

## **The Phenomenon of Double Regulation and The Development of Prison Culture in The Interaction Between Street-Level Bureaucracy and A Semi Autonomous Social Field at Cipinang Prison and Batam Detention Center**

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### **Keywords:**

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Prison Culture;  
Overcrowding;  
Pains of Imprisonment;  
Officers' Discretion

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### **Abstract**

This research examines the phenomenon of double regulation within correctional institutions—namely the coexistence and conflict between formal state rules and informal inmate norms—through a comparative analysis of Class I Cipinang Prison and Class IIA Batam Detention Center. The research is grounded in the evolving forms of pains of imprisonment in modern correctional systems, including procedural strain (tightness), impunity, and social stratification that shape prison culture. Using a descriptive qualitative approach, the study seeks to understand the social dynamics, bureaucratic practices, and power relations among actors inside prisons. The data were analyzed contextually to uncover the mechanisms through which dual systems of regulation emerge and affect prisoners' lived experiences and officers' conduct. Findings reveal that double regulation is shaped by complex social stratification (particularly in Cipinang Prison) and direct officer-inmate interactions that allow informal norms to fill gaps in formal regulations (notably in Batam Prison). Overcrowding intensifies officers' discretion, informal negotiations, and mutualistic consolidation between colleagues and staff, resulting in normative uncertainty, continuous psychological strain, and weakened rehabilitation and correctional programs. Nonetheless, prison culture also provides temporary operational stability through mechanisms of internal control. The study recommends structural reform, stronger accountability systems, institutional cultural transformation, harmonization of standard operating procedures, and further comparative research to reduce the adverse effects of double regulation and improve correctional governance in Indonesia.

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## **INTRODUCTION**

Imprisonment, besides being a form of punishment, also serves as a means of social development and control. However, in practice, life in prison often causes unique suffering for prisoners. Gresham M. Sykes (1958) introduced the concept of pains of imprisonment, which encompasses five main forms of deprivation: loss of liberty, access to goods and services, heterosexual relations, autonomy, and a sense of security. This suffering, both material and symbolic, can have a criminogenic impact by encouraging prisoners to form an oppositional prison culture (Shammas, 2017). With the development of modern correctional systems that focus on risk assessment, rehabilitation, and behavior management, the forms of suffering within correctional institutions have also changed and become more layered.

Prisons can be understood as social spaces operating under two sets of rules: official rules from the state, such as the Corrections Act, and unwritten rules that develop within the prison.

These two layers of rules emerge because officers and inmates frequently interpret, negotiate, or violate rules for personal gain and to survive in the prison environment (Simon, 2011). Correctional conditions are more influenced by the unwritten customs that develop within the prison environment, namely the patterns of attitudes, values, and ways of interacting daily by officers and inmates. Formally, the correctional system is regulated through laws, ministerial regulations, and international standards such as the Mandela Rules, which clearly prohibit torture and inhumane treatment. However, in practice, the customs prevailing within prisons can ignore or even eliminate these rules entirely if humanitarian values are not used as a reference. From the interaction between official and unwritten rules within prisons, a mechanism emerges that is fundamentally known as double regulation (Antillano, 2022; Symkovych, 2018).

The emergence of the phenomenon of double regulation in correctional institutions has created a new form of suffering that no longer focuses on physical deprivation. Crewe (2011), in his writing, discusses how modern correctional practices have created a new layer of burden and frustration called tightness, a form of suffering that differs from the classical concept in terms of its causes, character, and impact. This tightness arises as a result of systemic institutional policies and practices, not solely due to abuse of power or the inherent conditions of correctional institutions. This suffering is procedural and is reflected in several forms. First, the pains of uncertainty (pains of indeterminacy), namely the confusion of prisoners regarding the time of release and the arbitrary nature of prison governance, which makes them always have to be careful in their behavior. Second, the suffering of psychological assessment and self-control, where prisoners are required to display ideal personalities according to the system's expectations in order to obtain a positive behavior record. They must demonstrate responsibility and sincerity in self-improvement, because a single mistake can immediately damage their prospects for release.

The lack of accountability and impunity inherent in prison customs are clearly recognized as key factors contributing to mistreatment, despite official rules prohibiting it (Penal Reform International, 2015). Impunity refers to a situation where perpetrators of violations within prisons, whether officers or prisoners in privileged positions, are not sanctioned or held accountable for their actions. This phenomenon arises from the conflict between official and unwritten prison rules. According to official rules, every violation should be subject to disciplinary action. However, in practice, prison culture often protects perpetrators, both to maintain internal stability and due to reciprocal relationships and shared interests among actors within the prison.

Santoso (2005) discussed the prison culture that exists at Class I Cipinang Prison in East Jakarta. Prison culture in the prison demonstrates social stratification, where inmates are divided into upper, middle, and lower levels. The upper level is typically occupied by inmates from former officials, academics, police or military personnel, and similar groups. The middle level is inhabited by inmates who are able to provide for themselves but do not have the resources to provide financially to officers or other inmates. Meanwhile, the lower level consists of inmates who are completely dependent on facilities provided by the state. Inmates at the upper level receive special respect in daily interactions in the prison, both from officers and fellow inmates, which is manifested through greetings, salutations, or other forms of respect. This stratification also shapes the roles and types of power within the prison, both formal and

informal. Formal power is usually held by inmates who serve as leaders, tamping, or corvees who assist officers in certain units, while informal power arises from individual abilities, such as high economic status, religious knowledge, skills, or mystical abilities (Santoso, 2005).

The relationship between double regulation and the pain of imprisonment is evident in the conflict between international standards promising protection and participation for prisoners and the reality of their implementation in prisons. Institutional culture and structural limitations mean that these rights are only normatively enforced without implementation, leading to frustration and a sense of learned helplessness, which is at the heart of the suffering of imprisonment. Within prisons, formal rules such as disciplinary procedures and access to services coexist alongside informal rules, such as block hierarchies, the dominance of cell masters, and subcultural codes. When these two systems of rules are incompatible, prisoners are forced to adapt to two different normative systems, risking violations and sanctions from both. This situation adds to psychological stress as prisoners must constantly navigate the social landscape to survive. Furthermore, an institutional culture that prioritizes security based on practical interests often interprets formal rules selectively, so that prisoners' rights are only enforced if they do not disrupt prison stability. This situation creates an unclear normative space, where prisoners are uncertain about which rules actually apply. This uncertainty reinforces feelings of vulnerability and insecurity, becoming part of the pain of modern-day imprisonment.

Buck and Tomczak (2022) demonstrate that prisoners function not only as objects of regulation but also as actors capable of regulating prisons through voice, collective action, participation, and even riots. Through a case study of the 1990 Strangeways riots in the UK, they explain how prisoners' actions can trigger changes in formal regulations and foster the idea of participatory regulation, a regulatory model involving former prisoners alongside external actors such as non-governmental organizations and policymakers. This research develops key concepts such as prisoner voice as a source of legitimacy for change, the distinction between narrow regulation (based on formal rules) and broad regulation (involving social actors), and the use of Actor-Network Theory (ANT) and the Ladder of Participation to map the dynamics of prisoner involvement in the regulatory process. Through an analysis of official documents, investigative reports, and reviews of prison reform institutions, they find that prisoner participation has declined from direct action through riots, to limited consultations via letters, and ultimately to mere data objects in NGO reports. Their findings emphasize that while riots have proven effective in promoting reform, such strategies carry high social risks, necessitating safe, structured, and institutionally recognized participatory mechanisms. In conclusion, this study emphasizes the urgency of integrating prisoners' voices into all stages of prison regulation so that reforms are more inclusive, just, and in line with human rights principles (Buck & Tomczak, 2022).

Kemp and Tomczak (2024) critique international standards-based prison regulation projects such as the UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), arguing that such approaches often fall into what they call cruel optimism, a belief in a seemingly promising solution that perpetuates the root of the problem. Through a cross-disciplinary theoretical analysis, they demonstrate that international regulation tends to focus on formal rules (rule-centric ontology), thus failing to capture the underlying carceral harms inherent in the practice of imprisonment, including the impact on mental health, family

relationships, and social trauma. This article asserts that international standards often distinguish only between reparable and normal harms, thus obscuring the inherent suffering of imprisonment. Furthermore, they demonstrate that rules-based reforms can actually strengthen state legitimacy, expand prison capacity, and trigger the expansion of control systems such as net-widening through alternative punishment programs that remain within a punitive logic. Drawing on the theories of Foucault, Berlant, and a transcarceral approach, Kemp and Tomczak conclude that prison regulation is not automatically decarceral, and that substantial change requires reforms that deliberately reduce the power of the prison system, such as a moratorium on prison construction, decriminalization, and strengthening the voices of communities and prisoners as actors of social change. This research shifts the question from "how to improve prisons?" to "why are prisons maintained despite being proven to produce systematic suffering?" (Kemp & Tomczak, 2024).

Penal Reform International (PRI) and the Association for the Prevention of Torture (APT) developed a framework emphasizing that institutional culture in places of detention, from prisons and police detention centers to psychiatric hospitals and social care institutions, is a key factor determining the risk of torture and ill-treatment. The report emphasizes that prevention is not achieved solely through legal regulations or formal procedures, as the daily practices of staff-prisoner relationships are shaped by values, norms, and assumptions that are not always written down. Using an organizational culture approach and Goffman's concept of total institutions, PRI and APT distinguish visible cultural elements, such as symbols, language, and spatial arrangements, from invisible elements, such as informal hierarchies, the normalization of violence, and mindsets that deem detainees unworthy of respect. Based on findings from various international case studies, negative institutional cultures can encourage discrimination, impunity, and violence, while human rights-oriented cultures have been shown to increase security, reduce staff stress, and improve social relations within correctional institutions. The report also demonstrates that external monitoring bodies have a strategic role in fostering cultural change, not only through technical inspections, but also through assessments of power relations, attitudes, and patterns of interaction within institutions. Overall, PRI and APT conclude that cultural transformation is key to preventing torture, and that such a process requires long-term commitment, the participation of all actors within the institution, and the support of public policy and civil society (Apt.ch, 2015; Reform, APT, & Stevens, 2015; PRI/Association for the Prevention of Torture (APT), 2013).

Mubarokah and Larasati (2024) emphasize that conflicts between inmates at Class I Cipinang Prison are not merely individual incidents, but part of a unique prison subculture. This study shows that factors such as overcrowding, deprivation, the prisonization process, and the presence of gangs are the main triggers of conflict, whether personal, inter-ethnic, or broader unrest. Through a qualitative approach, including interviews and observations, the authors identify that conflict within prisons is formed as a survival mechanism, where violence is seen as legitimate to maintain group reputation and solidarity. Analysis of prison subculture reveals that inmates develop a unique system of values, norms, and language that strengthens social bonds, but simultaneously increases the risk of conflict. This study uses theories of prison subculture, prisonization, deprivation (pains of imprisonment), and conflict theory to explain the internal social dynamics of prisons, where conflict arises from unequal distribution of power, limited resources, and psychological stress. In conclusion, prison subculture forms

unique patterns of interaction, creating solidarity while simultaneously triggering violence, so that conflict management requires a combination of security, mediation, psychological, and managerial approaches (Mubarokah & Larasati, 2024).

Crewe (2011) reexamines Sykes' (1958) concept of the pains of imprisonment in the context of modern prisons in England and Wales, emphasizing that prisoners' suffering now stems not only from physical violence or material conditions, but also from systemic policies, psychological evaluation mechanisms, and self-government practices that shift responsibility to the individual. Through an empirical study based on in-depth interviews and field observations, Crewe introduces a new concept, tightness, as a complement to depth and weight, to describe the feelings of bondage, entrapment, and constant surveillance experienced by prisoners. The study shows that modern prisons are indeed more humane in material terms, but psychological suffering is actually increased by uncertainty about the future, risk assessments that constrain identity, and soft power that traps prisoners in administrative and disciplinary logics. This study confirms that the form of suffering has shifted from physical violence to psychological and administrative power, with reforms intended to improve conditions actually creating new suffering. The concept of tightness helps understand how contemporary prisons psychologically oppress prisoners despite their apparent physical safety and sanitation, so that the pain of imprisonment remains an intrinsic aspect of the correctional system, only differing in its form and distribution (Crewe, 2011).

Shammas emphasizes that although imprisonment is considered more humane than corporal punishment or the death penalty, the imprisonment system still produces unique suffering for prisoners. Referring to the five pains of imprisonment formulated by Sykes, namely the loss of liberty, goods and services, sexual relations, autonomy, and a sense of security, Shammas shows that these sufferings arise from the structural conditions of prison and can have criminogenic effects, even increasing the risk of recidivism. This research highlights that granting autonomy or policies that appear more humane can create new pressures, called pains of self-government, and the impact is not limited to prisoners, but is also felt indirectly by families and communities. Through a synthesis of historical literature, ethnography, and quantitative studies, Shammas shows that the form and intensity of suffering depend on the social context, prison policies, and legal culture in each country, with significant differences between the open prison system in Scandinavia and the supermax prisons in the United States. In conclusion, imprisonment creates multidimensional suffering that is often counterproductive to the goal of rehabilitation. Therefore, the concept of pains of imprisonment remains relevant but needs to be understood contextually, including its impact on families, communities, and society at large (Shammas, 2017).

Although prior research has extensively examined prison culture, formal rules, and inmate experiences, comparative studies across prisons are still very limited. Most studies examine a single institution or focus on a single type of prison; thus, differences in institutional culture, regulatory mechanisms, and interactions with formal rules across prisons and detention centers have not been systematically analyzed. This study fills this gap by highlighting a comparison between Cipinang Class I Penitentiary, Cipinang Class IIA Penitentiary, and Batam Class IIA Detention Center, to understand how variations in prison culture and internal practices shape the phenomenon of double regulation and influence inmates' lived experiences and behaviors. Cipinang Class I Penitentiary, Cipinang Class IIA Penitentiary, and Batam Class IIA

Detention Center were selected as research locations because they represent different prison contexts in terms of size, capacity, and characteristics of the inmate population. Cipinang Prison is one of the largest prisons in Indonesia, with a high overcrowding rate, a diverse population, and complex inmate subcultural dynamics, making it a highly representative location for examining the interaction between formal rules and institutional culture. Meanwhile, Batam Detention Center, with its smaller capacity and relatively homogeneous population, offers a different context that allows for comparative analysis. The differences in structure, management, and culture between the two institutions provide an opportunity to understand how double regulation is formed and varies across correctional institutions, and how these variations influence inmates' lived experiences and behaviors.

Based on the identified research gap—namely the lack of comparative studies on how prison culture and formal regulations interact across different correctional institutions—this study aims to analyze how prison culture in Cipinang Class I Penitentiary and Batam Class IIA Detention Center creates double regulation for prisoners, focusing on social stratification and informal norms; to examine how prison officers interact with prisoners under double regulation, particularly through discretionary practices as street-level bureaucrats; and to assess the impacts of double regulation on prisoners' lived experiences, including the evolving pains of imprisonment such as tightness, impunity, and procedural strain, as well as on correctional governance and rehabilitation outcomes. The benefits of this research are both theoretical and practical. Theoretically, this study enriches the literature on prison sociology, legal pluralism, and correctional governance by integrating concepts of semi-autonomous social fields, street-level bureaucracy, and modern pains of imprisonment in a comparative Indonesian context, while also extending previous work on prison subculture and double regulation beyond single-institution studies. Practically, the findings offer actionable recommendations for policymakers and correctional authorities to harmonize formal standard operating procedures with informal prison realities, strengthen accountability systems, reduce normative uncertainty and psychological strain among inmates, and improve the effectiveness of rehabilitation and development programs, with the comparative design providing a replicable model for future research on correctional institutions in Indonesia and similar socio-legal contexts.

## **METHOD**

This research uses a descriptive qualitative approach with the aim of understanding in depth the social and cultural dynamics that shape the phenomenon of *double regulation* within the Cipinang Class I Penitentiary (Lapas) and the Batam Class IIA Detention Center (Rutan). This approach was chosen because it allows researchers to contextually explore the social reality within correctional institutions—especially how formal state rules and informal norms of prisoners interact and form a dual regulatory system that impacts the lived experiences of prison inmates. According to Creswell and Poth, qualitative research focuses on “the effort to understand the meaning that individuals or groups give to a social or humanitarian problem (Creswell & Poth, 2021),” while Bogdan and Biklen explain that this approach produces descriptive data that represents the views and behavior of subjects in their natural context (Bogdan & Biklen, 1998).

In this context, the research is directed at examining the implementation practices of formal correctional regulations as stipulated in Law Number 22 of 2022 concerning

Corrections, Regulation of the Minister of Law and Human Rights Number 29 of 2017 concerning Amendments to Regulation of the Minister of Law and Human Rights Number 6 of 2013 concerning Correctional and Detention Center Regulations, and Regulation of the Minister of Law and Human Rights Number 8 of 2024 concerning the Implementation of Security and Order in Correctional Work Units. These three regulations serve as the legal basis for assessing the extent to which the implementation of order, security, and order is carried out in accordance with formal provisions, as well as how these regulations are negotiated and adapted in practice by officers and inmates.

This qualitative approach is also used to map the forms of informal regulation that emerge within the social lives of prisoners, including the norms, symbols, and hierarchies that shape *prison subculture*. This research highlights how prison officers, as street-level bureaucrats (Lipsey, 1980), use discretion and implicit policies to interpret rules, and how prisoners, as members of a semi-autonomous field (Moore, 1973), create and enforce their own internal rules that run parallel to state regulations. Through this analysis, the research seeks to uncover how the interaction between these two systems creates a condition of *double regulation* that adds to the complexity of prisoners' suffering (*pains of imprisonment*) and creates a "double suffering" within modern correctional institutions. Data collection methods are carried out using three main techniques, namely:

1. Literature Review and Document Analysis: conducted on correctional regulations, disciplinary guidelines, as well as previous reports and research on prison culture and the social dynamics of correctional institutions. This analysis includes a review of Law No. 22 of 2022, Minister of Law and Human Rights Regulation No. 29 of 2017, and Minister of Law and Human Rights Regulation No. 8 of 2024, as well as other supporting documents such as *the Penal Reform International (2015) report* and research by Santoso (2005), Crewe (2011), and Shamma (2017) on *the pains of imprisonment*.
2. Limited Field Observations: conducted to understand the actual conditions of social life within Cipinang Prison and Batam Detention Center, including social control mechanisms, interactions between inmates, and patterns of relations between officers and inmates. These observations were used to identify how formal regulations are implemented or adapted in daily practice.
3. *In-depth* Interviews: conducted with correctional officers and former inmates who have direct experience with the dynamics of life in prisons and detention centers. These interviews aim to explore perceptions, adaptation strategies, and forms of moral justification (*neutralization techniques*) used by actors within correctional institutions in negotiating two overlapping regulatory systems.

The data obtained were analyzed thematically with reference to the theoretical framework discussed in Chapter II, namely the theory of *prison subculture* (Clemmer, 1940; Sykes, 1958; Irwin & Cressey, 1962), *neutralization theory* (Sykes & Matza, 1957), the concept of *street-level bureaucracy* (Lipsey, 1980), and the concept of *semi-autonomous field* (Moore, 1973). The analysis was conducted by tracing the patterns of social interaction, the practice of bureaucratic discretion, and the formation of internal norms that form the basis of the *double regulation phenomenon*.

Thus, this research method not only serves to describe social phenomena within correctional institutions, but also to criticize the gap between formal rules (*de jure*) and

implementation practices in the field (de facto) which are colored by negotiations, compromises, and survival strategies of actors within the Indonesian correctional system.

## RESULTS AND DISCUSSIONS

### **Analysis of *overcrowding* /over capacity at Cipinang Class I Prison, Cipinang Class IIA Prison and Batam Detention Center**

Based on research results as of October 2025, Cipinang Class I Prison, Cipinang Class IIA Prison and Batam Detention Center experienced *overcrowding* or over capacity, a condition where the number of prisoners or detainees accommodated in the three correctional institutions (prisons/detention centers) exceeds the official maximum capacity that has been set, meaning the number of residents (prisoners and detainees) is far more than the ideal capacity, so that security, health, and development standards cannot be met properly (Azizah et al, 2023). This condition has an impact on the failure to meet health standards in prisons and detention centers, the potential for conflicts that cause disturbances to security and order, development and rehabilitation programs are not fulfilled optimally, there is a conflict of regulations between formal prison/detention center SOPs and other formal regulations as well as prison culture (regulation gap with field practices and prison culture) which becomes overlapping regulations, and adds to the suffering of imprisonment. The data regarding *overcrowding* /over capacity, as follows:

1. Overcrowding At the Cipinang Class I Prison, which in early 2025 accommodated 2,631 inmates, decreasing to 2,064 inmates in October 2025, with a standard capacity of approximately 880 people, with an occupancy rate of 298.98% to 234.55%. Class I Prisons are general prisons with a staff of 300 to 350 people (including administrative, security, and guidance staff), where this number is still not balanced with the number of inmates and the implementation of the guidance program.
2. Overcrowding at the Class IIA Cipinang *Penitentiary* is evident in the policy of transferring inmates to Nusakambangan Penitentiary in October 2025 as an emergency solution to overcrowding, although the percentage details are not publicized. The majority of inmates at the prison are Narcotics Law violators, which is one factor contributing to the surge, but overcrowding *hampers* rehabilitation and development programs. The number of officers is approximately 250 to 300 (Kemenimipas, 2025).(Suara Indonesia, 2025)
3. Overcrowding In Batam Class IIA Detention Center, in August 2025, it accommodated 1,037 inmates from a standard capacity of approximately 470 people, with a density level of more than 220%, even though an emergency solution had been implemented, namely the transfer of 55 inmates in March 2025. The number of prison officers was around 120 to 150 people, this figure includes limited medical personnel and supervisors.

That in more depth *overcrowding* is not just about the imbalance between the number of prisoners and the capacity of facilities and the effectiveness of the rehabilitation and rehabilitation programs in prisons/detention centers, but is a form of regulatory and cultural phenomenon, in this case the existence of formal prison/detention center Standard Operating Procedures that clash with other formal regulations (such as the Narcotics Law, Government Regulations, Minister of Law and Human Rights Regulations, etc.), because the criminal justice system and sentencing policies tend to continue to add prisoners without paying attention to prison/detention center capacity and other relevant forms of punishment, and formal

prison/detention center Standard Operating Procedures clash with prison culture because the prisoner subculture replaces the regulatory function when SOPs are not realistically implemented in the daily life environment.

Some contexts that can be highlighted in prisons in Cipinang and Batam due to the impact of *overcrowding* are the formation of internal solidarity; the emergence of seniority, gangs based on smuggling (the entry and exit of prohibited goods) and ethnic/religious groups that form their own rules and divide spaces within cell blocks and prison/detention centers; and more generally, solidarity resulting from learning "unwritten rules" that create resistance on a small scale (how to behave towards officers and oppose formal activity schedules) to a large scale (participating in causing fights), the formation of certain codes and barter channels for goods. This context is built from escape and learning from *the pain of imprisonment* in the life experiences felt by each individual prisoner, which indirectly creates the general reputation of Cipinang prison as a "drug prison" and Batam detention center as a place of isolation far from access to family life/crowds.

In the end, prisoners make psychological justifications to feel their actions are legitimate, namely *"I am just a victim of circumstances, forced into a network/gang/group. By using certain codes so that the activity is successful because I cannot avoid it"* as a form of *denial of responsibility*; *"No one is harmed, only personal consumption. For the good of the network/gang/group for comfort"* as a form of *denial of injury* ; *"Other prisoners and prison officers know the risks, so it is not my fault"* as a form of *denial of victim* ; *"Officers are more corrupt, why am I the one to blame?"* as a form of *condemnation of condemners* ; *" I did it for the sake of family/group/gang "* as a form of *appeal to higher loyalties*, prisoners use this rationalization to justify violations when there is a phenomenon of clashes between formal SOP rules and other formal rules, besides being a form of resistance to the many pressures of rules, it can further strengthen the subculture of *prisonization* because it provides moral legitimacy for deviant behavior. From this explanation, it can be underlined that *overcrowding*, *prisonization*, *pain of imprisonment* and neutralization efforts are the impacts of *double regulation*, namely when there is a clash between formal SOP rules and other formal rules and a clash between formal SOP rules and prison culture.

### **The formation of overlapping rules**

That the overlapping rules in prisons and detention centers are formed through a chronological process, namely the existence of formal regulations but limited implementation, so that prisoners tend to adapt informally. Consolidated with prison culture, the end result is a dual system where written and unwritten rules are equally binding, yet often contradict each other. During the implementation stage of formal SOPs, resource constraints due to overcrowding, a lack of prison officers, and limited facilities make it difficult to implement formal SOPs as written. Furthermore, informal adjustments occur, where prison officers often take "shortcuts" to keep operations running, such as tolerance for minor prohibited items or flexibility in visiting hours. On the other hand, a developing prison culture exists, where inmates develop their own norms (*prisonization*), such as block hierarchies, group solidarity, or unwritten rules regarding interactions with prison officers or wardens.

In its development, there is a stage of interaction between formal rules and prison culture, there is a clash of rules (*double regulation*) in this case the formal SOP rules demand procedural

compliance, but the informal rules of prisoners demand social compliance (e.g.: SOP prohibits bartering food, but prison culture makes it a survival mechanism. SOP regulates strict inspection of luggage, but officers often relax it in order to maintain good relations with inmates), formal SOP rules also experience clashes with other formal rules due to addressing the impact of overcrowding development, policies to overcome potential vulnerabilities and disturbances to security and order, policy clashes with UU/PP/Permenkumham and Nelson Mandela rule, the basis of relevance to the dynamics of prison/detention center development, the development of prison culture, and the assessment of the success of rehabilitation/guidance, as a result formal SOP rules, other formal rules (e.g.: UU/Permenkumham/PP/SOP or regulations) and informal rules (prison culture) run parallel, creating overlapping layers of regulations. Next, there is a stage of overlapping consolidation, namely the normalization of dual practices in this case officers and prisoners both accept that there are "official rules" and "real rules". Social legitimacy, in which prison culture legitimizes practices that deviate from standard operating procedures (SOPs), thereby losing their full force. The long-term effect is the creation of a *semi-autonomous social field* (SASF) within prisons, where state law and community law coexist.

Overlapping regulations in prisons and detention centers force officers to become *street-level bureaucrats*. In Cipinang prison, discretion arises due to *overcrowding* and block complexity, while in Batam, it arises due to changes in institutional status and limited resources. In both cases, state policies are not implemented according to formal rules and standard operating procedures (SOPs), but rather through interpretation, adaptation, and compromise by frontline prison officers. The overlapping regulations in prisons and detention centers (between formal SOPs, other legal rules/regulations, and prison culture) create conditions where correctional officers must interpret, adapt, and even "choose" which rules to implement. This is what forms the practice of *street-level bureaucracy* (SLB) in Cipinang prison and Batam detention center.

### **The Formation of *Semi-Autonomous Social Fields* and Interaction with *Street-Level Bureaucracy* in Cipinang Prison and Batam Detention Center**

The tendency of prisoners to form a *Semi-Autonomous Social Field* in Cipinang Prison and Batam Detention Center is an adaptive response to overlapping regulations and *overcrowding*. SASF becomes a survival mechanism as well as an alternative social control system. In practice, prisoner regulations are often more effective (faster and more practical) than formal SOPs, compliance with prisoner regulations is considered safer than complying with inconsistently implemented SOPs (community legitimacy occurs), so that the state loses some of its regulatory authority within the prison. The following is a description of the characteristics of SASF in Cipinang Prison:

1. There is a hierarchy of cell blocks in which senior prisoners regulate the distribution of space and goods;
2. The creation of an internal economy in this case bartering cigarettes, food, services;
3. Social sanctions in this case block rule violators are punished by fellow inmates, not by officers for evading F register which is detrimental to remission and family visit schedules.

Characteristics of SASF in Batam Detention Center:

1. The existence of local community norms in this case means that prisoners form solidarity based on their region of origin;

2. Adaptation of institutional status through changes from detention centers to prisons makes old and new SOPs mix, making room for prisoner regulations;
3. Officer discretion due to limited officer numbers, often leaving internal arrangements to inmates.

Starting from overlapping formal regulations, further exacerbated by *overcrowding*, officers use discretion to maintain operations, while inmates form internal rules to survive. The interaction of the two creates a dual system: flexible bureaucratic rules and parallel inmate social rules. The interaction between the *Street-Level Bureaucracy* (SLB) of prison/remand center officers and *the Semi-Autonomous Social Field* (SASF) of inmates has positive impacts in the form of operational stability and policy adaptation, but also brings negative impacts in the form of weakening legal certainty, legitimacy of informal rules, and the potential for discriminatory practices. This phenomenon demonstrates the position of an example of *legal pluralism* where state law and community law exist side by side, with the SLB as a mediator that provides space for the SASF. The description of the positive and negative impacts is as follows:

#### Positive Impact of SLB-SASF Interaction

1. Social and operational stability occurs. Officer discretion (SLB) that accommodates inmate rules (SASF) helps maintain block order. For example, small barter or informally recognized block hierarchies prevent major conflicts.
2. Efficiency in *overcrowding situations*. Formal SOPs are difficult to fully enforce, so inmate rules serve as an additional control mechanism. Officers don't have to oversee every detail because the inmate community is self-regulating.
3. Adapting policies to reality. SLB allows state policies to remain "viable" even if they don't conform to the text, while SASF provides social legitimacy, making the policies more acceptable to inmates.
4. Reducing the potential for violence. By adhering to internal regulations, officers avoid direct confrontations that could trigger disturbances of security and order or riots.

#### Negative Impact of SLB-SASF Interactions

1. Weakening legal certainty. Formal rules lose their authority, replaced by prisoner-controlled rules. Furthermore, officer discretion leads to inconsistent policy implementation across prisons and detention centers.
2. The legitimacy of informal rules. SASF can give rise to practices that violate the law, such as a black economy, bartering for prohibited goods, or oppressive hierarchies for new inmates. When officials recognize these rules, illegal practices become "normal."
3. There is potential for discrimination and injustice. Discretionary measures in special needs prisons can result in differential treatment between inmates (who is given leniency, who is oppressed). Furthermore, SASF is often based on hierarchy or group solidarity, further marginalizing vulnerable inmates.
4. State authority is weakening. The state loses some regulatory control because prisons/detention centers operate under a dual legal framework. In the long term, this can strengthen prison subcultures and undermine the goal of rehabilitation.

In more depth based on these phenomena, it can be underlined that the definition of *double regulation* in the context of Cipinang prison and Batam detention center is a situation where there are two or more layers of rules that run simultaneously, namely formal rules (Laws,

Government Regulations, Minister of Law and Human Rights Regulations, SOPs adopted at Cipinang prison and Batam detention center) and informal rules (prison culture, norms of the prisoner community) that overlap, conflict, or operate in parallel, thus creating a dual regulatory system in prison, this affects the behavior, discretion of officers, and social life in prison.

## **CONCLUSION**

The prison culture at Cipinang Penitentiary creates double regulation through complex social stratification and the dominance of informal rules, where the clash between formal Standard Operating Procedures (SOPs) and other formal regulations (such as the Correctional Law, Minister of Law and Human Rights Regulation, and the Nelson Mandela Rules) coincides with the clash between formal SOPs and prison culture. This results in complex legal pluralism in daily life, forcing inmates to navigate three normative systems simultaneously, which leads to normative uncertainty, psychological stress (pains of imprisonment and tightness), and collective resistance or informal negotiation. Overcrowding intensifies officers' discretion, and the resulting "habit factors" and consolidation with inmates often become solutions, although this negatively impacts officer integrity and morale while encouraging inmate dominance and potential smuggling. Meanwhile, the prison culture at Batam Detention Center creates double regulation through direct officer-inmate interaction with simpler yet still oppressive informal rules, characterized by small active groups that foster solidarity and intergroup conflict. Overcrowding, outdated SOPs that clash with higher regulations, and collective resistance weaken officers' authority, leading to flexible policies that defer internal regulation to seniority or inmate hierarchy, resulting in suboptimal rehabilitation programs, persistent pains of imprisonment, and unresolved security disturbances. Overall, double regulation in both institutions produces overlapping and contradictory rules that operate in parallel, creating a dual regulatory system that profoundly affects prisoner behavior, officer discretion, and social life within prisons, while also offering limited positive impacts such as social and operational stability, efficiency in overcrowding situations, and adaptive formal rules, though rewards and punishments remain in a gray area that fosters bargaining and potential abuse of authority.

Based on these findings, several recommendations are proposed. First, structural reform is urgently needed to harmonize formal SOPs with other national regulations and international standards such as the Nelson Mandela Rules, including a review of sentencing policies and alternative punishment schemes to reduce overcrowding. Second, accountability systems must be strengthened through independent monitoring mechanisms, clear sanctions for officer misconduct, and transparent reporting of informal negotiations and mutualistic consolidation. Third, institutional cultural transformation should be pursued through human rights-based training for correctional officers, participatory regulation that incorporates prisoner voices without reinforcing negative hierarchies, and the gradual dismantling of social stratification that enables double regulation. Fourth, the harmonization of standard operating procedures across all correctional institutions is necessary to eliminate inconsistent implementation and reduce the discretion that allows informal rules to dominate. Finally, further comparative research is recommended to examine how double regulation manifests in other prisons and detention centers across Indonesia, including the effectiveness of rehabilitation programs under dual regulatory systems and the long-term impact on recidivism and prisoner reintegration.

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