

## Strategies of Formerly Incarcerated Balinese Women in Fighting Social Stigma

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### Abstract

*As in other regions of Indonesia, after serving their prison sentences, many women in Bali face difficulties in re-integrating into society. This article aims to reveal the strategies employed by formerly incarcerated Balinese females in combating social stigma. The chosen cases include embezzlement, identity fraud, and drug-related offenses, with the intention of understanding the challenges faced by these women. Data were collected through observation and interviews, focusing on the strategies utilized by three women to fight stigma and the legal perspectives regarding their stigmatization of these women. The analysis concludes that the patriarchal culture extends the arena of stigmatization for former Balinese female prisoners, as they have lost certain rights within their families and traditional socio-cultural norms. Stigma presents challenges for them in leading a normal life and hinders their social reintegration. Certain legal provisions reinforce this stigma, leading to discriminatory effects. This article encourages communities of former friends to participate in supporting them, so they become aware and do not reoffend. In this context, the role of the government and customary institutions is crucial in assisting former prisoners to return to normal societal life. Specifically, the BAPAS, the institution which, under Indonesian law, carries out the function of community guidance, plays an active part in accompanying former prisoners to ensure they regain their full rights as citizens.*

## I. INTRODUCTION

It is often said that former prisoners are not entirely 'free from punishment,' even after they have been released from custody. This statement is associated with the reality that many former prisoners struggle to reintegrate into society because they are still viewed with suspicion. A former prisoner is someone who has served a sentence for being proven guilty of committing a crime. The status of being a convicted criminal presents its own challenges and obstacles for formerly incarcerated in their

process of social reintegration, even in living a normal daily life.<sup>1</sup> Former prisoners are viewed as individuals with deviant behavior and are discredited in various social interactions.<sup>2</sup> The stigma experienced by formerly incarcerated people also reduces their access to education, employment, and other social opportunities.<sup>3</sup> In addition to causing psychological burdens and hindering social reintegration, this societal stigma has the potential to lead to the recurrence of criminal behavior as a consequence of closed-off social and economic opportunities.<sup>4</sup>

As of December 2024, there were two hundred and eighty-six (286) female detainees living in correctional facilities and detention houses located in Bali.<sup>5</sup> During their confinement, they received education and skills training, counseling guidance, as well as religious lectures. Correctional facilities aim not only to punish and deter convicted individuals but also to cultivate post-sentencing habits and behaviors that lead to self-improvement.<sup>6</sup> The Minister of Women's Empowerment and Child Protection has revealed that imprisoned women are still associated with a negative stigma and need special skills to finance their lives when they leave prison.<sup>7</sup> Since 2023, the Ministry has aggressively operated a mentoring and skills-training program for these women in correctional institutions in ten Indonesian provinces, including Bali.<sup>8</sup> However, the phenomenon on the ground shows that Balinese women who are former prisoners do not always receive public acceptance as expected.<sup>9</sup> Stigmatization remains a particularly serious issue hindering their social reintegration.

This phenomenon was found in three Balinese women who were released from correctional facilities in 2022. The stigma experienced by them

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<sup>1</sup> Helene Seaward, "Stigma Management During Reintegration of Older Incarcerated Adults with Mental Health Issues: A Qualitative Analysis," *International Journal of Law and Psychiatry* 89 (2023): 6

<sup>2</sup> Zainul Akhyar, Harpani Matnuh, and Muhammad Najibuddin, "Najibuddin, Muhammad. "Persepsi Masyarakat Terhadap Mantan Narapidana Di Desa Benua Jingah Kecamatan Barabai Kabupaten Hulu Sungai Tengah," *Jurnal Pendidikan Kewarganegaraan* 4, no. 7 (2014): 549.

<sup>3</sup> Danya E. Keene, Amy B. Smoyer, and Kim M. Blankenship, "Stigma, Housing and Identity after Prison," *The Sociological Review* 66 no.4 (2018): 781.

<sup>4</sup> Wanda Fitri, "Perempuan dan Perilaku Kriminalitas: Studi Kritis Peran Stigma Sosial Pada Kasus Residivis Perempuan," *Kafa'ah Journal of Gender Studies* 7, no. 1 (2017): 67.

<sup>5</sup> Directorate General Corrections, "Number of Occupants". <https://sdppublik.ditjenpas.go.id/analisa/jumlah-penghuni>.

<sup>6</sup> Ika Rizqi Meilya et.al, "Narapidana Wanita dalam Penjara: Kajian Perilaku Sosial Narapidana Wanita," *Journal of Nonformal Education and Community Empowerment* 4, no. 2 (2020): 140.

<sup>7</sup> Ministry of Women's Empowerment and Child Protection, "Menteri PPPA: Stigma Negatif Masih Melekat pada Perempuan Warga Binaan dalam Lembaga Pemasyarakatan", 2024. <https://kemenpppa.go.id/page/view/NTQ1MQ>.

<sup>8</sup> *Ibid.*

<sup>9</sup> PAD, "Former Female Prisoners of Kerobokan Prison in 2022," Interview by Made Narawati, Denpasar, February 12, 2023.

is the subject of this article. These women faced complex life issues after leaving prison due to societal stigma,<sup>10</sup> such as not being accepted by their husband's extended family, experiencing verbal or symbolic violence from their original families and communities, and having difficulty accessing jobs to meet daily needs.

Although one of the women was more readily accepted by her family, she still experienced psychological burden due to her status as a formerly incarcerated person.<sup>11</sup> This stigmatization is closely related to the patriarchy deeply rooted in the social system and cultural norms of Balinese society.<sup>12</sup> Patriarchal culture positions men as the dominant class and women as subordinate.<sup>13</sup> Legitimized by the traditional Balinese patrilineal kinship system, this positioning grants privileges to men in terms of inheritance rights over family property and roles in social, customary, and Hindu religious contexts. At the same time, it curtails some rights of women.<sup>14</sup> The logical consequence is that male ex-prisoners more readily reassume their place within customary rituals and activities and are more easily accepted back into their families. They are also able to find employment in the private sector.<sup>15</sup> These socio-cultural barriers require that formerly incarcerated Balinese women develop strategies to combat the stigma they face. This study explores in depth these resistance strategies, and their impact on the social reintegration process.

Those who are stigmatized may respond by either self-correcting and attempting to present themselves as 'normal' individuals, or by resisting — sometimes vigorously — against the stigmatizers.<sup>16</sup> Former prisoners are commonly perceived as individuals who are dangerous, dishonest, unreliable, aggressive, unpredictable, disreputable, and untrustworthy.<sup>17</sup>

This negative judgment is compounded by their everyday life conditions, such as socio-economic status and limited formal education and

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<sup>10</sup> Each of the women in the case studies experienced different problems in the social reintegration process.

<sup>11</sup> Meilya, et al, *loc.cit.*

<sup>12</sup> Ni Made Wiasti and I Nyoman Suarsana, "Perempuan Petani dalam Kuasa Patriarki: Studi Ekofeminisme di Subak Bulung Daya Desa Antap Kabupaten Tabanan Bali," *Journal of Bali Studies* 13, no. 1 (2023): 133.

<sup>13</sup> *Ibid.*

<sup>14</sup> I Nyoman Darma Putra and Hellen Creese, "Negotiating cultural constraints: strategic decision-making by widows and divorcees (widows) in contemporary Bali," *Indonesia and the Malay World* 44, no.128 (2016): 104.

<sup>15</sup> Akhyar, Matnuh, and Najibuddin, *op. cit.*, 548.

<sup>16</sup> Meythania Cesaviani and Rani Apriani, "Adaptasi Mantan Narapidana Didalam Kehidupan Bermasyarakat (Studi Kasus pada Mantan Narapidana Kasus Narkotika di Lembaga Pemasyarakatan Narkotika Kelas II A Cirebon)," *Nusantara: Jurnal Ilmu Pengetahuan Sosial* 9, no. 2 (2022): 664.

<sup>17</sup> Milda M. O. Latuputty, H.R.Lekatompessy and Y.S.Touwe, "Persepsi Masyarakat Terhadap Mantan Narapidana (Suatu Kajian Fenomenologi pada Masyarakat Latuhalat, Ambon, Maluku)," *Jurnal Ilmu Sosial dan Keagamaan* 1, No. 1 (2020):10.

skills, leading them to experience multiple burdens.<sup>18</sup> Former prisoners in Indonesia also face similar stigma as they may be considered social trash, and worthy of suspicion, warranting vigilance and social avoidance.<sup>19</sup> Some family members may even wish for these formerly incarcerated relatives to be sentenced to the death penalty because they are seen as having brought shame upon the family.<sup>20</sup> The stigma of ex-prisoners as troublemakers not only makes them distrusted, hated, and shunned by society,<sup>21</sup> but also creates anxiety and uncertainty for them in reintegrating socially with their community.<sup>22</sup>

These conditions encourage former prisoners to develop resistance strategies, both actively and passively. Bahfiarti notes that, in Makassar, South Sulawesi, for example, active strategies employed by the formerly incarcerated include being open and actively communicating with their surrounding environment, while passive strategies involve withdrawing from their social world. Both strategies are combined with stigma theory.<sup>23</sup> To date, there have been no specific studies on the strategies employed by Balinese women ex-prisoners. However, there is a perception that they involve a dialectical response to external stigma (public stigma) and internal stigma (self-stigma) expressed through everyday actions.

In sociocultural terminology, 'Balinese women' does not refer to every woman residing in Bali. In this study, the term refers to women of Balinese ethnicity who are Hindu and bound by the patrilineal system in terms of legal status and inheritance rights within the family, as well as their position as 'customary citizens,' i.e. a group of indigenous people with a deep historical and cultural connection to a particular region. Traditional Balinese villages have a strong social structure, with traditional hierarchies and rules that govern all aspects of life, from agriculture and religious ceremonies to spatial planning. Patrilineal, which is ingrained in Balinese customs, marks the beginning of the subjugation of Balinese women.

Generally, the patrilineal system exhibits the following characteristics: (a) lineage follows the father's line and every child 'belongs' to the father; (b)

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<sup>18</sup> Muthiah Rahmi, Heri Tahir and Abdul Rahman A. Sakka, "Stigma Masyarakat Terhadap Mantan Narapidana (Studi Kasus Kecamatan Ganra Kabupaten Soppeng)," *Phinisi Integration Journal* 4, no. 2, (2021): 333.

<sup>19</sup> Akhyar, Matnuh, and Najibuddin, *op. cit.*, 545.

<sup>20</sup> Meilya, et al, *loc. cit.*

<sup>21</sup> A.A. Ngr Anom Kumbara (1), "Fighting Stigma with Self-Image: The Resistance Strategy of the Pegayaman Muslim Community in Bali," *Etnosia: Jurnal Etnografi Indonesia* 7, no. 2 (2022): 240.

<sup>22</sup> Tuti Bahfiarti, "Kegelisahan dan Ketidakpastian Mantan Narapidana dalam Konteks Komunikasi Kelompok Budaya Bugis Makassar," *Jurnal Kajian Komunikasi* 8, no. 1 (2020): 29.

<sup>23</sup> *Ibid*; See also Wanda Fristian, Vina Salvina Darvina S, and Sulismadi, "Upaya Penyesuaian Diri Mantan Narapidana dalam Menanggapi Stigma Negatif di Kecamatan Klakah, Lumajang," *Adliya: Jurnal Hukum dan Kemanusiaan* 14, no. 1 (2020): 117.

family wealth is inherited by male offspring; (c) brides reside at the groom's household after marriage; and (d) sociocultural, in which men hold higher positions than women.<sup>24</sup>

Previous studies have been conducted on issues related to the present article. For example, Arianti, Kumbara, and Arjani examined the stigmatization of tattooed Balinese women in Denpasar, Bali's provincial capital and major hub.<sup>25</sup> Putrie and Ari discussed the social stigma anxiety of female former prisoners returning to society<sup>26</sup> while Fitri analyzed the effect of social stigma on female recidivists.<sup>27</sup> The present article offers a unique lens in observing what strategies formerly incarcerated Balinese women have used to combat social stigma.

This study employs qualitative methodology with a case study analysis approach. Qualitative methods aim to uncover and understand the meanings behind phenomena or events.<sup>28</sup> Data were collected using interview techniques that involved gathering information by directly questioning the informants.<sup>29</sup> The focus here is on the informants' various strategies they employed to combat stigma and its impact on their family status and lives. The profiles of these three women are presented in Table 1 below.

**Table 1. Informant Profile**

No	Name (Initial)	Age	Address	Education	Case	Verdict	Year Free
1	PAD	37	Badung Regency	Bachelor	Embezzlement of Money (Article 372 of the Criminal Code)	1 year, 2 months	2022
2	NEY	38	Gianyar Regency	Master	Identity fraud (Article 364 of the Criminal Code)	2 years, 6 months	2022
3	KTA	28	Denpasar City	Senior High School	Narcotics (Article 127 of the Criminal Code)	3 years, 6 months	2022

<sup>24</sup> Ni Nyoman Rahmawati, "Budaya Bali dan Kedudukan Perempuan Setelah Menikah (Perspektif Hukum Waris Hindu)," *Satya Dharma : Jurnal Ilmu Hukum* 4, no.1 (2021): 2-3.

<sup>25</sup> Putu Dewi Ariantini, A.A. Ngurah Anom Kumbara, and Ni Luh Arjani. " Stigmatization toward Tattooed Balinese Women in Denpasar." *E-Journal of Cultural Studies* 11, no. 4 (2018): 21.

<sup>26</sup> Kiki Adya Putrie and Berta Esti Ari, "Kecemasan terhadap Stigma Sosial untuk Kembali ke Masyarakat pada Mantan Narapidana Perempuan Tindak Pidana Penipuan," *Jurnal Ilmiah Bimbingan Konseling Undiksha* 12, no. 2 (2021):131.

<sup>27</sup> Fitri., *loc.cit.*

<sup>28</sup> Seda Khadimally, "Comparing Qualitative Research Designs University of Phoenix", [https://www.academia.edu/10857896/Comparing\\_Qualitative\\_Research\\_Designs](https://www.academia.edu/10857896/Comparing_Qualitative_Research_Designs), 4.

<sup>29</sup> Yasri Rifa'I, "Analisis Metodologi Penelitian Kualitatif dalam Pengumpulan Data di Penelitian Ilmiah pada Penyusunan Mini Riset," *Cendekia Inovatif dan Berbudaya: Jurnal Ilmu Sosial dan Humaniora* 1, no. 1 (2023): 31.

Data shown in Table 1 were collected through in-depth interviews and observations of daily activities by previously arranged visits to the women's homes or workplaces. The data gathered include: (a) feelings when first apprehended by authorities; (b) feelings during the trial process; (c) support from close family or friends during legal proceedings; (d) experiences in the correctional facility; (e) feelings approaching the time of release; (f) family acceptance after release; (g) forms of stigma experienced; (h) emotions arising from experienced stigma; (i) strategies to combat stigma; and (j) psychological and social implications impacts of these strategies.

Data analysis was conducted in three stages, namely: data reduction, data display, and preliminary conclusion or verification.<sup>30</sup> Interpretation of the data is conducted using the thick description model developed by Geertz.<sup>31</sup> 'Thinking and reflecting' and 'thinking of thought' interpretation is conducted through continuous reflective thinking on field data, based on ideas and findings from scientific studies derived from literature, perspectives, and previous theories. This interpretation allows an understanding from the point of view of the formerly incarcerated, based on the knowledge, experience, and context experienced in their social lives. This, in turn, leads to deeper exploration of the strategies carried out by these women to reduce stigma and the ability to continue their lives in the community. Additionally, critical analysis can uncover various ideologies and powers that create space for the stigma discrediting these former prisoners in various social interactions. The critical dimension of this study aims not only to reveal the stigma experienced by formerly incarcerated Balinese women, but also to raise awareness among them about various forms of injustice that they experience.<sup>32</sup>

## **2. RESULTS AND ANALYSIS**

### **2.1 Three Cases of Balinese Women: Differences in Experience of Stigma**

#### **2.1.1 Embezzlement Cases and Inferiority**

*Case 1.* PAD, 37 years old, from Badung<sup>33</sup> cried while recounting her experience as a former prisoner, indicating how heavy the psychological burden was for her. She felt shocked, afraid, depressed, and even

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<sup>30</sup> Esubalew Aman Mezmir, "Qualitative Data Analysis: An Overview of Data Reduction, Data Display and Interpretation", *Research on Humanities and Social Sciences* 10, no. 21 (2020):26.

<sup>31</sup> Clifford Geertz. *The Interpretation of Culture* (New York: Basic Books, 1973): 56.

<sup>32</sup> Lutfia Rahma Halizah and Ergina Faralita, "Budaya Patriarki dan Kesenjangan Gender," *Wasaka Hukum* 11, no. 1 (2023): 23.

<sup>33</sup> The information provided in Section 2.1.1. is obtained from PAD, "Former Female Prisoners of Kerobokan Prison in 2022," Interview by Made Narawati, Denpasar, February 12, 2023. The three women in this case study are identified here by their initials in order to protect their privacy.

contemplated ending her life when she first learned that she had been reported to the police for embezzling client funds. She felt betrayed by her colleagues and superiors. Although the actions of the former also implicated them in the alleged embezzlement, PAD could not prove it in court. This sense of betrayal intensified during the trial, as her colleagues and superiors gave incriminating testimony, ultimately leading to her being found guilty and sentenced to one year and two months in prison. This experience planted seeds of resentment towards those opposition witnesses and made it difficult for her to trust anyone.

While serving her sentence at Denpasar Class II A Women's Penitentiary, PAD tended to isolate herself and limit her interactions with fellow prisoners. The feeling of inferiority, that prisoners are dirty, low, and disgraceful, was ingrained in her. This caused severe psychological trauma, making her reluctant to interact with anyone, including others also convicted of embezzlement. She could not come to terms with the reality of being detained alongside other prisoners, especially when her fellow employees who had avoided criminal prosecution could laugh freely on the outside.

Towards the end of her sentence, PAD felt joyous at the prospect of being free. However, this happiness turned to fear when she contemplated the weight of living with the status of a formerly incarcerated person. She continued to imagine her family's reactions and society's perceptions after her release. During her time in prison, no close relatives or friends had visited her, except for her husband and birth mother. The shame of being a former prisoner deeply embedded itself in her, and shaped her social demeanor after release. She felt unworthy and unfit to interact with anyone except her husband and birth mother, who consistently had provided her with moral support throughout her sentence.

The feelings of inferiority persisted for several months. Even though her immediate family had accepted her back, she did not want anyone to know about her status as a former prisoner. She felt compelled to lie to her children, telling them that she was working outside the region during the time she was actually imprisoned. She did not want her children to bear the shame, and she struggled to imagine how they would react if they ever found out the truth. In her daily life, she also restricted her activities to avoid meeting many people, such as going to the market or temple, including communication through social media. She felt more comfortable not interacting with anyone because she feared receiving an unpleasant reaction once people knew about her status.

The worse treatment she received was from her husband's family, especially her in-laws. 'Since I got out of prison, my in-laws have never spoken to, or greeted, me; they really distanced themselves and avoided

meeting me,' said PAD while crying. When she questioned her husband about his parents' behavior, his response further devastated her. Apparently, her mother-in-law had asked her husband to divorce PAD while she was still serving her sentence. 'But he refused, so it's understandable why his parents would behave this way.' This made her feel even more inferior, believing herself unworthy of socializing with anyone. As noted, her close family, who should have been supportive, instead displayed distant and hostile attitudes. Therefore, she felt more comfortable being alone and limiting interactions with people around her.

However, the material and practical demands of her family compelled her to return to work. As she realized she lacked capital and specific skills to start a business, working in the formal sector was her only option. Since being an ex-prisoner posed a barrier to obtaining employment, she felt the need to conceal her status. This effort succeeded and she was hired at a restaurant in the Nusa Dua area, which was far away from her home. She enjoyed this job. Not only did this contribute to her family's finances, there was little risk that her former incarceration would be discovered by the restaurant's owner and employees. Nevertheless, she was haunted by the fear of losing her job if her status was ever exposed.

### **2.1.2 Identity Fraud and Self-Proving**

*Case 2.* NEY, 38 years old, from Gianyar,<sup>34</sup> was convicted of identity fraud and sentenced to two years and six months of imprisonment. Unlike PAD, NEY was aware of the legal consequences of her actions from the beginning. Thus, when her misconduct was uncovered, she did not experience excessive shock. She admitted to all of her actions and cooperated with authorities during the investigation prior to trial. During her time in prison, she also easily socialized with others, even being affectionately called '*Mami*' as an appreciation for her humble and motherly manner.

One day, however, she received a copy of a court-issued divorce decree. This caused deep sadness for several days, while other prisoners tried to comfort her. Their support made her feel stronger in facing the circumstances. She resumed her daily routine and became more committed to skills education, counseling sessions, and religious lectures. She believed that activities in the correctional facility could serve as preparation for a better life after release. Moreover, she anticipated facing the dual burden of being a former prisoner and, as a result of the divorce, a 'widow,' which she knew would not be easy for a woman.

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<sup>34</sup> The information provided in Section 2.1.2. is obtained from NEY, "Former Female Prisoners of Kerobokan Prison in 2022," Interview by Made Narawati, Denpasar, February 3, 2023.



So burdened, NEY began a new life with her birth family, as in Bali's system of customary law, every wife loses her rights in her husband's family upon divorce. Moreover, her children lived with her husband, and she was prohibited from seeing them. When she tried to meet her children at school, she experienced a heartbreaking incident when her child refused to meet her and rejected her money. 'Daddy said Mommy is a bad person,' were the words of her child that deeply hurt her. It is conceivable her ex-husband had instilled in their children the belief that prisoners are criminals, preventing them from getting close to NEY. This experience left her utterly devastated, forcing her to suppress her desire to reunite with her children.

However, acceptance and support from NEY's family of origin motivated her to move quickly past this sadness. She became active in various social activities without being burdened by her status and perceived impurity as a divorcee and ex-prisoner. Although she had lost some of her rights to participate in customary Balinese practices, she remained actively involved in social and religious activities within her *banjar*, or Balinese local administrative district. Seemingly unaffected by her status, NEY showed enthusiasm in participating in these traditional activities. Her friendly and sociable manner made it easier for her to interact with people. She disregarded public perceptions about her, especially since her criminal case did not harm those around her, but only affected her business partner

NEY chose not to re-enter the formal employment sector, due to a lack of passion about her possible options, but also because her status as a former prisoner would restrict her access to jobs. Utilizing the handicraft skills she acquired during her time in prison, she turned her focus to that line of work. With a loan from one of her relatives, she started a handicraft business, rented a shop to market her products, and became a vendor of items made by other artisans. She wanted to develop a successful skills-based business and invite her fellow former prisoners to work with her, with the exception of those convicted of drug-related offenses, as they often face difficulties in rehabilitation.

NEY stated that she carries a psychological burden, has experienced trauma, and does not want to be hurt again. She believes former prisoners should support each other because they share the same traumatic experiences. Nevertheless, they must continue to strive to meet their needs and sustain their lives independently without burdening others. If they are not given the space to do so, they might end up committing crimes again.

Education and a positive attitude seem to have made NEY more accepting of her status as a former prisoner. This attitude has also enabled her to quickly recover from despair without worrying about social stigma. Support from her original family has helped her to continue opening up socially, to emancipate herself, to think positively and creatively, and to keep

working towards a better future. The desire to show her children that she is not as bad as people believe has also provided her with the motivation to embrace her new life with the dual status of being a former prisoner and a 'widow.'

### **2.1.3. Drug Recidivists and Engaging in Deviant Behavior**

Case 3. KTA, 28 years old, from Denpasar,<sup>35</sup> has had a different experience from the two above-mentioned informants. She was considered a repeat offender because she was previously imprisoned for drug use, serving a sentence of one year and two months. A year later, she was sentenced again, this time for drug use and trafficking, receiving a prison term of three years and six months. Going to prison for a second time brought back the stigmatization she had faced after her first experience as a former prisoner. After her release from prison the first time, her parents had not spoken to her for days and she was mistreated by her extended family. When she gathered the courage to start communicating, she encountered verbal abuse in the form of harsh and hurtful words, e.g., '*Nyai sing bisa ngajiang rarama, sepalan nyai dadi sundel*' ('If you cannot respect your parents, you might as well become a prostitute'). In Balinese, *nyai* is a pronoun for *you* and carries a negative connotation.

Mistreatment by KTA's parents and family made her feel like she had lost her bearings. As she had no one else to interact and socialize with in her daily life, she renewed her friendship with a former prisoner who was also convicted on drug charges. She viewed this fellow prisoner as the only person who could understand her. However, this friend apparently had not yet overcome her addiction, and persuaded KTA to take up her former drug habit. In KTA's words: 'At first, I could refuse once or twice, but eventually I became interested in using [drugs] again. I also was being asked to distribute [drugs].' Through this network she became caught up in the whirlpool of drug trafficking and landed back in prison, this time serving a longer sentence.

After her release for the second time, she felt completely shattered and without a future. Acceptance from her family and community worsened, prompting her to leave her hometown and rent a room elsewhere in a boarding house. The pressure from the drug circle was intense, with constant contact with others urging her to get involved again in the illicit business. While she did not want to get caught up in that cycle, she found it difficult to resist. This led her to consider ending her life by drowning herself in a river. Moreover, as is often the case among drug addicts, KTA's financial

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<sup>35</sup> The information provided in Section 2.1.3. is obtained from KTA, "Former Female Prisoners of Kerobokan Prison in 2022," Interview by Made Narawati, Denpasar, March 20, 2023.

difficulties were compounded by the urge to use drugs, and she was unsure whether she could escape this vicious cycle. To cover her daily financial needs, she reluctantly resorted to prostitution through an online application.

After a few months, she found a better job, as an agent at a mobile phone counter. Early on, however, she noticed a change in her co-workers' attitudes, as they kept their distance in communication, refusing to have lunch with her. A male co-worker attempted to sexually harass her. Later, she discovered that her co-workers were aware of her background as a drug recidivist involved in prostitution. She only lasted a month in that position, as the workplace environment became intolerable. These negative experiences shattered her spirit and efforts toward self-improvement. Eventually, KTA adopted an indifferent attitude towards the negative judgments from those around her. She decided to do whatever she wanted and whatever made her comfortable. She indicated that she did not care whether she was seen as a naughty woman or a drug addict. What mattered was satisfying her desire to earn money.<sup>36</sup>

## **2.2. Legal Perspective on Formerly Incarcerated Balinese Women Who Experience Stigma**

### **2.2.1. Indonesian Legal Framework**

Indonesia's current rehabilitative scheme distinguishes between *Lembaga Pemasyarakatan* (LAPAS) and *Balai Pemasyarakatan* (BAPAS). The former is a penal institution aiming to rehabilitate prisoners and so-called 'correctional students' during their incarceration.<sup>37</sup> The term 'prisoners' includes individuals serving a sentence for a time certain or for life as well as death row prisoners awaiting execution of the verdict.<sup>38</sup> BAPAS, on the other hand, is a correctional center designed to implement *community-based* guidance and crime prevention for 'clients,' whether adults or children.<sup>39</sup>

One of the aims of the Indonesian correctional system is to foster self-esteem and self-reliance.<sup>40</sup> Through reflection on one's mistakes, self-improvement and discouragement of renewed criminal activity, individuals

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<sup>36</sup> KTA, "Former Female Prisoners of Kerobokan Prison in 2022," Interview by Made Narawati, Denpasar, March 20, 2023.

<sup>37</sup> Law No. 22 of 2022 concerning Corrections (Law 22/2022), Art. 1 (18).

<sup>38</sup> *Ibid.*, Art. 1 (6).

<sup>39</sup> *Ibid.*, Art. 1 (8) and Art 1 (20). BAPAS has existed even before the creation of Law 22/2022. See Law No.12 of 1995 concerning Corrections. See also Syaiful Anwar, and Mardella Galih, "Juvenile, Prisons, and Justice: How Do Correctional Agencies Provide Legal Assistance for Children in Conflict With The Law?", *The Indonesian Journal of International Clinical Legal Education* 3, No. 2 (2021): 199.

<sup>40</sup> Sri Adyanti Pratiwi and I Nyoman Lemes, "Pelaksanaan Pembinaan Narapidana Sebagai Upaya Mengatasi Timbulnya Residivis Di lembaga Pemasyarakatan Kelas II b Singaraja", *Kertha Widya Jurnal Fakultas Hukum Unipas* 6, no. 1 (2018): 25.

can again be blended into society, to live normally as law-abiding, and responsible citizens, as well as contribute to the state's development or nation building.<sup>41</sup> However, after serving their sentence, the discrimination and pressures from those around them often makes it difficult for the formerly incarcerated to return to life as upstanding citizens.<sup>42</sup>

This rehabilitative effort appears to be a response to the social stigma that has developed in society, namely, 'that once someone commits a crime, they will always do evil.'<sup>43</sup> That is, people tend to believe that individuals who have been released from prison or a correctional facility cannot repent or be rehabilitated and will always do something wrong. The formerly incarcerated tend to socialize with other former prisoners, some of whom have succeeded in becoming 'better', but some of whom have re-offended. Time served in prison, stigma and/or discrimination may all determine the rate of criminal recidivism.<sup>44</sup>

Former prisoners face particular difficulty in securing employment insofar as they have lost the opportunity to work as civil servants or elsewhere in the formal employment sector. In the formal sector, many job applicants are rejected because their status as former prisoners makes them ineligible for a *Surat Keterangan Catatan Kepolisian* (SKCK).<sup>45</sup> Issued by Indonesia's National Police, the SKCK attests to the existence or absence of a criminal record.<sup>46</sup> Moreover, one's past prison sentence is not easily concealed, as police have access to a computerized criminal database.<sup>47</sup> In essence, as the failure to demonstrate a crime-free history prevents the formerly incarcerated from working in the formal sector, this is tantamount to a form of state-sanctioned injustice. Similarly, applicants for the civil service are ineligible if they have been sentenced to imprisonment based a crime that carries a prison sentence of two or more years.<sup>48</sup> The importance of BAPAS's potential is underscored when one considers the inability to obtain a certificate of good conduct, the societally-imposed stigma that reinforces the sense of inferiority, job market discrimination, and a possible return to commission of crimes.

In theory, former prisoners are intended to have the same rights and obligations as other citizens once they are released from LAPAS. Article 28D

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<sup>41</sup> Law 22/2022, Art. 2(b).

<sup>42</sup> Rahmi, Tahir, and Sakka, *op.cit.*, 334.

<sup>43</sup> *Ibid*, 335.

<sup>44</sup>Aminu Musa Ahmed, Abd Halim and B. Ahmad, "Prison, Stigma, Discrimination and Personality as Predictors of Criminal Recidivism: Preliminary Findings," *Journal of Social and Development Sciences* 6, no. 2. (2015): 26.

<sup>45</sup> Meilya, et al, *op.cit.*,146.

<sup>46</sup> National Police of Indonesia Regulation No. 6 of 2023 concerning the Issuance of Police Record Certificates, Art. 1 (1) and Art. 2 (2).

<sup>47</sup> *Ibid.*, Art. 13 (1) (e)

<sup>48</sup> Government Regulation No. 11 of 2017 concerning Civil Servant Management, Art. 23 (1) (b).

of the 1945 Constitution of the Republic of Indonesia safeguards: (1) the right to recognition, guarantees, protection and fair legal certainty, as well as equal treatment before the law, (2) the right to work and receive fair and decent compensation and treatment in work relationships, (3) the right to equal opportunities in government, and (4) the right to citizenship status.<sup>49</sup> Moreover, Article 1(1) of Law No. 39 of 1999 Concerning Human Rights (Law 39/1999) states that human rights are those naturally inherent rights which are bestowed on ‘creatures of God Almighty and are His gifts that must be respected, upheld and protected by the state, law, government and every person’ to uphold their ‘human dignity and honor.’<sup>50</sup> Article 3(3) of this law further states that everyone has the right to protection of human rights and human freedoms, without discrimination.<sup>51</sup>

Prisoners who are released from LAPAS through the assimilation process, conditional leave, pre-release leave and conditional release are still under the responsibility of LAPAS.<sup>52</sup> The BAPAS operates differently vis-à-vis its clients. In Bali, for example, the institution known as *desa adat* (customary village) may play a role in this process. The village adopts customary rules, such as *perarem* or decisions made by village community representatives which apply to all villagers. Potentially, a village could adopt a customary rule that, in essence, respects the return of female ex-prisoners and recognizes their social and cultural rights. This would not only ease or complement the role played by BAPAS, but could also reduce stigmatization towards these women.<sup>53</sup>

### 2.2.2. Reflecting on International Legal Principles

Indonesia’s carceral practices find a parallel in international law. For example, the Standard Minimum Rules for Non-Custodial Measures or so-called *Tokyo Rules*, adopted by the United Nations General Assembly (UNGA) in 1990, sets out basic principles ‘to promote the use of non-custodial measures, as well as minimum safeguards for persons subject to alternatives to imprisonment.’<sup>54</sup> This includes post-sentencing alternatives

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<sup>49</sup> Andi Muhammad Asrun, “Human Rights in the Framework of the Ideals of the Legal State, *Jurnal Cita Hukum* 4, no. 1 (2016): 136.

<sup>50</sup> Law 39/1999, Art. 1 (1).

<sup>51</sup> *Ibid.*, Art. 3 (3).

<sup>52</sup> Law 22/2022, Art. 10.

<sup>53</sup> Tini Rusmini Gorda, “Customary Law Cases in Indonesia”, Interview by Made Narawati, Denpasar, August 20, 2024.

<sup>54</sup> See United Nations Standard Minimum Rules for Non-Custodial Measures (The Tokyo Rules), Art. 1.1, <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-standard-minimum-rules-non-custodial-measures> ; United Nations Office on Drugs and Crime (1), “Custodial and Non-Custodial Measures: Social Reintegration”, [https://www.unodc.org/documents/justice-and-prison-reform/cjat\\_eng/4\\_Social\\_Reintegration.pdf](https://www.unodc.org/documents/justice-and-prison-reform/cjat_eng/4_Social_Reintegration.pdf) ; and United Nations Office on Drugs and Crime (2), “*Handbook of Basic Principles and Promising Practices on Alternative Imprisonment*”,

that avoid institutionalization and support for ex-prisoners in their early societal reintegration.<sup>55</sup> These alternative dispositions, to be ‘considered at the earliest stage’ include furlough and ‘half-way houses,’ work or education release, and various forms of parole.<sup>56</sup> In some instances of non-custodial rehabilitation, supervision by a competent authority is provided ‘to reduce reoffending and to assist the offender's integration into society in a way which minimizes the likelihood of a return to crime...’ This may include psychological, social and material assistance and ‘opportunities to strengthen links with the community and facilitate [prisoners’] reintegration into society.’<sup>57</sup>

In addition, the Rules prescribe that the sentencing conditions be ‘practical, precise and as few as possible,’ and are aimed at reducing criminal recidivism and at the same time increase the chances of social integration by the formerly incarcerated, while also ‘taking into account the needs of the victim.’<sup>58</sup> It should be noted that the rehabilitative protocols set out in these Rules do not make the kind of LAPAS and BAPAS distinction as found in the Indonesian legal scheme. Moreover, the needs of victims are meant to be considered along with the reintegration capacity of the former prisoners.

Similar release post-sentencing provisions are to be found in the Council of Europe’s Committee of Ministers Recommendation on Conditional Release adopted in 2003.<sup>59</sup> In particular, the Recommendation urges that post-release conditions be individualized, made available to all sentenced prisoners, and with conditions aimed at ‘assisting prisoners to make a transition from life in prison to a law-abiding life in the community’ and at ‘contributing to public safety and the reduction of crime in the community.’

<sup>60</sup>

In order to reduce the risk of recidivism, the Recommendation suggests imposing individualized conditions on released prisoners, such as: compensating or making reparation to victims; treatment for drug or alcohol misuse; employment or participation in an approved educational, vocational, or personal development program; and/or a prohibition on residing in, or visiting, certain places.<sup>61</sup> Preparation for conditional release should include the possibility of the prisoners’ maintaining or (re-)establishing links with

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[https://www.unodc.org/pdf/criminal\\_justice/Handbook\\_of\\_Basic\\_Principles\\_and\\_Promising\\_Practices\\_on\\_Alternatives\\_to\\_Imprisonment.pdf](https://www.unodc.org/pdf/criminal_justice/Handbook_of_Basic_Principles_and_Promising_Practices_on_Alternatives_to_Imprisonment.pdf)

<sup>55</sup> The Tokyo Rules, Art. 9.1.

<sup>56</sup> *Ibid.*, Art. 9.2.

<sup>57</sup> *Ibid.*, Arts. 10.1 – 10.3.

<sup>58</sup> *Ibid.*, Art. 12.2.

<sup>59</sup> Council of Europe, Committee of Ministers, “Recommendation to member states on conditional release (parole), Rec (2003)2”, <https://rm.coe.int/16800ccb5d>,

<sup>60</sup> *Ibid.*, Appendix, paragraphs 1, 3 and 4.

<sup>61</sup> *Ibid.*, Appendix, paragraph 8.

family members and forging contacts with services, organizations, and voluntary associations in the community.<sup>62</sup>

Lastly, the Ministers' recommendation is for procedural safeguards on all decisions to grant, postpone or revoke conditional release, as well as decisions to impose or modify conditions.<sup>63</sup> In short, like the UN Minimum Standards, the Council of Europe terms and conditions are comprehensive and appear to spell out more fully than the Indonesian protocols, the expectations and supports necessary for genuine community reintegration.

### 2.2.3. An Evaluative Reflection

According to Tyler, the term 'stigma' generally describes 'the degrading marks that are affixed to particular bodies, people, conditions and places within humiliating social interactions.'<sup>64</sup> Goffman used the term to refer to 'an attribute that is deeply discrediting, but it should be seen that a language of relationships, not attributes, is really needed.'<sup>65</sup> That is, an attribute that is stigmatizing for one person can actually 'confirm the usualness of another' and, cannot in itself serve to credit or discredit.<sup>66</sup> Stigma can take the form of labeling, stereotype, separation, or discrimination.<sup>67</sup> Labeling is the act of assigning a designation or name to individuals who are perceived to exhibit supposedly deviant behavior.<sup>68</sup> Stereotyping is a belief about the characteristics or personal attributes possessed by individuals within a specific group or social category.<sup>69</sup> Separation refers to the division between 'the normals' (those without stigma) and 'the abnormal' (those with stigma). Discrimination is differential treatment based on one's status, categorization, or specific attributes that limit an individual's access to various opportunities and resources.<sup>70</sup> Stigma becomes a psychosocial reality when individuals who are stigmatized believe they possess the attributes as labeled.<sup>71</sup>

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<sup>62</sup> *Ibid.*, Appendix, paragraph 14.

<sup>63</sup> *Ibid.*, Appendix, paragraph 32.

<sup>64</sup> Imogen Tyler, *Stigma: The Machinery of Inequality* (London: Zed Books Ltd, 2020), 9.

<sup>65</sup> Erving Goffman, *Stigma: Notes on the Management of Spoiled Identity* (UK: Penguin Classics, 2022), 3.

<sup>66</sup> *Ibid.*

<sup>67</sup> A.A. Ngr Anom Kumbara (2) and A.A. Sagung Kartika Dewi, "The Resistance of the Pegayaman Islamic Community Against Stigma and Identity Retention Strategies in Buleleng Regency," *E-Journal of Cultural Studies* 15, no. 2 (2022): 56.

<sup>68</sup> Gro Kvale and Zuzana Murdoch, "Making Sense of Stigmatized Organizations: Labelling Contests and Power Dynamics in Social Evaluation Processes," *Journal of Business Ethics* 178, no. 4 (2022): 680.

<sup>69</sup> Amurwani Dwi Lestariningsih and Linda Sunarti, "Dialita: Collective Memories of Former Women Political Prisoners During the New Order Era in Java, 2000–2011," *Memory Studies* 16, no. 5 (2022): 15.

<sup>70</sup> Kvale and Murdoch, *op. cit.*, 681.

<sup>71</sup> Meilya, et al, *op. cit.*, 145.

The three cases described in Section 2.1 manifest how formerly incarcerated Balinese women experience different forms of stigma after their release from prison and the various strategies they employ in response in their daily social interactions. In the first case, PAD tended to experience acute self-stigma, which affected her self-assessment and imagined public stigma. Under the concept of deviance, the perspective and stigma assessment of one's deviant behavior is seen through the processes of detection, definition, and perception.<sup>72</sup> That is, an individual evaluates her aberrant acts as detected, defined, and perceived to deviate from the legal norms and values of society. Thus, the former prisoner validates the negative stigmas attributed to her, including public stigma. She feels deserving of these labels, as a self-stigmatized person with moral flaws who is unable to integrate into the social environment.

Ultimately, the status as a former prisoner is viewed as a label that is unworthy of bearing. This assessment internalizes the deviancy within oneself, leading to continuous feelings of guilt and a sense of deserving blame. Therefore, an individual tends to employ strategies such as self-exclusion, subterfuge, social withdrawal, and fear of disclosure to hide their status and avoid the possibility of worse public stigma.<sup>73</sup> The strategy is demonstrated by PAD, for example, in her efforts to limit interactions and communication with others, both on an interpersonal level and through social media. She restricted participation in public activities, hid her status as a former prisoner from her children and prospective employers, and continuously feared that something bad would happen if her status were revealed.

In the realm of psychology, Hendrawan applied the concept of alienation in his analysis of the human character, namely a life experience where persons views themselves as isolated figures.<sup>74</sup> One who is isolated from oneself, does not experience themselves as the center of their world, and the creator of their own activities, but is controlled by something else, which subordinates their own attitudes and thoughts.

Meaninglessness and alienation are evident from the realization of formerly incarcerated Balinese women that they find themselves in violation of social norms and values. Guilt, lowliness, humiliation, and worthlessness become mental states that are experienced continuously. The strategy of limiting social interaction also causes them to be alienated from themselves and their environment. They fail to exercise control over their own judgments and attitudes because they perceive that there are other forces that have more influence over them, namely societal stigma. This hinders

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<sup>72</sup> Fitri, *op.cit.*, 67.

<sup>73</sup> See Bahfiarti, *op.cit.*, 39; and Rahmi, Tahir, and Sakka, *op.cit.*, 35.

<sup>74</sup> Datu Hendrawan, "Alienasi Pekerja Pada Masyarakat Kapitalis Menurut Karl Marx," *Arete* 6, no. 1 (2017):16.



their chances of proving themselves capable of becoming better person after serving time in prison. Self-stigma also hinders social reintegration because the stigmatized person deliberately closes herself off to various social accesses that would allow them to be accepted back into their social environment.

In the second case study, NEY had more self-acceptance of her past incarceration, given the support from her family of origin. She saw societal stigma as a social normality that does not need to be questioned, and it even motivated her to prove herself. Affiliation and achievement motivations drove her to engage in self-defense strategies in response to her imagined fear of social attitudes or potential discrimination.<sup>75</sup> This was manifested in her active participation in various customs (*adat*), even though she was not required to undertake these obligations. Self-evidentiary strategies are generally carried out by stigmatized people to change society's judgment that they are not the person that many people think they are, and are even able to behave better than people who are not stigmatized.

Self-evidence, which is based on affiliation, achievement and/or power motivations, is a form of cultural negotiation insofar as the stigma against individuals can be eroded by showing oneself to be socially acceptable. Self-confidence and disregard for societal stigma can strengthen the desire to prove that one is able to give their best when offered the opportunity. Therefore, those who are stigmatized will utilize social opportunities to explore their individual potential and draw on available resources in order to be able to 'achieve in life' without being burdened by their status as ex-prisoners. These achievements are both a way of fighting socially imposed stigma, and a statement of oneself as an autonomous and independent person.

NEY's self-defense strategy seems to have succeeded in reducing and even reversing the stigma. The growth of her business created employment opportunities for the women around her. Her daily attitude and behavior also convinced the community that she had truly become a 'better person.' Moreover, her activities in social, traditional, and religious activities restored her image as a responsible, autonomous, and independent Balinese woman. Slowly, she began to be accepted by the public and reintegrated into her social world. In fact, her family of origin performed the *mulih daha* ('returning single') ritual, a Hindu religious ceremony restoring her status as a daughter of the family. This rite is generally reserved for Balinese women

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<sup>75</sup> Meylina Diah Ekasari and Sri Hartati, "Hubungan Antara Kebutuhan Afiliasi dengan Kesepian pada Remaja di Panti Asuhan Putri Aisyiyah dan Putra Muhammadiyah Tuntang dan Salatiga." *Jurnal Empaty* 3, no. 4 (2014): 8.

who were previously married, then separated from their husbands, either through death or divorce.<sup>76</sup>

Unlike the other two women whose case studies are presented above, the strategy applied by KTA to fight societal stigma was secondary deviance, characterized by the tendency of stigmatized women to engage in deviant behavior in accordance with the stigma they carry. Instead of building positive perceptions, or at least behaving ‘normally’ like other women, there is a greater tendency to deviate in ways that differ from prior behaviors, such as physical exhibitionism, smoking, drinking, and even prostitution.<sup>77</sup> In the context of formerly incarcerated Balinese women, they engage in such behaviors as a consequence of the difficulty of finding other people with whom they can fraternize and relate to in socially acceptable ways.

When individuals encounter different and often conflicting social contexts, they may move around, shifting from one social world to another, experiencing almost a sense of homelessness and even, in some cases becoming literally homeless.<sup>78</sup> While they may become uprooted from their original social environment, they do not find a new environment as their true ‘home.’ This analysis is typically applied to modern societies as ‘structural differentiation’<sup>79</sup> occurs. This process of dividing tasks and functions in society becomes increasingly complex and specialized. Simply put, modern society tends to have a more divided structure than traditional society. But this process may also apply in traditional societies, like Bali’s, where formerly incarcerated women do not feel ‘at home’ with their family and society of origin or with their cultural or religious traditions. As victims of structural differentiation, they experience discrimination in various aspects of their lives and inevitably return to criminal behavior in spaces that are perceived to provide opportunities for comfort.

Essentially, the stigma against these women has implications for mental stability. This correlates with what Erikson refers to as ‘identity maturity,’ i.e. the optimal sense of identity experienced psychosocially when a person accepts themselves and others, and feels they occupy a meaningful

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<sup>76</sup> See Putra and Creese, *op.cit.*, 119-120,

<sup>77</sup> Mathieu Deflem, “Deviance and Social Control”, in *Handbook of Deviance*, ed. Erich Goode. (Malden, MA: Wiley-Blackwell, 2015), 36.

<sup>78</sup> Aimie Sulaiman, “Memahami Teori Konstruksi Sosial Peter L. Berger,” *Society Journal* 6, no.1 (2016): 19.

<sup>79</sup> The notion of differentiation e.g. labelled ‘structural differentiation’ postulates that ‘a significant aspect of social change is the replacement of multifunctional institutions and roles by more specialized units’. The concept of differentiation frames changes as a process towards specialization, whereby particular social sub-systems take on increasingly narrow and specific tasks as a response to increased complexity in society. See Johan Fredrik Rye and Sigurd M Nordli Oppegaard, “Social Order in the De-Differentiated Society: Deleuzian Social Theory and the Penal Institution,” *Current Sociology* 71, no. 6 (2023): 1002.

space in the whole of reality.<sup>80</sup> Individuals can experience a crisis of identity, however, when the identity is also judged by others in the social environment. In this instance, the identity of the former prisoner becomes damaged in the community and fighting the negative perception must begin with self-acceptance or identity as a former prisoner. 'Fracture identity' occurs when one's personal identity is not accepted or contradicts the collective identity. This leads to psychological instability insofar as an individual experiences identity confusion or chaos, namely the fracture of the image of the self, the loss of the central position of the ego, a sense of feeling self-scattered, isolation, confusion, fear, and self-dissolution. As difficult as it may be, attaining self-acceptance is the optimal way for a formerly incarcerated Balinese woman to stabilize her psyche and build identity maturity.

The stigma faced by these ex-prisoners stands in contrast to the women in Putra and Creese's study of widows in Bali who need economic capital to make their presence accepted by society or at least by their family.<sup>81</sup> The former's rise from adversity and return to a 'normal' life is an anticipated phase of identity maturity. Yet, this status requires the support of the family, customary and social systems, workplace and/or government.

The role of LAPAS in providing guidance to prisoners plays a crucial part in the success of the social reintegration of former prisoners.<sup>82</sup> The principle of social reintegration emphasized by the law underlines the importance of punishing offenders while also giving them opportunities to improve themselves and to contribute positively to society after serving their sentence.<sup>83</sup> Spiritual guidance<sup>84</sup> and skills training prepare prisoners to mentally overcome societal stigma.<sup>85</sup> In addition to in-prison guidance, correctional institutions also provide post-prison guidance through assimilation or the process of guiding ex-prisoners who meet certain requirements in their integration into community life.<sup>86</sup> For these individuals, social interaction is very necessary. This guidance approach is implemented by BAPAS in accordance with Government Regulation No. 31

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<sup>80</sup> Syifa Nadiyah, Nadia Aulia Nadhirah and Irfan Fahriza, "Hubungan Faktor Perkembangan Psikososial dengan Identitas Vokasional pada Remaja Akhir," *Quanta* 5, no. 1 (2021): 26.

<sup>81</sup> Putra and Creese, *op. cit.*, 104.

<sup>82</sup> Departemen Kehakiman RI, *Dari Kependaraan Kepemasyarakatan* (Jakarta: Departemen Kehakiman RI, 2023):11.

<sup>83</sup> Erlangga Alif Mufti and Ontran Sumantri Riyanto, "Peran Lembaga Pemasyarakatan Dalam Upaya Rehabilitasi Narapidana Untuk Mengurangi Tingkat Residivis", *Al-Manhaj Jurnal Hukum dan Pranata Sosial Islam* 5, no. 2 (2023): 2427.

<sup>84</sup> Every prisoner receives spiritual guidance according to their respective religions on a regular basis. Spiritual guidance, especially in the Class IIA Kerobokan Women's Prison, is in collaboration with the Denpasar City Ministry of Religion.

<sup>85</sup> Cesaviani and Apriani, *op.cit.*, 666.

<sup>86</sup> Pratiwi and Lemes, *op. cit.*, 25.

of 1999 concerning Guidance and Development of Correctional Prisoners. The role of BAPAS is critical insofar as it provides direction and support for clients in the social reintegration process.<sup>87</sup>

### **3. CONCLUSION**

The case studies and literature reviewed here suggest that self-acceptance is the most effective strategy that Balinese women may employ against the stigma they face after release from prison. Internal assessment and support from the surrounding environment affect that level of self-acceptance. Someone who has difficulty accepting various stigmas about their status as a former prisoner, tends to thicken the self-stigma, and chooses a strategy to limit themselves, and misses opportunities for social reintegration. Conversely, someone who accepts the stigma of being a former prisoner tries to ignore these stigmas to determine their resistance strategies, i.e. self-proof and secondary deviance. These strategies have psycho-social implications for the stigmatized, especially in the context of self-identity maturity. From a legal perspective, there are still regulations or laws that actually legitimize stigma. Such regulations result in former prisoners losing their rights and experiencing discrimination. There needs to be a clear statement of rules that govern the right of former prisoners to ensure they are given equal place and opportunities in accordance with the objectives of sentencing, which are intended to aid and reintegrate them into society and help them become whole individuals. In the eyes of the law, everyone has equal rights and opportunities, with no exceptions. The role of LAPAS and BAPAS is crucial in supporting former prisoners as they reintegrate into society. The humanitarian approach begins with LAPAS officers while the mentoring of BAPAS clients enables prisoners to find their identity and facilitates the process of their social reintegration. It is necessary to conduct public awareness campaigns about former prisoners to prevent the community from stigmatizing them, as such stigma can make former prisoners more withdrawn and distance themselves from their social environment, potentially leading them to reoffend. The community is expected to embrace formerly incarcerated persons and allow them to continue their lives normally, just like anyone else.

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<sup>87</sup> Riyadi, "Analisis Tugas Pokok Pembimbingan Klien Pemasarakatan (Bapas) Dalam Mewujudkan Reintegrasi Sosial," *Jurnal Syntax* 4, no. 8 (2023): 1216.

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