

## BIBLIOGRAPHY

### A. Books

- Asmarawati, Tina, 2015, *Pidana dan Pemidanaan dalam Sistem Hukum Indonesia (Hukum Penitensier)*, Deepublish, Yogyakarta.
- Chairijah, Panjaitan, Petrus Irwan, 2009. *Pidana Penjara dalam Perspektif Penegak Hukum, Masyarakat dan Narapidana*. CV Indhill Co. Jakarta.
- Chazawi, Adami. 2007. *Pelajaran Hukum Pidana Bagian I: Stelsel Pidana, Tindak Pidana, Teori-Teori Pemidanaan, dan Batas Berlakunya Hukum Pidana*. PT Raja Grafindo Persada. Jakarta.
- Farid, Andi Zainal Abidin. 1995. *Hukum Pidana I*. Sinar Grafika. Jakarta.
- Hadi, Sutrisno. 2000. *Metode Research Jilid I*. Penerbit Andi. Yogyakarta.
- Ilyas, Amir. 2012. *Asas-Asas Hukum Pidana: Memahami Tindak Pidana dan Pertanggungjawaban Pidana sebagai Syarat Pemidanaan*. Rangkang Education Yogyakarta & PUKAP-Indonesia. Yogyakarta.
- Jaishankar, K. Ronel, Natti. 2013. *Global Criminology Crime and Victimization in a Globalization Era*. CRC Press. United States of America.
- Marzuki, Peter Mahmud. 2017. *Penelitian Hukum: Edisi Revisi*. Kencana Prenada Media. Jakarta.
- Moeljatno. 1987. *Asas-Asas Hukum Pidana*. Bina Aksara. Jakarta.
- Nazir, Mohammad. 1988. *Metode Penelitian*. Ghalia Indonesia. Jakarta.
- Roth, Michael P. 2006. *Prisons and Prisons System A Global Encyclopedia*. Greenwood Press. United States of America.
- Sastrawidjaja, Sofjan. 1990. *Hukum Pidana I*. CV. Armico. Bandung.
- Soekanto, Soerjono. 2012. *Pengantar Penelitian Hukum*. UI Press. Jakarta.
- Wiyanto, Roni. 2012. *Asas-Asas Hukum Pidana Indonesia*. CV. Mandar Maju. Bandung.

## B. Papers

Agustina, Meria. "Tinjauan Yuridis Sosiologis dalam Kebijakan Conjugal Visit sebagai Pemenuhan Hak bagi Narapidana (Studi di Lembaga Pemasyarakatan Klas I Surabaya)." *Undergraduate Thesis*. Universitas Muhammadiyah Malang. 2017.

Human Rights Watch. "*Behind Bars in Brazil*." *Report*. Human Rights Watch, United States of America. 1998.

Tanoso, Fausia Isti. "Kebijakan Conjugal Visit sebagai Pemenuhan Hak bagi Narapidana." *Undergraduate Thesis*. Universitas Indonesia. 2012.

## C. Journal Articles

Abdullah, Rahmat Hi. "Urgensi Penggolongan Narapidana dalam Lembaga Pemasyarakatan." *Fiat Justisia Jurnal Ilmu Hukum*, Volume 9 No. 1, 2015.

Arruda, Jalusa Silva de. Costa, Jussara Carneiro. Krahn, Natasha Maria Wangen. "Conjugal Visits in the Context of Incarceration of Women and Girls in the State of Bahia, Brazil: Permissions, Prohibitions and (In)Visibilities." *Oñati Socio-Legal Series*, Volume 10 Issue 2, 2020.

Bhattacharya, Bhupal. Arora, Nidhi. "Prisoner's Conjugal Rights: A Critical Analysis through Humanitarian Approach in Indian Perspectives." *International Journal of Pure and Applied Mathematics*, Volume 119 No. 15, 2018.

Citrawan, Harison. "Seksualitas dalam Penjara: Studi tentang Kebutuhan Biologis Narapidana dari Perspektif Hak Asasi Manusia." *Widyariset*, Volume 16 No. 1, 2013

D'Alessio, Stewart J. Flexon, Jamie. Stolzenberg, Lisa. "The Effect of Conjugal Visitation on Sexual Violence in Prison." *American Journal of Criminal Justice*, 2012.

- Hadi, Ainal. Saputra, Reiki. "Pelaksanaan Pemenuhan Hak Narapidana atas Cuti Mengunjungi Keluarga di Rumah Tahanan Negara Klas IIB Banda Aceh." *Jurnal Ilmiah Mahasiswa Bidang Hukum Pidana Fakultas Hukum Universitas Syiah Kuala*, Volume 1(1), 2017.
- Karpman, Benjmin. "Sex Life in Prison". *Journal of Criminal Law and Criminology*, Volume 38 Issue 5, 1947-1948.
- Langden, Ni Nyoman Ome Tania. Suantra, INengah. "Tinjauan Yuridis Urgensi Kebijakan Conjugal Visit sebagai Pemenuhan Hak bagi Narapidana." *E-Journal Imu Hukum Kertha Wicara Fakultas Hukum Universitas Udayana*, Volume 07 No. 04, 2018.
- Nugroho, Okky Cahyo. "Pemenuhan Hak atas Kebutuhan Seksual Warga Binaan Pemasyarakatan." *Jurnal Hak Asasi Manusia*, Volume 6 No. 2, 2015.
- Pareke, JT. "Reformulasi Penyediaan Ruang Asmara sebagai Upaya Pemenuhan Kebutuhan Seksual Hak-Hak Narapidana di Lembaga Pemasyarakatan (Suatu Wacana Pengaturan)." *AL-IMARAH: Jurnal Pemerintahan dan Politik Islam*, Volume 4, No. 1, 2019.
- Sulistiyawan, Aditya Yuli. "Membangun Model Hukum yang Memperhatikan Kebutuhan Seksual Narapidana di Lembaga Pemasyarakatan: Telaah Paradigma Konstruktivisme." *Jurnal Ilmu Hukum Fakultas Hukum Universitas Diponegoro*, Volume 4 No. 1.
- Suwarto. "Pelaksanaan Pidana Penjara dengan Sistem Pemasyarakatan." *Jurnal Hukum Pro Justisia*, Volume 25 No. 2, 2008.
- Vacheret, Marion. "Private Family Visits in Canada, Between Rehabilitation and Stricter Control: Potrait of a System." *Champ pénal/Penal field*, Vol. II, 2005.

#### D. Online References

- Abik, Hendri. "Was a Ban on Conjugal Visits Behind the Latest Prison Break in Indonesia?" [https://www.vice.com/en\\_asia/article/vbapp4/was-a-ban-on-](https://www.vice.com/en_asia/article/vbapp4/was-a-ban-on-)

[conjugal-visits-behind-the-latest-prison-break-in-indonesia.](#) Accessed February 20, 2020.

Amanda. "Lapas Lowokwaru Bakal Menjadi Lapas Medium Securiy." <https://www.malang-post.com/berita/detail/lapas-lowokwaru-bakal-menjadi-lapas-medium-security>. Accessed February 24, 2020.

Caldwell, Nicole. "A Corrections Officer on What Really Happens During Conjugal Visits." <https://www.thrillist.com/sex-dating/nation/conjugal-visits-sex-in-jail-corrections-officer>. Accessed May 15, 2020.

Correctional Service Canada. Information Website. [https://www.csc-scc.gc.ca/family/003004-0001-en.shtml# Private family visits.](https://www.csc-scc.gc.ca/family/003004-0001-en.shtml#Private_family_visits) Accessed May 23, 2020.

Dewi, Santi. "Suami Inneke Bangun Bilik Asmara Dan Disewakan Ke Napi Lain." <https://www.idntimes.com/news/indonesia/santi-dewi/suami-inneke-koeshrawati-bangun-bilik-asmara-lapas-sukamiskin>. Accessed February 20, 2020.

Edy, Catur Waskito. "GILA! Napi Ini Berhubungan Intim Di Ruang Bezuk Lapas, Lalu Cabuli Rekan Kekasihnya." <http://jateng.tribunnews.com/amp/2019/02/16/gila-napi-ini-berhubungan-intim-di-ruang-bezuk-lapas-lalu-cabuli-rekan-kekasihnya>. Accessed February 20, 2020.

Eviyanti. "Menkumham Resmikan Lapas IIA Karanganyat yang Berteknologi Tinggi." <https://www.pikiran-rakyat.com/nasional/pr-01317863/menkumham-resmikan-lapas-iaa-karanganyat-yang-berteknologi-tinggi>. Accessed February 24, 2020.

Federal Bureau of Prisons Official Website. General Visiting Information. <https://www.bop.gov/inmates/visiting.jsp>. Accessed May 15, 2020.

Golden, Keith. "Family Reunion Program Offers a Pause in Prison Life". <https://nyunews.com/2018/04/30/family-reunion-program-offers-a-pause-in-prison-life/>. Accessed May 15, 2020.

Handri. “Depkumham akan Atur Kunjungan Biologis Napi.”

<https://www.antaranews.com/berita/166157/depkumham-akan-atur-kunjungan-biologis-napi>. Accessed March 24, 2020.

Hukumonline. “Pemenuhan Hak-Hak Narapidana Masih Sulit.”

<https://www.hukumonline.com/berita/baca/hol19980/pemenuhan-hakhak-narapidana-masih-sulit/>. Accessed April 7, 2020.

Hutomo Saputra, Erandhi. “Bilik Asmara dan Kebutuhan Biologis Narapidana di Lapas.” Accessed March 24, 2020.

<https://kumparan.com/kumparannews/bilik-asmara-dan-kebutuhan-biologis-narapidana-di-lapas-1544231206415464088>. Accessed March 24, 2020.

Irawan, Dhani. “Napi Dambakan Bilik Cinta, Ini Solusi Kemenkum HAM.”

Accessed March 24, 2020. <https://news.detik.com/berita/d-4333693/napi-dambakan-bilik-cinta-ini-solusi-kemenkum-ham>. Accessed March 24, 2020.

Jakarta Post. “No Conjugal Visits for Inmates, Says

Minister.” <https://www.thejakartapost.com/news/2016/07/13/no-conjugal-visits-for-inmates-says-minister.html>. Accessed February 20, 2020.

Johari, Aarefa. “Even Saudi Arabia Allows Prisoners to Receive Conjugal Visits.”

<https://scroll.in/article/699205/even-saudi-arabia-allows-prisoners-to-receive-conjugal-visits>. Accessed May 25, 2020.

Khoiri, Achmad Masaul. “Para Napi, Ini 3 Alasan Kemenkum HAM Belum Sediakan Bilik Asmara.”

<https://news.detik.com/berita/d-3250536/para-napi-ini-3-alasan-kemenkum-ham-belum-sediakan-bilik-asmara>.

Accessed February 20, 2020.

Kozłowska, Hanna. “Saudi Arabia is Rehabilitating Jihadis in a Lavish Prison.”

<https://qz.com/1028597/saudi-arabia-terrorism-rehabilitation-plan-includes-a-lavish-prison-with-family-time/>. Accessed May 25, 2020.

- Liputan 6. “Bisnis Seks di Balik Jeruji Penjara.”  
<https://www.liputan6.com/news/read/303557/bisnis-seks-di-balik-jeruji-penjara>. Accessed May 25, 2020.
- Maharani, Tsarina. “Rapat dengan Menkumham, Politisi PDI-P Minta Ada Bilik Asmara” di Lapas”.  
<https://nasional.kompas.com/read/2020/02/24/18134941/rapat-dengan-menkumham-politisi-pdi-p-minta-ada-bilik-asmara-di-lapas>. Accessed March 24, 2020.
- Munzi, Alza. "Wanita Ini Beber Cara Bercinta Dengan Suaminya Di Lapas, Ada Bilik Asmara Tapi Bayarnya Segini."  
<http://bangka.tribunnews.com/2017/12/08/wanita-ini-beber-cara-bercinta-dengan-suaminya-di-lapas-ada-bilik-asmara-tapi-bayarnya-segini?page=all>. Accessed February 20, 2020.
- Omand, Geordon. “Conjugal Visit Valuable for Inmates, Should Mimic Normal Environment: Warden.” <https://toronto.citynews.ca/2017/02/01/conjugal-visit-valuable-for-inmates-should-mimic-normal-environment-warden/>. Accessed May 23, 2020.
- Omand, Geordon. “Conjugal Visits Help Canadian Inmates Reintegrate into Society, Experts Say.”  
<https://www.thestar.com/news/canada/2016/10/30/conjugal-visits-help-canadian-inmates-reintegrate-into-society-experts-say.html>. Accessed May 23, 2020.
- Rachman, Dylan Aprialdo. “Diresmikan, Begini Fasilitas dan Keamanan Lapas Super Maximum Securiy Karanganyar.”  
<https://nasional.kompas.com/read/2019/08/23/17001681/diresmikan-begini-fasilitas-dan-keamanan-lapas-super-maximum-security>. Accessed February 24, 2020.
- Raga, Suzanne. “9 Arresting Facts About Conjugal Visits.”  
<https://www.mentalfloss.com/article/67834/9-arresting-facts-about-conjugal-visits>. Accessed May 15, 2020.

- Saputra, Andi. "5 Fakta Mengejutkan Lapas Di Indonesia." <https://news.detik.com/berita/d-4365019/5-fakta-mengejutkan-lapas-di-indonesia>. Accessed February 20, 2020.
- Septianto, Budi. "Bilik Asmara untuk Bercinta Narapidana Baru Tersedia di Tiga Lapas." <https://tirto.id/bilik-asmara-untuk-bercinta-narapidana-baru-tersedia-di-tiga-lapas-eBCF>. Accessed March 24, 2020.
- Singh, Yogesh Pratap. Panigrahi, Sanjeeb. "A Case for Conjugal Visits." <https://www.thestatesman.com/features/conjugal-visits-1502620871.html>. Accessed May 23, 2020.
- Spiegel International. "Prisoners Murders Girlfriend During Conjugal Visit." <https://www.spiegel.de/international/germany/outrage-over-lax-security-prisoner-murders-girlfriend-during-conjugal-visit-a-688736.html>. Accessed May 23, 2020.
- Sullivan, Kevin. "A Rare Look Inside a Saudi Prison that Showers Terrorists with Perks." [https://www.washingtonpost.com/world/middle\\_east/a-rare-look-inside-a-saudi-prison-that-showers-terrorists-with-perks/2015/03/01/2da9dfb4-a64e-11e4-a162-121d06ca77f1\\_story.html](https://www.washingtonpost.com/world/middle_east/a-rare-look-inside-a-saudi-prison-that-showers-terrorists-with-perks/2015/03/01/2da9dfb4-a64e-11e4-a162-121d06ca77f1_story.html). Accessed May 25, 2020.
- Suriadinata, Vincent. "Efektivitas Lembaga Pemasyarakatan Dalam Membina Narapidana." <https://www.kompasiana.com/vincenturiadinata/552904bcf17e61d72c8b45bb/efektivitas-lembaga-pemasyarakatan-dalam-membina-narapidana>. Accessed March 3, 2020.
- Soares, Eduardo. "Brazil: Homosexual Inmates Granted Right to Conjugal Visits." <https://loc.gov/law/foreign-news/article/brazil-homosexual-inmates-granted-right-to-conjugal-visits/>. Accessed May 21, 2020.
- Toumi, Habib. "Conjugal Visit Prisoner Attempts to Smuggle in Drugs." <https://gulfnews.com/world/gulf/saudi/conjugal-visit-prisoner-attempts-to-smuggle-in-drugs-1.1517330>. Accessed May 25, 2020.
- Wartakota. "Ini Alasan Bilik Asmara Sulit Direalisasikan di Lapas, Seperti yang Diminta DPR." <https://wartakota.tribunnews.com/2020/02/28/ini-alasan->

bilik-asmara-sulit-direalisasikan-di-lapas-seperti-yang-diminta-dpr?page=2. Accessed March 24, 2020

Widrayani, Niken. “Urgensi Ruang Intim di Penjara.” <http://edisicetak.joglosemar.co/berita/urgensi-ruang-intim-di-penjara-12727.html>. Accessed February 20, 2020.

Yeung, Kenneth. “Just Visiting.” <https://indonesiaexpat.biz/featured/just-visiting/>. Accessed May 21, 2020.

### **E. National Legal Instruments**

Decision of Director General of Penitentiary of Ministry of Law and Human Rights Number Pas-170.Pk.01.01.02 Year 2015 on Registration Standards and Classification of Inmates and Prisoners.

Decision of Minister of Justice Number M. 02-PK.04.10 Year 1990 on The Pattern of Guidance towards Inmates / Prisoners of Minister of Justice of the Republic of Indonesia.

Indonesian Criminal Code.

Law Number 1 Year 1974 on Marriage.

Law Number 2/Pnps/1964 on Procedures for the Execution of Death Penalty Imposed by General Court and Military Court.

Law Number 12 Year 1995 on Penitentiary.

Law Number 20 Year 1946 on Closed Sentencing.

Law Number 32 Year 1999 on Requirements and Procedures for the Implementation of Inmates' Rights.

Law Number 39 Year 1999 on Human Rights.

Minister of Law and Human Rights Regulation Number M.HH-05 OT.01.01 Year 2011 on the Amendment of the Decision of Minister of Justice Number M.01-PR.07.03 Year 1985 on Organization and Work Procedures of Correctional Institution.

Minister of Justice and Human Rights Regulation Number 03 Year 2018 on the Requirements and Procedures for Granting Remission, Assimilation,



Family Visit Leave, Conditional Release, Release Approaching Leave, and Conditional Leave.

The 1945 Constitution of the Republic of Indonesia.

#### **F. International Legal Instruments**

Factsheet, European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), January 2018.

ICCPR General Comment No. 19: Protection of the Family, the Right to Marriage and Equality of the Spouses.

ICCPR General Comment No. 21: Humane Treatment of Persons Deprived of Their Liberty.

International Covenant on Civil and Political Rights.

International Covenant on Economic, Social and Cultural Rights.

New York State Corrections and Community Supervision Directive No. 4500 dated 1/5/2016 on Family Reunion Program.

Penal Reform International, Briefing: Access to Justice (Discrimination of Women in Criminal Justice System), Toolbox on the UN Bangkok Rules, January 2012.

United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders.

United Nations Standard Minimum Rules for the Treatment of Prisoners.