



Fulfillment of prisoners' rights to receive wages for work (Research study at class III correctional institution Lhoknga, Aceh Besar)

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Abstract

Article 9 letter j of Law Number 22 of 2022 concerning Corrections expressly states that inmates have the right to receive wages for the work done by inmates in Correctional Institutions. However, until now there has been no regulation that specifically regulates the mechanism for paying wages. As a result, the granting of prisoners' rights cannot be fulfilled properly. This article aims to analyze the fulfillment of prisoners' rights to earn wages from work, to analyze the obstacles faced in fulfilling the right of prisoners to earn wages from work. The empirical juridical method of data was obtained through literature research and field research. Literature research utilizes secondary data by examining the literature and applicable laws and regulations. The results of the study show that the percentage of wages given by the Head of the Lhoknga Class III Correctional Institution is 30% of the income obtained by inmates from the sale of their manufactured goods. The Class III Lhoknga Institution has many productive activities carried out by inmates such as barbershops, agriculture, and welding. The obstacles faced are the absence of detailed regulations regarding the amount of wages that must be received by inmates, marketing of work products, lack of interest from inmates to work, and lack of cooperation with third parties.

Keywords: Fulfillment of rights, inmates, wages of work

Introduction

The correctional system for society today is still synonymous with "prison", even though in reality, the primary tasks and functions of the correctional system also include services for detainees, security, and guidance for Correctional Residents and correctional clients. Philosophically, the correctional system today has moved far beyond the philosophies of retribution, deterrence, and resocialization. In other words, punishment is not intended to deter the perpetrator by inflicting suffering, nor is it intended to cause suffering as a form of retribution, and it does not assume that the convict is someone who is lacking in socialization. Prison rehabilitation aligns with the philosophy of social reintegration, which assumes that crime is a conflict between the convict and society, so sentencing is more aimed at resolving the conflict or reintegrating the convict with society ^[1].

Although the term "prison" was replaced with "Correctional Institution," the principles regarding Correctional Services were only institutionalized after the Correctional Directorate Development Conference in Lembang, Bandung (West Java) on April 27, 1964. The essence of the conference was that the purpose of imprisonment is not solely to protect society but also to rehabilitate lawbreakers, who are no longer referred to as criminals, because a lost person will always repent and there is hope that they can derive the greatest benefit from the protective system applied to them ^[2].

The correctional system is a series of units in the enforcement of criminal law, therefore its implementation cannot be separated from the development of the general concept of sentencing. The correctional system, in addition to aiming to rehabilitate inmates as good citizens, also aims to protect society from the possibility of reoffending by inmates ^[2].

The correctional system, according to Adi Sujatno, aims to rehabilitate inmates as good citizens, also aims to protect society from the possibility of reoffending by inmates, and is an implementation and an inseparable part of the values contained in Pancasila ^[3].

The implementation of the correctional system also requires the participation or involvement of the community, either by cooperating in rehabilitation or by being willing to accept back the Correctional Residents who have completed their sentences ^[3].

The term "Correctional System" first appeared in 1963, but the principles regarding the correctional system were only institutionalized after the Correctional Directorate Development Conference in Lembang, Bandung (West Java) on April 27, 1964. From the results of the conference, it can be concluded that the purpose of imprisonment is not only to protect society but also to rehabilitate lawbreakers, who are no longer referred to as criminals. A lost person will always repent, and there is hope that they can derive the greatest benefit from the protective system applied to them ^[4].

Since 1964, the term "prison" has changed to "Correctional Institution." The principles of treatment for law violators, convicts, and prisoners have changed from the principles of imprisonment to the principles of correctional facilities, which are then referred to as the Correctional System. If the prison system emphasizes retribution (against criminals) as the goal of punishment, then the correctional system places more emphasis on "correction," which is to rehabilitate and reintegrate lawbreakers (convicts, inmates) back into society as good citizens, just as they were before committing the crime. Rehabilitation means returning to society as a good and useful citizen. The correctional system emphasizes rehabilitation rather than retribution, so that convicts can understand and acknowledge their mistakes, ensuring that when they are reintegrated into society, they will not repeat

their unlawful actions. Therefore, Sahardjo, as the pioneer of the correctional institution, has since 1963 stated that lawbreakers should no longer be referred to as criminals, but rather as lost individuals ^[5].

Prisons have undergone a paradigm shift by incorporating a rehabilitation model for inmates. Prisoners themselves have changed their name to correctional residents. According to Sujatno, the change in treatment of prisoners from the incarceration system to the correctional system with a treatment approach provides protection and enforcement of prisoners' rights in serving their sentences. The correctional system is a more humane and normative treatment of prisoners based on Pancasila and characterized by rehabilitative, corrective, educational, and integrative features ^[6].

Criticism of the negative consequences often raised generally states that imprisonment not only results in the deprivation of freedom but also causes negative effects on matters related to the deprivation of that freedom itself. These negative consequences include the deprivation of a person's normal sexual life; with the deprivation of a person's freedom, it also means the deprivation of their freedom to work, which can have serious repercussions for their family's socio-economic life ^[7].

Moreover, imprisonment is said to impose a stigma that will persist even if the individual no longer commits crimes. The word "prison" is an abbreviation for the suffering of body and soul. A rather interesting criticism from the perspective of criminal politics is that people do not become better, but rather become worse after serving prison sentences, especially when prison sentences are imposed on children or teenagers. The interpretation by some inmates that prison is a Higher School of Crime Techniques (STTK) or an Institution of Criminal Knowledge (LPIK) because there is indeed a transfer of knowledge between inmates.

Punishment in criminal law can be viewed as the life of a human being. Without life, what is called a human is actually a corpse. Although there is a crime, and there is criminal liability, without punishment, can it still be called criminal law? ^[9].

According to Hart, punishment has several characteristics, namely:

1. "Involving suffering or other unpleasant consequences;"
2. Imposed on someone who is actually or suspected of committing a crime;
3. Imposed in connection with a criminal act that violates legal provisions;
4. Committed intentionally by someone other than the perpetrator of the crime;
5. Imposed and executed by the authorities in accordance with the provisions of the legal system violated by the crime ^[10].

The concept of punishment that is solely oriented towards retribution or vengeance (punishment philosophy) has begun to be abandoned, and the new concept adopted is the concept of guidance or rehabilitation (treatment philosophy). Article 9 of Law Number 22 of 2022 concerning Corrections (hereinafter referred to as the Corrections Law) emphasizes that the correctional system is organized to shape Correctional Residents into whole individuals, aware of their mistakes, improving themselves, and not repeating criminal acts so that they can be accepted back into the community, actively participate in

development, and live normally as good and responsible citizens.

Correctional facilities demonstrate a commitment to changing the conditions of convicts through rehabilitation processes and treating them humanely by protecting their rights. The existence of correctional institutions holds an important position in the criminal justice system in Indonesia, as it is related to the role and function as a law enforcement institution and a rehabilitation agency for prisoners.

In the legal system of Indonesia, which is based on Pancasila, the concept of the function of punishment is no longer merely about deterring prisoners, but rather about rehabilitation and social reintegration of inmates. Correctional activities carried out in an integrated manner between the supervisors, the supervised, and the community to improve the quality of Correctional Residents so that they realize their mistakes, improve themselves, and do not repeat criminal acts in the future. Pancasila as the foundation of the correctional system, mentions the existence of balance and harmony in human life as individuals, in their relationship with society, their relationship with nature, with other nations, and their relationship with God.

In this case, Bahrudin Soerjobroto stated: "Correctional efforts are declared as an endeavor to achieve the unity of life, living, and livelihood intertwined between the lawbreaker as an individual and their identity as a human, between the lawbreaker and fellow humans, between the lawbreaker and society as well as nature, all under the protection of God Almighty ^[11]."

Correctional institutions have a strategic role in the integrated criminal justice process in terms of rehabilitating lawbreakers to achieve the goals of punishment. In this regard, Muladi states that the purpose of punishment, both general and specific deterrence, maintaining social solidarity, is to repair the individual and social damage caused by criminal acts. This consists of a set of goals that must be met, with the note that the intended purpose of punishment includes retribution/equity ^[12].

Plato stated that no one can change a person's fate except themselves. With the presence of a change, it allows humans to know themselves. The process of self-discovery requires a motivational stage that is a continuation of introspection. In terms of correctional facilities, inmates are given motivation for themselves so that they can view every event positively. With continuous self-motivation, it will lead to a process of self-development through the stages of self-development ^[13].

The above statement emphasizes the important role of correctional institutions in rehabilitating prisoners. The intended awareness is oriented towards creating law-abiding citizens. Thus, the process of detention or rehabilitation carried out in the Correctional Institution is considered successful if the rights of the inmates have been well fulfilled.

In the process of rehabilitation, the government must also pay attention to the fulfillment of prisoners' rights as stipulated in Article 9 letter j of the Correctional Law, namely:

- a. Practicing worship according to their religion or belief;
- b. Receiving care, both physical and spiritual;
- c. Receiving education, teaching, recreational activities, and opportunities to develop potential;

- d. Receiving health services and adequate food according to nutritional needs;
- e. Receiving information services;
- f. Obtaining legal counseling and legal assistance;
- g. Submitting complaints and/or grievances;
- h. Receiving reading materials and following broadcasts from mass media that are not prohibited;
- i. Receiving humane treatment and protection from torture, exploitation, neglect, violence, and any actions that endanger physical and mental well-being;
- j. Receiving guarantees of job safety, wages, or bonuses for work performed;
- k. Receiving social services; and

- l. Accept or refuse visits from family, advocates, companions, and the community.

Every inmate serving a sentence at the Class III Lhoknga Aceh Besar Correctional Institution has various rights, one of which is the right to receive wages for their work as stipulated in Article 9 letter j above.

The Class III Lhoknga Aceh Besar Correctional Institution also has the obligation to fulfill these rights, namely by providing work within the correctional institution and guaranteeing wages for the inmates. Here are the types of work performed by inmates at the Class III Lhoknga Aceh Besar Prison.

Table 1: Types of Work Performed by Inmates at Lhoknga Class III Prison, Aceh Besar Year 2024

No	Types of Work Done by Prisoners	The number of inmates who work		Working Hours	Receiving Wages/Premiums	Number of inmates	
		Male	Female			Male	Female
1.	Cooking	5	0	> 3 months	Cannot	241	10
2.	Agriculture	2	0	> 6 months	Can		
3.	Construction Work	6	0	> 2 months	Cannot		
4.	Haircut	1	0	> 2 months	Can		
5.	Cleaning	4	2	> 6 months	Cannot		
6.	Melting	1	0	> 2 months	Can	Total: 251 People	

Source: Lhoknga Class III Prison, Aceh Besar

Based on the data in the table above, it was found that the fulfillment of prisoners' rights is not being properly implemented by those in authority. The existence of prisoners' rights that are not well fulfilled can turn correctional institutions into not places of rehabilitation, but rather places for housing those who are punished. Based on that background, the legal issue in the research on the Fulfillment of Prisoners' Rights to Receive Wages for Their Work is how to fulfill the prisoners' rights to receive wages for their work.

Research method

In this research, which uses the empirical legal research method, the legal approach means that this study examines the issue by investigating it from the perspective of legal science^[14]. Then, related to the facts or phenomena regarding the process of implementing the fulfillment of prisoners' rights to receive wages for the work performed^[15]. And also conducting interviews with respondents and informants who are considered capable of providing information regarding the issues being researched.

To obtain complete and accurate data, the research was conducted proportionally, meaning the entire population was sampled, which is expected to provide clear data and information about the problem being studied through purposive sampling. Purposive sampling means selecting several respondents along with informants related to the research problem, who are expected to represent the entire population.

The data analysis technique that will be used in this research is qualitative descriptive, starting with grouping similar data and information according to sub-aspects and then interpreting them to provide meaning to the sub-aspects and their relationships with one another. Then, an analysis or interpretation of all aspects is conducted to understand the meaning of the relationships between one aspect and another, with all aspects being the main focus of the research problem, carried out inductively to provide a comprehensive picture of the results^[16].

Results and discussions

a. The position of correctional institutions in the criminal justice system

Correctional Institutions in the criminal justice system are part of the law enforcement ranks that are included in the integrated criminal justice system. This is in line with the opinion expressed by Romli Atmamasmita that in the implementation of an integrated criminal justice system, there are four components within it: the Police, the Prosecutor's Office, the Court, and the Correctional Institution^[17].

The position of the Correctional Institution as law enforcement is explicitly stated in Article 8 of the Correctional Law, which states: "Correctional Officers are functional law enforcement officials who carry out duties in the fields of coaching, security, and guidance of correctional inmates."

Regarding the existence of Correctional Institutions as a subsystem of the criminal justice system, it is inseparable from the issues of power and authority held by each subsystem that is part of the criminal justice system itself.

The Indonesian Criminal Justice System places the Correctional Institution (Lapas) as one of the pillars of law enforcement in Indonesia, playing an important role. This institution is tasked with rehabilitating criminals to become good members of society by restoring the justice that has been disrupted by their actions. According to the opinion expressed by Muladi, the purpose of punishment is to repair the individual and social damage caused by the crime. This consists of a set of penal objectives that must be fulfilled, with the emphasis being on case-specific goals. The set of penal objectives is intended for prevention (general and specific), protection of society, maintaining social solidarity, and balance^[12].

Hatta said that affirming the existence of prisons has become one of the strategic matters amidst the development of an increasingly intelligent society that desires transparent, accountable, and credible implementation. The existence of prisons as correctional institutions plays an important and

strategic role in realizing the ultimate goal of the Criminal Justice System (CJS), which is to carry out rehabilitation and resocialization for law violators ^[18].

According to Muladi, the Criminal Justice System, in accordance with the meaning and scope of the system, can be physical in the sense of structural synchronization, can also be substantial, and can also be cultural. In terms of structural synchronization, simultaneity and harmony are required in the mechanism of criminal justice administration within the framework of relationships between law enforcement agencies ^[19].

The criminal justice system is a network of courts that uses criminal law as its main tool, including substantive criminal law, procedural criminal law, and the enforcement of criminal law ^[12].

Regarding the position of correctional institutions or detention centers within the criminal justice system, the Criminal Procedure Code (KUHAP) has positioned correctional institutions or detention centers in a strategic position, namely by regulating and granting authority to correctional institutions/detention centers, particularly concerning the detention of suspects/defendants in the implementation of criminal justice. Regarding the authority to carry out detention by law enforcement officers within the criminal justice system, we can observe how the criminal justice subsystem operates here.

Lembaga Pemasyarakatan Kelas III Lhoknga is one of the Technical Implementation Units (UPT) of the Ministry of Immigration and Corrections, which has the task and function of maintaining security and order as well as conducting rehabilitation for inmates located in Lhoknga District, Aceh Besar Regency. This is in accordance with the capacity and location of the work activities of Lembaga Pemasyarakatan Kelas III Lhoknga. Lembaga Pemasyarakatan Kelas III Lhoknga is located on the Banda Aceh-Meulaboh highway, Kilometer 9, Gampong Nusa, Lhoknga District, Aceh Besar Regency. Lhoknga Class III Penitentiary was rebuilt by the Aceh Rehabilitation and Reconstruction Agency (BRR) in the 2007 fiscal year after the tsunami destroyed the old Lhoknga Class III Penitentiary located on the Lhoknga beach, precisely in the Mon Ikeun village, Lhoknga district, which was a remnant of the Dutch colonial prison. In 1982, it was reactivated as Lhoknga Class III Penitentiary in Lhoknga until the tsunami event on December 26, 2004, which devastated the entire building and facilities of the old Lhoknga Class III Penitentiary.

The Class III Lhoknga Correctional Institution has a land area of approximately 20,000 square meters with a building area of 13,900 square meters, which is currently still in the process of gradually developing facilities and infrastructure according to the budget allocated by the Government in the State Budget. The Class III Lhoknga Correctional Institution is divided into 2 (two) blocks, consisting of 31 rooms, and each bedroom has a bathroom. Each bedroom is occupied by three to four people, grouped based on the crimes committed by each inmate and detainee, and separated between juvenile and adult inmates and detainees, as well as between male and female inmates and detainees, with a concrete fence divider of 2 meters high. The housing capacity reaches 110 people. and now the number of inmates and detainees, both men and women, is 327 people, consisting of 311 male inmates and detainees and 16 female inmates and detainees (Data as of January 10, 2025) ^[20].

In the implementation of the main tasks and functions, both technically and administratively, the Class III Lhoknga Correctional Institution consists of the Head of Administration, Subsection of Admission and Orientation, Subsection of Coaching, and Subsection of Security and Order. Administrative work is carried out by officers from each respective field. In the field of security, it is carried out by 7 security personnel in 1 team, assisted by 1 duty officer from the structural office.

The condition of the Class III Lhoknga Correctional Institution building consists of:

1. Regional Office of the Ministry of Law and Human Rights Directorate General of Corrections Aceh
2. Name of UPT: Class III Lhoknga Correctional Institution
3. Year established: 2007
4. Accommodation capacity: 150 people
5. Address: Jln Banda Aceh-Meulaboh KM. 09 Desa Nusa Kecamatan Lhoknga Kabupaten Aceh Besar
6. Land area: 13,900 M2
7. Building area

a. Office Building	: 620 M2
b. Environmental Post	: 4 M2
c. Visiting Room	: 60 M2
d. Polyclinic Room	: 12 M2
e. Kitchen Area	: 130 M2
f. f) Workshop Room	: 32 M2
g. Mosque Building	: 150 M2
h. Church Building	: -
i. Vihara Building	: -
j. Temple	: -
k. Auditorium Building	: 50 M2
l. Library Room	: 16 M2
m. Residential Room	: 470 M2
8. Security Post

a. Post up	: -
b. Main Post	: 4 M2
c. Block Security Post	: 16 M2
9. Prison Capacity : 150 people
10. Rehabilitation Facilities

a. Prayer room	: 1 Unit
b. Classroom	: 1 Unit
c. Kitchen	: 1 Unit
d. Polyclinic	: 1 Unit
e. Library	: 1 Unit ^[21] .

b. Obligations and Rights of Prisoners in Correctional Institutions

The granting of rights and obligations to prisoners is very important for the continuity of their lives within the correctional institution. If there is no alignment between the rights and obligations granted by the correctional institution, there is a possibility of rebellion or cases of violence within the correctional facility.

One of the riots that occurred was at the Class I Tanjung Gusta Prison in Medan on July 11, 2013, caused by the lack of electricity and water, as well as the overcapacity of inmates, which resulted in hundreds of inmates escaping, and several inmates being injured and dying in the incident ^[20].

The granting of rights and obligations to prisoners as stipulated in Law Number 12 of 1995 on Corrections must align with the objectives of corrections. There are three main ideas that are expected to be achieved through the

sentencing and rehabilitation of prisoners, which include the following:

- a. Aimed at rehabilitating prisoners from their inherent nature.
- b. Making someone deterred from committing crimes.
- c. Making the perpetrator of the crime unable to commit the crime again, namely a crime that cannot be repaired in any other way ^[22].

The rights of prisoners in general are that prisoners have the right not to be treated as sick people who are exiled, prisoners also have the right to education as preparation for their lives after leaving the Correctional Institution later. Regarding the fulfillment of Human Rights (HAM) for individuals deprived of their freedom, Indonesia has ratified the Standard Minimum Rules (SMR) in Article 14 of Law Number 12 of 1995 concerning Corrections, which regulates the rights of prisoners that must still be fulfilled. There is nothing else for prisoners who are restricted except the right to feel freedom. Of course, the rights being discussed here do not mean justifying the existence of "special" rights for prisoners to obtain exclusive facilities within correctional institutions ^[23].

There is no absolute freedom, just as there is no total confinement that completely shackles a person's life. It should be remembered that the walls of detention centers and correctional institutions are not a boundary between humans with the status of complete freedom and those who have had all their rights stripped away. The rights of the prisoners remain protected even though their bodies are confined behind bars ^[24].

Legal protection of the rights of prisoners in Indonesia is actually regulated by Law Number 39 of 1999 concerning Human Rights, and Law Number 12 of 1995 concerning Corrections. The core of prisoner human rights protection is the realization of prisoner rehabilitation in accordance with the correctional system implemented in the Correctional Law. The Correctional System is a composition of integrated elements that form an integral unit, shaping the concept of treatment for those who violate criminal law based on the principles of rehabilitation and resocialization, containing educational, corrective, defensive elements, and aspects that are individual and social ^[25].

The state is expected to have the ability and willingness to fulfill its obligations in guaranteeing the rights of every individual in accordance with the tripartite typology concept of human rights, namely the state's obligation to fulfill, respect, and protect the rights of prisoners in detention centers/prisons ^[26]. The rights of prisoners are regulated in the Correctional Law, Article 9, which states that prisoners have the right to:

- a. Practicing worship according to their religion or belief
Every inmate has the right to practice their religion according to their faith. In carrying out religious education and guidance, the Head of the Correctional Facility may collaborate with relevant agencies, community organizations, or individuals.
- b. Receiving care, both physical and spiritual
- c. Prisoners are entitled to physical care in the form of opportunities for exercise and recreation, clothing supplies, as well as bedding and bathing supplies. Physical care includes morning exercise activities and physical sports such as playing futsal and badminton, implementing a healthy diet, and getting enough rest.

- d. Spiritual care is provided through spiritual guidance and character education. In guidance and education, the head of the correctional institution (Lapas) can collaborate with relevant agencies, community organizations, or individuals. Prisons implement spiritual teachings and sermons from religious leaders. Prisoners are required to participate in educational and religious guidance programs according to their respective religions and beliefs ^[27].
- e. Receiving education, instruction, and recreational activities as well as opportunities to develop potential;
- f. Prisoners have the right to receive education, instruction, recreational activities, and opportunities to develop their potential. Education and teaching for inmates are carried out within the Correctional Institution.
- g. Receiving health services and adequate food according to nutritional needs;
- h. Prisoners have the right to receive health services and adequate food according to their nutritional needs. Healthcare services for prisoners are one of the fulfillments of Human Rights by the state to its citizens ^[28].
- i. Obtaining information services;
- j. Obtaining legal counseling and legal assistance;
- k. Submitting complaints and/or grievances;
- l. Complaints as referred to are submitted if the treatment is truly felt to disturb the human rights or rights of the concerned Prisoners and Correctional Students or other Prisoners and Correctional Students. Complaints can be submitted verbally or in writing while adhering to the prison regulations.
- m. Receiving reading materials and following media broadcasts that are not prohibited; Reading materials and mass media must support the personality development and independence programs of Prisoners and Correctional Students and must not contradict the applicable laws and regulations.
- n. To receive humane treatment and be protected from torture, exploitation, neglect, violence, and any actions that endanger physical and mental well-being;
- o. Obtaining guarantees of job safety, wages, or work performance bonuses;
- p. Wages or bonuses are given to the concerned individual if needed to meet basic needs while in prison or for travel expenses after serving their sentence.
- q. Receiving social services; and
- r. Accept or refuse visits from family, advocates, companions, and the community.
- s. Every inmate and correctional student has the right to receive visits from family, legal counsel, or other designated individuals. Visitors who carry out visits are required to: a. check and examine the identification details of the visitors; and b. search the visitors and inspect their belongings.

Certain requirements as referred to in Article 9 paragraph (1) include

- a. behaving well
- b. actively participating in the Coaching program; and
- c. has shown a decrease in risk level.

In addition to meeting certain requirements as referred to in paragraph (2), prisoners who will be granted a pre-release

leave or parole as referred to in paragraph (1) letters e and f must also have served at least 2/3 (two-thirds) of their sentence, with the stipulation that 2/3 (two-thirds) of the sentence must be at least 9 (nine) months. The granting of rights as referred to in paragraph (1) does not apply to prisoners sentenced to life imprisonment and death penalty. In addition to the rights as referred to in Article 9, inmates who have met certain requirements without exception are also entitled to:

- a. **Remission:** Remission is a reduction of the prison term granted to inmates who meet the requirements according to the provisions of the legislation.
- b. **Assimilation:** Assimilation is a reintegration program for prisoners that is carried out by integrating them into community life.
- c. **Family Visit or Being Visited by Family:** Family Visit or Family Visit Program is a Rehabilitation program to provide an opportunity for Inmates to assimilate with their families in their roles as parents, husbands/wives, or children.
- d. **Conditional Leave:** Conditional Leave is the process of rehabilitating inmates who have been sentenced to short terms outside the prison.
- e. **Parole:** Cuti Menjelang Bebas is the process of rehabilitating inmates who have a short remaining sentence to reintegrate with their families and society outside the prison.
- f. **Parole:** Conditional Release is the process of rehabilitating inmates outside the prison to integrate them with their families and society.
- g. **Other rights in accordance with the provisions of the legislation:** What is meant by "other rights" is to become a marriage guardian and/or attend the marriage of a legally recognized child, inheritance distribution, visiting a family member who is seriously ill or has passed away.

Regarding conditional rights such as remissions, assimilation, family visit rights, parole, and so on, the prison policy remains guided by existing regulations, such as observing the behavior of inmates during the rehabilitation period. So that the inmates fully understand their conditional rights, the prison authorities ensure transparency and socialize the application procedures through large banners placed near the hall, and they still conduct an environmental introduction period (mapenaling) for approximately one week for inmates who are newly admitted or transferred from other prisons^[29].

These conditional rights have become a particular concern for the Ministry of Immigration and Corrections because they are often protested by many parties when granting sentence reductions to terrorism convicts. However, the severity of a convict's sentence depends on the judge's decision, considering that the imposition of what is deemed a light sentence is the authority of the court and not the authority of the Ministry of Immigration and Law, where the Correctional Institution is not a place of punishment but a place for the rehabilitation of prisoners^[30].

In addition to the rights of prisoners that have been previously outlined, prisoners also have obligations as regulated in Article 11 of Law Number 22 of 2022, namely:

- a. abide by the rules and regulations;
- b. following the training program in an orderly manner;
- c. maintaining a clean, safe, orderly, and peaceful way of life; and
- d. respect the human rights of everyone in their environment.

In addition to the obligations as referred to in paragraph (1), inmates are also required to work, taking into account their health conditions and ensuring it has utility. In this provision, the obligation to work for prisoners can be adjusted according to their interests and talents.

In addition, the obligations of prisoners are also regulated in Article 3 of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 6 of 2013 concerning the Orderly Conduct of Correctional Institutions and Detention Centers, which states that every prisoner or detainee is obliged to:

- a. obediently practicing worship according to the religion and/or belief they adhere to and maintaining religious harmony;
- b. participate in all programmed activities;
- c. obedient, compliant, and respectful to the Officers;
- d. wearing the designated uniform;
- e. maintain tidiness and dress according to norms of propriety;
- f. maintaining personal hygiene and the cleanliness of the living environment, as well as participating in activities conducted for the cleanliness of the living environment; and
- g. participating in room roll calls conducted by the Correctional Officers.

The procedures for the implementation of the rights and obligations of prisoners are further regulated in the Government Regulation of the Republic of Indonesia Number 28 of 2006 concerning Amendments to Regulation Number 32 of 1999 concerning the Conditions and Procedures for the Implementation of the Rights of Correctional Institution Residents. In order for the provisions as stipulated in Law Number 12 of 1995 concerning Corrections to be implemented properly, it is necessary to have Government Regulation of the Republic of Indonesia Number 28 of 2006 concerning Amendments to Regulation Number 32 of 1999 concerning the Conditions and Procedures for the Implementation of the Rights of Correctional Residents so that the Correctional system, which emphasizes efforts in care, guidance, education, and mentoring for correctional residents aimed at restoring the fundamental relationship between individual correctional residents and society, can run optimally^[29].

A. Fulfillment of the Right of Prisoners to Receive Wages for Their Work

The definition of "wage" according to Hardjan Rusli is that every worker or laborer has the right to earn an income that provides a decent living for humanity, which means being able to meet the needs of the worker/laborer and their family in a reasonable manner, including food and drink, clothing, housing, education, health, recreation, and old-age security^[31].

Wages can be defined as payments or rewards that can take various forms, given or provided by an individual or an institution or organization to another person for their efforts, work performance, or services rendered. Wages are a compensation for the services rendered or exerted by someone to another party or employer^[32].

In the perspective of Islamic law, justice in wage distribution is a very important principle. Islam emphasizes that every worker, including prisoners, must be given fair wages for the work they have done. This is based on the hadith of the Prophet Muhammad (peace be upon him), which states: "Give the worker his wages before his sweat dries (H.R. Ibn Majah)."

In Islam, the principle of justice is highly emphasized, including in the payment of wages. Allah SWT says in the Qur'an, Surah An-Nisa' verse 58, which means "Indeed, Allah commands you to render trusts to whom they are due." When you judge between people, judge with justice. Indeed, Allah gives you the best teachings. Indeed, Allah is All-Hearing, All-Seeing (Surah An-Nisa, verse 58).

Specifically, regarding wages for work performed, Article 9 letter j of the Correctional Institution Law guarantees that every inmate who works is entitled to receive compensation. Further clarification on this right is regulated in Government Regulation No. 32 of 1999 concerning the Conditions and Procedures for the Implementation of the Rights of Correctional Residents. In Article 29 of the regulation, it is stated that prisoners who work are not only entitled to wages, but also that the amount of these wages must comply with the applicable laws. This wage must be deposited and recorded in the administration of the Correctional Institution, and can only be given to inmates to meet basic needs while in prison or for travel expenses after serving their sentence. More detailed provisions regarding this wage are further regulated through a Ministerial decision, ensuring that the rights of prisoners to work and receive compensation are upheld in accordance with applicable legal provisions^[33].

The theory of rehabilitation in corrections emphasizes the process of rehabilitating inmates through the development of skills, attitudes, and responsibilities so that they can reintegrate into society productively after serving their sentence. The provision of wages for the work performed by inmates in correctional institutions (Lapas) is an integral part of this rehabilitation process.

Article 9 letter j of the Correctional Law and Government Regulation No. 32 of 1999 Article 29 guarantees that prisoners who work are entitled to receive wages or bonuses in accordance with the applicable laws and regulations. The wages are recorded and deposited in the prison administration and can only be used for basic needs while in prison or for travel expenses after the sentence is completed. More detailed provisions are regulated through a Ministerial decision, which ensures that the prisoners' right to wages is legally protected.

Overall, the provision of wages in the context of inmate rehabilitation is not merely about financial compensation, but is an important instrument in the rehabilitation process that prepares inmates to live independently and productively after their sentence, while also safeguarding their rights

during their time in prison. The proper implementation of regulations related to wages will strengthen the effectiveness of rehabilitation and support the overall goals of correctional facilities.

The issue regarding the fulfillment of wage rights for the work performed is the wage distribution mechanism based on the Minister of Justice's Decree No. M.01-PP.02.01 of 1990 concerning the Supporting Fund for the Development of Prisoners and the Incentive Work of Prisoners, which stipulates that 50% of the profit from product sales is allocated as wages, 15% is deposited through PNBK, and 35% is for the purpose of increasing production capital.

The fulfillment of prisoners' rights to receive wages for the work done in prisons is important in supporting their rehabilitation and reintegration into society. Although there is a clear legal basis, its implementation still faces various challenges that need to be addressed so that these rights can be fulfilled optimally. For that reason, more detailed regulations and improved marketing skills for the products made by inmates are needed so that they can receive wages commensurate with their contributions^[33].

The theory of inmate rehabilitation in the correctional system emphasizes the process of rehabilitation and the development of the personality and skills of inmates so that they can reintegrate socially after serving their sentence. This development includes mental, spiritual, intellectual, and work skills aspects that are provided continuously and systematically during the detention period.

Wage payment not only serves as a reward for the work done but also as a means to improve the well-being of inmates during and after their sentence. Therefore, the use of wages for the basic needs of prisoners and as capital for them after their release needs to be well-regulated to ensure that they can reintegrate into society better.

In Article 9 letter j of the Correctional Law, it is explained that every inmate is entitled to receive wages or bonuses for the work they have performed. The provisions of this law must be implemented by every Correctional Institution, including the Class III Lhoknga Correctional Institution. At the Class III Lhoknga Correctional Institution, there are many productive activities carried out by inmates, such as barbershop, agriculture, and welding. The work being done serves to fill time and as preparation for continuing life after the inmates complete their sentence.

The productive activities carried out by inmates at the Class III Lhoknga Correctional Institution, such as barbershop, agriculture, and welding, are closely related to the rehabilitation theory within the correctional system. The rehabilitation theory emphasizes that prisons are not just places to serve sentences, but also places for the rehabilitation and continuous, systematic development of inmates' personalities and skills. Through these productive activities, inmates not only pass the time during their imprisonment but also acquire practical skills that become an important asset for continuing their lives after release. This is in line with the principle of rehabilitation aimed at enhancing the mental, spiritual, intellectual, and independence qualities of inmates so that they can play an active and responsible role in society.

Table 2: Number of Inmates at the Class III Lhoknga Correctional Facility

Name of UPT	Type of detainee											Total Amount
	AI	AII	AIII	AIV	AV	BI	BIIa	BIIb	BIII	HM	SH	
Lhoknga Class III Correctional Institution	-	-	4	-	-	213	3	-	15	1	5	241

Source: Head of Admission and Orientation Subsection, Class III Lhoknga Correctional Institution

In the context of rehabilitation, providing wages to prisoners is not just a legal obligation, but also a form of appreciation for their efforts and contributions during their sentence. By fulfilling this right optimally, it is hoped that the recidivism rate can decrease because prisoners feel appreciated and have the skills and experience when they return to society.

Overall, the fulfillment of prisoners' rights to receive wages for their work is an integral part of the rehabilitation process in prisons. Although there are various obstacles in its implementation, measures for improvement and regulatory strengthening can help create a more just and humane correctional system. Thus, the hope for the reintegration of prisoners into society will be more realistic and have a positive impact on society as a whole.

The right of prisoners to receive wages from their work is regulated by various laws in Indonesia. However, in practice, the implementation in the field still faces various challenges. Prisoners in several correctional facilities have been given skills training, such as agriculture, workshops, furniture making, garment production, and handicraft production. Some prisons collaborate with private parties in the production of goods for industry. In several prisons, inmates who work receive wages, although the amount is relatively small compared to the wages of labor outside. The Directorate General of Corrections (Ditjen PAS) periodically conducts inspections to ensure the implementation of the inmate work program. Most regulations have well-defined provisions for prisoners' rights to receive wages for their work. However, the

implementation in the field is still not fully in accordance with the regulations due to budget constraints, transparency issues, and uneven job opportunities ^[34].

The importance of collaboration between prisons and the private sector cannot be overlooked. Collaboration with companies or industries can open up opportunities for inmates to market their products more widely. In addition, companies can also provide training and guidance to inmates so that they are ready to enter the workforce after being released from prison.

To enhance the fulfillment of prisoners' rights to wages from their work, more detailed regulations regarding wage amounts and distribution mechanisms are necessary. The government needs to establish clear guidelines so that all prisons in Indonesia can follow the same standards in providing wages to inmates. With detailed regulations in place, the prison authorities will find it easier to determine appropriate and fair wages for all inmates.

For agricultural production results, the calculation of sales will be recorded monthly by accounting for production costs such as the purchase of seeds and fertilizers, the selling price of vegetables, and the wages that the inmates will receive. For the welding activities, payment will be given once the items produced are sold. As for the barbershop, it will be provided when someone is getting a haircut. Based on this, the Class III Lhoknga Correctional Institution sets standard prices for the produced goods ^[35]. Here is the price list for each product produced at the Class III Lhoknga Correctional Institution.

Table 3: List of Types of Work and Production Prices at Lhoknga Class III Penitentiary

No	Job Title	Production Cost	wage
1	Agricultural	200.000/sales	200.000/months
2	Haircut	15.000/people	300.000/ months
3	Welding	500.000/roduct	250.000/ months

Sumber: Hasil wawancara dengan Kasubsie Pembinaan

Agriculture has become the primary production activity at the Class III Lhoknga Correctional Institution because it utilizes the land potential available around the correctional facility. This program not only aims to provide practical skills to inmates but also contributes to national food security. In this context, agricultural activities help inmates learn how to cultivate crops, which they can apply after their release. Training in agriculture is conducted to prepare inmates to become skilled and independent in the field of food production. In addition, this activity also has a positive impact in reducing stress and improving the mental well-being of the inmates. The agricultural sector was also chosen to realize the food security mission proclaimed by the president and the Minister of Immigration and Corrections ^[35].

Barbershop was chosen as one of the programs because it provides skills that can be directly used to find a job after leaving prison. By learning to cut hair and maintain their appearance, inmates can increase their chances of getting jobs in the service industry after serving their sentences. This program also creates a positive social atmosphere and

interaction among inmates, which is important for the rehabilitation process ^[35].

Welding is another option that provides highly sought-after technical skills in the job market. This activity allows inmates to learn how to make household items and other tools, which are not only useful for themselves but can also be sold to support the activities of the correctional facility. By mastering welding skills, inmates can be better prepared to face life's challenges after being released and have the ability to contribute economically to society.

The criteria used to assess inmates in the selection of agricultural programs in correctional institutions include several important aspects aimed at ensuring that the selected inmates have the potential and ability to contribute positively. Here are the criteria:

a. Educational Background and Skills: Inmates with an educational background or work experience in agriculture will receive additional points. Basic knowledge of agriculture can help them participate in this program more effectively.

- b. Health Condition:** Health checks are conducted to ensure that inmates are in good physical condition and capable of engaging in agricultural activities without significant health risks.
- c. Interest and Motivation:** Assessment of the inmates' interest and motivation to participate in the agricultural program is very important. Prisoners who show interest and commitment to this activity are more likely to succeed.
- d. Psychological Assessment:** Psychological assessments are conducted to understand the mental condition of the inmates. Prisoners with stable and positive mental conditions are more likely to adapt well to the program.
- e. Behavior During Imprisonment:** The inmate's behavior record during their sentence is also taken into consideration. Prisoners who demonstrate good behavior and follow prison rules will be prioritized.
- f. Cooperation Ability:** Skills in cooperating with fellow inmates and prison officers are also assessed, as agricultural programs often involve teamwork.
- g. Administrative Eligibility:** Inmates must meet administrative requirements such as having served part of their sentence and not being involved in serious disciplinary violations ^[35].

Before being appointed as tamping, correctional inmates must undergo a selection process as regulated in Article 7 Paragraph (1) of the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 9 of 2019 concerning amendments to the Regulation of the Minister of Law and Human Rights Number 7 of 2013 on the Appointment and Dismissal of Leaders and Tamping in Correctional Institutions, which states:

To be appointed as a Tamping, inmates must meet the following requirements:

- a. has served a prison sentence of at least 6 (six) months;
- b. has served 1/3 (one-third) of the sentence;
- c. never violated the rules;
- d. physically and mentally healthy; and
- e. having special skills and abilities.

In addition, another requirement that must be met is found in paragraph 2, which states: For prisoners convicted of terrorism, narcotics, psychotropics, corruption, crimes against state security, serious human rights violations, and other organized transnational crimes to be appointed as Tamping, in addition to meeting the requirements as referred to in paragraph (1), they must also meet the following requirements:

- a. willing to cooperate with law enforcement to help uncover the criminal case they committed;

- b. has fully paid the fines and restitution in accordance with the court's decision for Convicts sentenced for committing corruption; and
- c. has participated in the deradicalization program organized by the Correctional Institution and/or the National Counterterrorism Agency, and has made a pledge:
 - 1. loyalty to the Unitary State of the Republic of Indonesia in writing; and
 - 2. will not repeat acts of terrorism in writing, for prisoners convicted of committing acts of terrorism.

To be appointed as a tamping, the next steps are explained in Article 9, namely:

- 1. The correctional officer conducts an assessment of the inmate who will be proposed as a Leader or Tamping.
- 2. The correctional officer, based on the assessment results, submits the prisoner to the TPP hearing.
- 3. The results of the assessment as referred to in paragraph (2) determine whether or not the prisoner is eligible to be presented at the TPP hearing.
- 4. The Head of the Correctional Facility appoints Inmates as Leaders and Assistants based on the TPP's recommendation.

The officers participating in the TPP hearing consist of 7 officers, including the Head of the Correctional Institution, the Subsection Head of Guidance, the Subsection Head of Security and Order, and the Watch Commander from 4 teams assigned to the Class III Lhoknga Correctional Institution. Those acting as members of the TPP Trial Team were also issued a TPP Team Decree.

The amount of wages paid to inmates who work is based on the Decree of the Minister of Law and Human Rights of the Republic of Indonesia Number: M.HH-07.OT.01.03 of 2020 concerning the Utilization of Non-Tax State Revenue from Industrial Activities in Correctional Institutions, which is at least 10% of the gross income.

Here is the calculation of prisoner wages in the agriculture section.

- 1. Material and supporting expenses 500,000/month so the total is Rp50,000 x 10 seedlings = Rp500,000)
- 2. Partner Rp0,-/vegetable sale so the total profit is Rp0,- x 0 sales = Rp 0,-) (the agreement on partner profit is Rp 0,-/vegetable sale considering the partner's role in the implementation of the activity in providing materials and marketing);
- 3. The total wage for WBP based on the agreement is 30% of the total sales (the agreement for the total wage for WBP is 30% of the total vegetable sales). Therefore, the total wage for WBP is 30% x Rp2,000,000 = Rp600,000; (total from 3 inmates)
- 4. The selling price of the vegetables is Rp200,000, so the total sales amount to Rp200,000 x 10 vegetables = Rp2,000,000.

Thus, the PNB calculation is as follows:

Table 4: Example calculation of the wages earned by prisoners

Non-Tax State Revenue	Total income	Production Costs
	(Price of 1 vegetable x number of vegetables sold)	Shopping for materials and supplies + Partner's profit + Total WBP wages
	(Rp. 200.000, - x 10 kali penjualan sayuran)	(Rp.500.000, - + Rp.0, - + Rp.600.000, -)
	Rp.2.000.000, -	Rp. 1.100.000, -
Non-Tax State Revenue	Rp.200.000, -	

Based on the above calculation, the amount of Non-Tax Revenue (PNBP) to be deposited by the Correctional Unit from one of the activities, namely agricultural production, is Rp200,000. The example serves as the basis for the PNBP amount in the cooperation agreement (PKS) between the Correctional Unit and the partner in the context of independence development activities.

Barbershop work the wages for inmates working in the barbershop within the prison are generally lower compared to workers outside, because this job is part of the rehabilitation program. However, it must still reflect the principle of justice and provide economic benefits for them. The wages are paid monthly and divided based on the number of customers getting their hair cut at the barbershop. The amount of wages given ranges from Rp200,000 to Rp500,000 per month, depending on the number of customers served. In some cases, inmates can also earn a small commission from each haircut service, for example, 5% – 20% of the service fee. In addition to providing extra income, this work aims to equip inmates with professional skills that can be used as a source of livelihood after their release, while also helping them reintegrate into society.

The welding work done by inmates in the prison often uses a sales-based wage system, where they receive payment after the products they make are successfully sold. The wage amount is usually a percentage of the selling price, ranging from 5% to 30%, depending on the prison's policy and the type of product produced, such as fences, grilles, or iron furniture. If the product is sold for Rp1,000,000 and the inmate receives 30%, then they will earn Rp300,000 per unit. This system encourages prisoners to produce high-quality products to make them more marketable, while also equipping them with work skills that can be used after their release. This is due to the lack of budget, which is why this step was taken.

Conclusion

The percentage of wage fulfillment for work results given by the Head of Class III Lhoknga Correctional Institution is 30% of the income obtained by inmates from the sale of their production goods. The determination of the percentage amount is adjusted according to what has been agreed upon between the Head, the Subsection of Guidance, and the Inmates of Lapas Lhoknga. The fulfillment of prisoners' rights to receive wages for the work done in the prison is important in supporting their rehabilitation and reintegration into society. At the Class III Lhoknga Correctional Institution, there are many productive activities carried out by inmates, such as barbershop, agriculture, and welding. The work being done serves to fill time and as preparation for continuing life after the inmates complete their prison sentences. Lhoknga Class III Penitentiary provides training and guidance to inmates so that they are ready to enter the workforce after being released from prison. The government is advised to establish implementing regulations that detail the percentage of wages that prisoners are entitled to receive for the work they perform. This regulation will be able to assist Correctional Institutions throughout Indonesia in determining the amount of wages that should be given to inmates who have worked.

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