focus on rehabilitation rather than punitive measures could help reduce the number of individuals incarcerated for non-violent crimes, contributing further to easing overcrowding in facilities like Rutan Kelas IIB Prabumulih. By providing alternatives to prison, such as house arrest, probation, or parole, the pressure on correctional facilities could be reduced, ultimately improving the chances of successful rehabilitation.

### 2. Strengthening Monitoring and Evaluation of Rehabilitation Programs

For remission to truly reflect rehabilitative progress, a more robust and consistent system for monitoring and evaluating inmates' progress in rehabilitation programs is essential. Currently, some prisoners benefit from intensive rehabilitation, while others may not receive adequate support, primarily due to inconsistent monitoring and varying levels of program access. To address this, the correctional system needs to implement clear and standardized criteria for evaluating prisoners' behavior and progress.

A comprehensive and transparent evaluation framework should be developed to assess not only inmates' participation in rehabilitation programs but also the effectiveness of these programs in producing positive behavioral changes. Evaluation tools could include progress reports from correctional staff, regular assessments of inmates' educational and vocational achievements, psychological assessments, and feedback from rehabilitative program facilitators.

The consistency of rehabilitation programs across different correctional facilities is also important. All prisoners, regardless of their location, should have equal access to high-quality rehabilitation programs. By ensuring that all inmates are evaluated based on the same standardized criteria, the remission process can be more equitable and reflect genuine rehabilitative success (Rahmat dkk., 2025).

Moreover, data collection and analysis systems should be improved to monitor inmates' progress over time. By tracking the effectiveness of rehabilitation programs and understanding which methods yield the best results, the correctional system can continually adjust and improve its approach. This data can also serve as a critical tool for policymakers when assessing the success of the remission system and making necessary reforms.

### 3. Clarifying Eligibility for Serious Offenders

The debate surrounding the eligibility of serious offenders such as those convicted of drug trafficking, corruption, or terrorism for remission remains one of the most contentious issues in the remission process. While remission is designed to incentivize positive behavior and facilitate rehabilitation, public opinion is often divided on whether those who have committed particularly heinous offenses should be granted remission.

To address these concerns, a clearer policy must be established regarding the eligibility of prisoners convicted of serious crimes for remission. The current legal framework allows for the possibility of remission for all prisoners who meet the necessary criteria, but this has led to public skepticism, particularly in cases involving high-profile crimes.

Transparent and well-defined policies should be established to guide the remission process, particularly for prisoners convicted of serious offenses. For example, there could be specific, enhanced criteria for serious offenders, such as a demonstrated history of reform through extensive rehabilitative programs, successful completion of education or vocational training, and psychological assessments.

While it is important that all prisoners are treated fairly, exceptional cases, especially those involving crimes that have had severe social and economic consequences, may warrant a more stringent review process. These cases should be carefully considered by a panel of legal experts, rehabilitation specialists, and public representatives to ensure that remission is granted only when it is justified and aligned with the principles of justice and fairness.

This policy clarification will not only address public concerns but also ensure that the remission process continues to serve as a rehabilitative tool, rather than as a means of reducing sentences for individuals who have not demonstrated genuine reform.

### 4. Ensuring Transparency and Accountability

Another crucial aspect of improving the remission process is ensuring transparency and accountability in the decision-making process. The perception of favoritism or abuse of power in the granting of remission undermines the legitimacy of the system and erodes public trust in the justice system. To address these concerns, the remission process should be made more transparent, and oversight mechanisms should be implemented to ensure that decisions are based on clear, objective criteria rather than subjective assessments.

One way to enhance transparency is to establish an independent body to review remission decisions. This body would be responsible for auditing remission decisions, ensuring that they align with legal requirements and are based on objective criteria.

Additionally, the process of granting remission should be publicly documented, allowing both inmates and the general public to track decisions and understand the rationale behind them. Furthermore, regular audits and reviews should be conducted to identify any patterns of favoritism or corruption. If discrepancies are found in the granting of remission, corrective measures should be taken promptly to maintain the integrity of the system. Regular reports on remission statistics, including demographic breakdowns and the criteria used to grant remission, should be made publicly available to further ensure accountability. The implementation of these measures will not only ensure fairness in the remission process but also help to rebuild public trust in the justice system. Transparency and accountability are essential for making the remission process a credible and effective tool for rehabilitation.

In conclusion, while the remission policy at Rutan Kelas IIB Prabumulih holds significant promise as a tool for rehabilitation and reintegration, its effectiveness is hindered by several key challenges. Overcrowding, inconsistent monitoring of rehabilitation programs, debates over the eligibility of serious offenders, and concerns about fairness and abuse of power all present obstacles to the full potential of the remission system. To address these challenges, several measures should be considered, including increasing prison capacity, strengthening monitoring of rehabilitation programs, clarifying eligibility criteria for serious offenders, and ensuring transparency and accountability in the decision-making process.

By implementing these recommendations, Indonesia can enhance the fairness and effectiveness of the remission system, ensuring that it serves its rehabilitative purpose and supports the reintegration of offenders into society as law-abiding citizens. These measures will not only strengthen the correctional system but will also help build public trust in the justice system, ensuring that remission continues to serve as a meaningful and just tool for rehabilitation (Aldianto & Phahlevy, 2024).

## **CONCLUSION AND SUGGESTION**

In conclusion, while the remission policy at Rutan Kelas IIB Prabumulih is in line with Indonesia's broader goals of rehabilitation and reintegration of prisoners into society, there are still areas for improvement in its implementation. For one, the criteria for granting remission must be applied consistently across all cases. Efforts should be made to ensure that every prisoner, irrespective of the crime committed, has access to rehabilitation programs that meet the required standards for remission eligibility. Additionally, it is crucial to address public concerns about the fairness of the remission process. Transparency and accountability in decision-making will be key to fostering trust in the system and ensuring its legitimacy.

To improve the remission system and make it more effective, several recommendations are made for the Indonesian government:

1. Enhance the availability and quality of rehabilitation programs to ensure all prisoners have fair access to the necessary resources that will help them qualify for remission. By providing more opportunities for inmates to engage in meaningful programs, their chances of rehabilitation will improve, and the overall success of the remission policy will be strengthened.
2. Strengthen monitoring and oversight mechanisms to ensure that remission decisions are made fairly and consistently. This could include independent bodies that review remission cases, ensuring that decisions are transparent, objective, and free from corruption or undue influence.

3. Increase public education on the purpose of remission to help build trust and understanding of the policy. Public perceptions of the fairness and effectiveness of remission can significantly impact its success, and educating the public about its rehabilitative nature will promote a better-informed society.

By taking these steps, the Indonesian government can further enhance the effectiveness of the remission policy, ensuring it serves as a genuine tool for rehabilitation, while also maintaining public confidence in the justice system.

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