

The Relationship between Legal Effectiveness Theory and Coaching Effectiveness Prisoners in Correctional Institutions

Mulyadi¹

Abstract

This research discusses the relationship between legal effectiveness theory and the effectiveness of coaching prisoners in correctional institutions. That the effectiveness of the law for training prisoners in order to achieve the objectives of punishment in correctional institutions. In this research the author uses a normative research method, namely a method that discusses research analysis using books, laws and concepts and theories. The research results show that the theory of legal effectiveness is closely related to the effectiveness of the implementation of laws relating to the development of prisoners in correctional institutions. These prisoners also really need good guidance and direction from correctional officers who play an important role in providing guidance and direction to prisoners during their detention period. Legal effectiveness, in this case, effectiveness is related to the rehabilitation of prisoners based on the implementation of legal validity. Legal validity refers to a legal norm that has binding force, requiring society to obey and act in accordance with the provisions of legal norms. To ensure that people are willing to obey the law, one of the efforts made is to establish sanctions, especially negative sanctions. The aim of applying sanctions among the public is to prevent them from committing disgraceful acts, thereby achieving the desired legal effectiveness and realizing the intended goals.

Keywords: Legal Theory, Effectiveness, Development, Prisoners

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¹ Legal Researcher, Ahmad Dahlan University, Indonesia, email mulyadi2000024159@webmail.uad.ac.id

1. Introduction

Pancasila as a guideline for life in the life of the nation, state and society for all Indonesian people who have norms that can be measured, among others, through a science contained in the law itself and the extent to which law enforcers treat all people fairly and those who violate will get sanctions contained in the law itself regardless of who the person is. (Muh.Abraham, 2015).

The law will undergo many continuous changes that will be seen from human behavior which is in order to improve in all aspects of human life for the realization of national goals in accordance with the mandate of the preamble to the Constitution of the Unitary State of the Republic of Indonesia in 1945 outlining the vision of nation development and achieving national goals (Salamiah, 2020), One of the goals is to educate the life of the nation and participate in implementing world order. In Indonesia, law enforcement against criminal acts, especially related to punishment, must be based on a normative legal approach that not only sanctions the perpetrators but also provides a deterrent effect.

The eradication of criminal acts appearing in people's lives is needed in a legal product that upholds justice that can be a means of protection for the community. To effectively combat the occurrence of unlawful behavior in society, it is imperative to establish a legal framework that upholds the principles of justice and serves as protection for society. The Indonesian government should adhere to the criminal law as a guideline(Aulia, 2021). Criminal law, as an integral part of the wider legal system in Indonesia, provides the necessary foundation and regulations to distinguish between morally undesirable and unlawful acts and to receive threats and criminal witnesses who violate a prohibition. The criminal law may also have to determine when and in what cases those who have violated the offense and may be punished as such.

These prisoners also need good guidance and direction from correctional officers who play an important role in providing guidance and direction to inmates during their detention period. It is important to realize that inmates have engaged in unlawful behavior and therefore require self-awareness to admit their guilt(Siregar, 2018). The purpose of punishment is not solely focused on revenge or deterrence, as these factors alone cannot guarantee that the inmate will refrain from adverse actions in the future. By law, a recidivist is a person who commits another crime after

being released from a previous sentence

The achievement of correctional goals depends on the collaboration of various stakeholders, such as officers who provide coaching, related agencies, and most importantly the active involvement of the community in facilitating the rehabilitation of prisoners. Communities play an important role in the ongoing challenge of inmate development, which is still a complex endeavor (Riswandi, 2021). Recognizing the importance of a humanitarian approach, it is important to recognize the indispensable contribution of prison officers in fostering the growth and well-being of inmates in prisons.

2. Problem Research & Methode Research

That in this study will discuss the formulation of the problem about the relationship between the theory of legal effectiveness and the effectiveness of coaching prisoners in community institutions. In this study, the author uses normative research methods, namely methods that discuss research analysis using books, laws and concepts and theories.

3. Analysis and Discussion

Effectiveness comes from the term effective, which indicates the ability to produce an effect, exert an effect, or produce a consequence. When something is effective, it pays off, efficacious, and leaves an impression. According to Hans Kelsen, legal effectiveness in this case effectiveness relates to the rehabilitation of prisoners based on the implementation of legal validity, Legal validity refers to a legal norm that has binding force, requiring the community to obey and act in accordance with the provisions of the legal norm. To ensure that people are willing to obey the law, one of the efforts made is to set sanctions, especially negative sanctions. The purpose of implementing sanctions among the community is to prevent them from committing reprehensible acts, so as to achieve the desired legal effectiveness and realize the intended goals (Fitriana, 2021).

The Theory of Legal Effectiveness (Soerjono Soekanto) as a rule is a benchmark regarding the attitude of action or appropriate treatment. The method of thinking used is a deductive-rational method, giving rise to a dogmatic way of thinking. On the other hand, there are those who view the law as an attitude of action or orderly behavior (ajeg). The method of thinking used is empirical inductive, so the law is seen as a repeated act in the same form, which has a specific purpose. The effectiveness of law in action or legal reality can be known if someone states that a rule of law succeeds or fails to achieve its goals, then it is usually known whether its influence succeeds in

regulating the attitude of certain actions or behaviors so that it is in accordance with its purpose or not. Legal effectiveness means that legal effectiveness will be highlighted from the goal to be achieved, namely legal effectiveness. One of the efforts that is usually made so that the community complies with the rules of law is to include the sanction. These sanctions can be in the form of negative sanctions or positive sanctions, which means to cause stimulation so that humans do not commit despicable actions or perform praiseworthy actions (Orlando, 2022). That the effectiveness of the law on the formation of prisoners in order to achieve the purpose of punishment in prisons, the theory of legal effectiveness is closely related to the effectiveness of the implementation of laws related to the formation of prisoners in prisoners. These prisoners also need good guidance and direction from correctional officers who play an important role in providing guidance and direction to inmates during their detention period.

Efforts known as Inmate Development involve involvement in a variety of activities with the goal of achieving better outcomes for individuals serving sentences in correctional institutions. One aspect of this development includes skills development, which serves as a valuable mechanism to drive future positive behavior transformations (Sanana et al., 2022). In carrying out an inmate coaching, the coaches use certain methods that later the purpose of coaching is achieved. The following methods of prisoners, First, Coaching involves a type of direct familial interaction between the trainer and the inmates they guide. Using the power of persuasive and educational coaching, this approach involves leadership by example and treating each other fairly, thus sparking a sense of inspiration in their hearts to engage in commendable action. This approach recognizes prisoners as individuals who have untapped potential, deserve respect and are entitled to their rights and responsibilities as fellow human beings. Coaching that is deliberate, ongoing, and methodical in its approach. The third is planning, continuous and systematic coaching.

Inmates are a thing in the sense that If a person is referred to as a prisoner, it is because they After committing an unlawful criminal act, the individual chooses to remain within the confines of the Institution. The term "prisoner" refers to the concept of imprisonment, while "prisoner" is a designation given to incarcerated individuals. This understanding clarifies the meaning behind these terms. The word "prisoner" comes from two syllables, with "Nara" symbolizing a person and "Criminal" meaning punishment. Various criminal activities, including murder, robbery, rape, drug-related offenses, and corruption, According to the Big Dictionary

Indonesian, the definition of a prisoner is a person who is serving a sentence commonly referred to as a person who is interpreted as a person who is punished. Engaging in unlawful behavior is the primary definition of committing a criminal offence. When it comes to other interpretations regarding incarcerated individuals, In a broad sense, prisoner refers to an individual or group of individuals (Sanaba., 2022). Over a period of time, a person finds himself serving a sentence that is eventually revoked. The loss of purpose of punishment is evident when legal decisions restrict freedom of movement. The purpose of this freedom is to guard society from criminal acts by means. The journey of forcibly shutting down from society and being exiled to the depths of the mind. Correctional facilities are designed for correctional purposes.

Penitentiary is a subsystem that is not separated from the integrated penal system in Indonesia. Added by the government as part of the law enforcement process, which uses services as well as training and guidance for social reintegration. Since its implementation in August 2022, Law Number 22 of 2022 concerning Corrections has replaced Law Number 12 of 1995 concerning Corrections. This law covers various aspects such as training, coaching, community engagement, care, and security, while upholding the values of respect, protection, service, and preservation of human rights. The introduction of this law marks an important milestone in the improvement and advancement of correctional services. The Correctional System is an integral component of Indonesia's Integrated Criminal Justice System, which is responsible for guaranteeing the rights and welfare of prisoners. Therefore, Law Number 22 of 2022 concerning Corrections emphasizes the importance of strict adherence to the protection of human rights for all prison-assisted citizens (Subroto, 2023). The concept of penitentiary is not solely related to perpetrators of crimes, but also includes the protection of their rights, including the responsibility to reintegrate prisoners into society and foster positive relationships with external parties or communities.

4. Conclusion

Legal effectiveness is concerned with the rehabilitation of prisoners and is concerned with the validity of the law. Legal validity refers to a legal norm that has binding force, requiring the community to obey and act in accordance with the provisions of the legal norm. To ensure that people are willing to obey the law, one of the efforts made is to set sanctions, especially negative sanctions. The purpose of implementing sanctions among the community is to prevent them from committing reprehensible acts, so as to achieve the desired legal effectiveness and realize the

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Reference

- Aulia, T. (2021). The effectiveness of the inmate formation and guidance program in Makassar class I correctional institution *Frontiers in Neuroscience*, 14(1), 1–13.
- Devi, D. A. I. S., & Wirasila, A. A. N. (2020). Legal Protection for Perpetrators and Victims of Narcotics Crimes (Case Study at Bali Regional Police). *Jurnal Kertha Wicara*, 9(11), 1–10.
- Dwiatmodjo. (2013). Criminal Implementation and Development of Narcotics Prisoners (Study on the Development of Inmates at the Class IIA Narcotics Penitentiary Yogyakarta). *Perspektif*, 18(2), 64. <https://doi.org/10.30742/perspektif.v18i2.115>
- Ftriana, A. N. A. (2021). The effectiveness of inmate development as an effort to prevent crime in Madiun Class I Penitentiary. Thesis, 14(1), 1–13.
- Islamiyah, W. (2017). Juridical analysis of the formation of inmates in the Class IIB Barru Penitentiary. *Core.Ac.Uk*. <https://core.ac.uk/download/pdf/89564465.pdf>
- I Nyoman Prabu Buana Rumiarta. (2022). The Role of The United Nations Committee on the Peaceful Uses of Outer Space. *Focus Journal Law Review*, 2(2). Retrieved from <https://ojs.balidwipa.ac.id/index.php/fjl/article/view/33>
- Khotimah, K. (2016). The Process of Coaching Correctional Assisted Citizens in Correctional Institutions. Class IIA Wirogunan Yogyakarta 147(March), 11–40.
- Muh.Abraham. (2015). Legal Effectiveness of Inmate Training at Jeneponto Regency Class IIB State Detention Center In *Paper Knowledge . Toward a Media History of Documents* (Vol. 135, Issue 4).
- Noor Aida Sari, Salamiah, dan F. A. S. (2020). Legal Effectiveness on the Development of Narcotics Prisoners at Banjarmasin Class IIA Penitentiary (LP)
- Orlando, G. (2022). Tarbiyah bil Qalam Legal Efficiency and Legal Functions in Indonesia . *Tarbiyah Bil Qalam*, 6, 50–58.
- Prabu Buana Rumiarta, I. N. (2022). Correlation Theory A.V. Dicey Perspective of the Rule of Law in Indonesia: Correlation Theory A.V. Dicey Perspective of the Rule of Law in Indonesia. *Focus Journal Law Review*, 2(1). <https://ojs.balidwipa.ac.id/index.php/fjl/article/view/19>
- Riswandi, S. &. (2021). Juridical Analysis of the Guidance and Formation of Inmates in Class

Correctional Institutions *I, I*, 101–108.

Rumiarta, I. N. P. B., Astariyani, N. L. G., & Indradewi, A.A.S. (2022). Human Rights of Indigenous People in Indonesia: A Constitutional Approach. *Journal of East Asia and International Law*, 15(2), 395-402. http://journal.yiil.org/home/archives_v15n2_10

Rumiarta, I. N. P. B., Astariyani, N. L. G., & Amaral, A. M. (2022). The Comparative Law on the Distribution of Power in the 1945 Constitution of the Republic of Indonesia and the Constitution of the Republic Timor Leste. *Jurnal IUS Kajian Hukum Dan Keadilan*, 10(3), 541–554. <https://doi.org/10.29303/ius.v10i3.1134>

Rumiarta, I.P., Indradewi, A.S., & Gomes, A. (2023). Comparative Law on the Authority of the House of Representatives (Indonesia) with the National Parliament (Timor Leste). *SASI*, 29(1), 18-28. DOI: <https://doi.org/10.47268/sasi.v29i1.1075>.

Sanana, B., Norau, S., & Sanaba, B. (2022). The effectiveness of inmate development in Sanana Class IIB Penitentiary. *Journal of Law and Economics*, 08(1), 45–61.

Siregar, N. F. (2018). *Efektivitas Hukum*. 18, 1–16.

Tresno Prakoso, G. S., & Subroto, M. (2023). (The Role of Correctional Institutions In a Law Enforcement According to Law Number 22 of 2022 about Corrections). *Jurnal Komunikasi Hukum*, 9(1), 1256. <https://ejournal.undiksha.ac.id/index.php/jkh>