



PAROLE ACTIVITY AND MORAL ECONOMY IN MALAYSIA

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A PEER-REVIEWED ARTICLE

(RECEIVED – 25TH FEB. 2022; REVISED – 30TH AUGUST 2022; ACCEPTED – 11TH SEPT. 2022)

ABSTRACT

Parole is still newly implemented in Malaysia, and based on previous studies abroad, parole activities are not only able to benefit offenders but also socio-economic activities. The purpose of this research paper is to examine parole activity and its contribution to Malaysia's socio-economic development from a moral and economic perspective. As a primary source, we used the Unpublished Report of the Parole Management Meeting and PBSL, and as a secondary source, we reviewed past study literature. Parole in Malaysia isn't just an opportunity for offenders, but also a benefit for prison management and even socio-economic activities. Places for parole are mainly available through Corporate Smart Internships, which are internships provided by the private sector with a minimum wage.

Keywords: parole; moral economy; prison economy.

INTRODUCTION

The parole system allows offenders serving prison sentences a second chance by granting them early release. According to Schmalleger F. J. (2014), Offenders will be granted an early release if they behave well throughout their stay in iron curtain detention and with supervision as well as conditions for release. Such supervision and conditions have been scrutinized and used for a long time based to the American Correctional Association (1966) which states that parole is a procedure in which a prisoner is selected to be released to perform community service. These prisoners need control, advice, and guidance before they are released to the public.

Moris P. et al (1975) added that this sentence is a common procedure practiced in the United Kingdom where a prisoner is released into society

without mandatory supervision after they have served this sentence. These prisoners are released if they show good behavior and do not break prison rules. While the study by Snarr, R. W., & Wolford, B. I. (1996) further commented that this parole occurs after a period of imprisonment and this sentence is a correction through research in the community. Parole is also a punishment for prisoners through their participation in the community under the control of parole officers.

In Malaysia, parole activity is under the Malaysian Prisons Department and according to the Malaysian Prisons Department, parole is a conditional release for a prisoner to serve any part of the prison sentence outside of prison under the Parole Order. Parole is also subject to the Laws of Malaysia Act 537, Prisons Act 1995 which contains all amendments up to 1 October 2009. Therefore, all parole sentences must refer to Act 537.

Ultimately, parole is one of the punishments for a prisoner after serving a prison sentence. This punishment is carried out in the community or society under the supervision of a parole officer. The objective is to give prisoners a second chance by providing rehabilitation support and resuming life after going through the process of reintegration into society. Therefore, this paper will examine parole activity from a moral economic perspective and its contribution to the socio-economy in Malaysia using two sources.

The first source is from the unpublished Pahang State Parole and PBSL Management Meeting Report during 2020 and the secondary source is through literature review. It covers the history of parole in Malaysia, the implementation of parole and its relation to the moral economy, and its contribution to socio-economic activities in Malaysia, especially to the Zakat institution.

THE HISTORY OF PAROLE IN MALAYSIA

A preliminary plan

The planning of the Parole System in Malaysia began during the administration of Dato 'Ibrahim bin Haji Mohamed as the 5th Director General of Prisons (25 July 1977 - 30 April 1988) where the Ibrahim System was introduced to provide guidance and encouragement to prisoners to change their lifestyle and be aware of their responsibilities. They are useful citizens to society and the country after their release.

Under the Ibrahim System, prisoners awaiting release day (pre-release) will be selected by a rehabilitation institution to participate in beneficial activities and work as well as for the benefit of the community outside the prison walls. Through the Ibrahim System, prisoners will also be able to guide and prepare themselves to return to society as responsible citizens.

Subsequently, this idea was extended to the implementation of the Parole System where initial discussions were initiated since 1994 involving all senior officers at the Malaysian Prisons Headquarters. To ensure the implementation of the Parole System can be carried out in Malaysia, a team was established at the Malaysian Prisons Headquarters to view and discuss the implementation procedure.

Overseas visits

A presentation of the results of visits to several countries including the United Kingdom, Canada, and Australia was held on 17 July 2007. As a result of visits to several countries, the Malaysian Prisons Department has selected part of the parole implementation model from the United Kingdom and entirely from Australia. The selection factors for the full parole activity model from Australia are because:

- a. The Australian Government has technical expertise related to parole.
- b. More committed (officers from Australia will come to oversee the implementation of the Parole System in Malaysia).
- c. Close cooperation between the two countries
- d. Support of the Australian Government at the time (This matter has been notified in the Australian Parliament).
- e. The operation of the Parole System in the UK is placed under the National Parole Agency, as opposed to the implementation of parole in Australia which is handled by the Australian Department of Prisons.

Presentation of the Bill

The Prisons (Amendment) Act Bill 2007 was tabled in the Parliamentary Conference - Third Meeting, Fourth Term, Eleventh Parliament (2007), involving:

- a. House of Representatives. The first reading of the Prisons Act 1995 (Amendment 2007) was tabled on 17 December 2007 by YB Dato 'Fu Ah Kiow, Deputy Minister of Home Affairs. The second and third readings were debated and approved on 19 December 2007.
- b. State Council. It was debated and passed on 24 December 2007. The Act was passed in the Dewan Rakyat on 19 December 2007 and the Dewan Negara on 24 December 2007.

Parole System Implementation Meeting Series in Malaysia

Several meetings and discussions were held in implementing this parole system as follows:

Date	Event
16 May 2001	The decision of the Cabinet Meeting called for a review of the Parole System in Malaysia and visits were made to the United States and Australia which was led by YB. Deputy Minister, Ministry of Home Affairs.
23 May 2002	The Committee Meeting reviewed the implementation of the Malaysian Prisons Department Parole System held at the Malaysian Prisons Headquarters
6 May 2003	Meetings and briefings on the proposed implementation of this system in Malaysia were also attended by the relevant Government Agencies in the Ministry of Home Affairs and were chaired by YB. Dato 'Chor Chee Heung, Deputy Minister, Ministry of Home Affairs.
28 July 2005	A meeting discussing related Laws and Regulations with the Drafting Division in the Attorney General's Chambers.
29 May 2006	After that, a meeting was held to coordinate the parole system infrastructure with the Ministry of Home Affairs in Penang involving agencies such as the Prisons Department, Attorney General's Chambers, Royal Malaysia Police, Social Welfare Department, Public Service Department, Ministry of Finance and Ministry of Human Resources. The meeting was intended to provide a briefing on the implementation of the Parole System.
29 May 2006	Meeting on the coordination of parole system infrastructure with the Ministry of Home Affairs in Penang involving various agencies such as the Prisons Department, Attorney General's Chambers, Royal Malaysia Police, Social Welfare Department, Public Service Department, Ministry of Finance and Ministry of Human Resources. The purpose of this meeting was as a briefing on the implementation of the Parole System which was supervised by the Malaysian Prisons Department. In addition, the meeting also discussed various aspects on the implementation of the Parole System such as modus operandi and human resource requirements.
4 August 2006	The meeting discussed the stand of the Malaysian Prisons Department on issues related to the infrastructure for the implementation of the Parole System.
24 January 2007	After that, the meeting of the Parole System Implementation Steering Committee No. 1/2007 in

	Putrajaya chaired by YBhg. Tan Sri Abdul Aziz bin Mohd. Yusof, Secretary General, Home Ministry.
22 February 2007	Parole System implementation coordination meeting involving the Organization Development Division, Public Service Department (BPO, JPA). Also participating in the meeting were the Deputy Director, Principal Assistant Director and Assistant Director of BPO, PSD which aimed to present the Proposal Paper for the Application for the Implementation of the Parole System (New) of the Malaysian Prisons Department
17 July 2007	Parole System Implementation Steering Committee Meeting No. 3/2007 in Putrajaya chaired by KSU KKDN, YBhg. Tan Sri Abdul Aziz bin Mohd. Yusof
3-7 September 2007	Discussions and debates on the training module of parole officers of the Malaysian Prisons Department with the Training Manager of Brush Farm, New South Wales, Australia were held at the Palm Garden Hotel, Putrajaya.
3 October 2007	YBhg. Datuk Mustafa bin Osman, Commissioner General of Malaysian Prisons with Mr. Duncan Sutherland has signed a Training Agreement Contract (TOA)
9 October 2007	Parole System Implementation Committee Meeting No. 4/2007 in Putrajaya chaired by KSU KKDN, YBhg. Tan Sri Abdul Aziz bin Mohd. Yusof.
28 July 2008	The first release by Parole Order by YB Dato 'Seri Syed Hamid bin Syed Jaafar Albar, Minister of Home Affairs and witnessed by YBhg. Dato 'Mustafa bin Osman, Director General of Prisons at Keluang prison, Johor. A total of 64 prisoners were granted release by Parole Order.

PAROLE AND MORAL ECONOMY

Moral Economics is a method of implementing economic activities not only based on the price mechanism in determining economic decisions but also using moral responsibility and sentiments of living in society.

Sayer A. (2007) emphasizes that the sentiment of living in society includes the norms of life, social responsibility, and institutions of society in carrying out economic activities in addition this term usually applies to a society where there are few or no markets.

According to Booth, W. (1994), moral economics has evolved among economic historians, anthropologists, sociologists, and political scientists. In addition, moral economics also involves multidimensional thinking that involves

the theory of rational choice, the role of social life, the market, and the normative position of the market.

Norbet Gotz (2015) summarizes the study of moral economics from a conceptual historical aspect and finds that current methods that can be used in moral economics are aspects of welfare, humanity, and civil society. His study also emphasizes that moral economics is able to explain alternative ways of maximizing utility through the construction of altruistic meaning in carrying out daily economic activities.

Next, moral economics in the perspective of our country which adheres to Islam as the official religion and is practiced by the majority of society can be applied to Islamic economics. Where both not only contribute to the implementation and economic system in meeting the interests of one party only but also the well-being of all communities.

The implementation of parole in general and specifically carried out in our country is to fulfil the main goal of Islamic law by maintaining the five principles of maqasid syariah which is to protect religion, life, intellect, lineage, and property. It not only gives a second chance to offenders who have committed offenses but can also benefit the prison institution and the country in general. This is especially in changing society's perception of prisoners who are said to be a liability to the state for assets that can be used in meeting the needs of the labour market in our country.

THE CONTRIBUTION PAROL TO SOCIO-ECONOMIC ACTIVITES

A parole is a sentence carried out outside the prison walls. In Malaysia under the Malaysian Prisons Department, an offender who has obtained a parole order must serve the remainder of his sentence outside of prison either at residence, Intermediate Homes (RP), and the Corporate Smart Internship (CSI) Program.

Home

Dwelling houses are family residences for offenders who are registered while incarcerated in prison. Offenders will be allowed to undergo parole activities at a residential home after the prison has made a visit and permission from the parole board. Dwellings must be conducive and have the support of family members to prevent offenders from recommitting crimes. Table 1 below shows the relationship between the type of employment and the number of offenders in the Parole Office and Community Services by the district in Pahang. The majority of offenders work in the plantation sector which is a labour-intensive sector and is usually run by foreign labour.

Table 1: Types of Occupations of residential Parolee in Pahang

Type of occupation	District				Total
	Kuantan	Pekan	Temerloh	Jerantut	
General workers	4	2	4	0	10
Business	0	0	0	0	0
Plantation	15	17	48	36	116
Manufacturing	1	0	0	0	1
Factory	0	0	0	11	11
Retail	9	2	1	1	13
Drivers	0	0	0	0	0
Livestock	0	2	0	0	2
Mechanical/ technical	2	0	0	0	2
Others	0	0	0	1	1
Total	31	23	53	49	156

Source: Unpublished report Parole Management Meeting and PBSL, Pahang, 2020.

Intermediate House (RP).

This Intermediate House (RP) was first introduced under the National Key Result Areas (NKRA) Policy which was introduced by the 6th prime minister under the National Blue Ocean Strategy (NBOS). Its main objective is to reduce crime statistics in our country. This RP is a one-stop centre for offenders in collaboration between the Malaysian Prisons Department and non-governmental organizations (NGOs). The objectives of the establishment of RP are:

- a. Assist ex-prisoners to get jobs and counselling.
- b. Reduce cases of free prisoners committing repeat crimes.
- c. Aims to prevent the ex -prisoner from getting involved with old habits when he returns to a friend's house and commits a crime.
- d. Help ex-prisoners deal with the problem of "social stigma" when families and communities do not want to accept them back.

Based on the context of this study, there is one RP in Pahang located in the Kuantan district where the residents are the majority of male offenders. All basic necessities are provided such as beds, places of rest, and places of worship for offenders. Based on table 2 below shows the number of parole offenders admitted in Pahang state residential houses for 2020. January recorded the highest number of admissions and February showed the lowest number of offenders admissions.

Table 2: Admission of intermediate House (RP)

Month	Number of Occupants (orang)
January	15
February	2
March	4
April	10
May	4
June	11
July	12
August	7
September	11
October	4
November	6
December	4
Total	90

Source: Unpublished report Parole Management Meeting and PBSL, Pahang, 2020.

Corporate Smart Internship Program (CSI)

The CSI program began in 2016 which aims to encourage the participation of private companies, especially Government-Linked Companies (GLCs) in Malaysia to participate in Parole. The employer, ie the company, must provide accommodation, basic facilities, and salary to the offender under the supervision of a supervisor. Offenders will receive the same salary as regular employees in the company and based on the minimum wage. Among the companies involved in Pahang are Sime Darby, Pahang State Plantation Development Corporation (PKPP), Pahang Foundation (YP), FELCRA Berhad, Boustead, and others which are in the agriculture and plantation sector. Based on table 3 below shows the relationship between parole activity placed by the district in the state of Pahang. The table shows CSI is the place of highest parole activity compared to residential and intermediate houses.

Table 3: Relationship between Parole Place and District in Pahang

District	Location			Total
	Own House	Intermediate House (RP)	Corporate Smart Internship	
Kuantan	5	11	15	31
Pekan	3	0	20	23
Temerloh	5	0	48	53
Jerantut	2	0	47	49

Total	15	11	130	156
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Source: Unpublished report Parole Management Meeting and PBSL, Pahang, 2020.

Ultimately, parole activities in Malaysia can protect the religion where offenders are organized to improve religion and personality through religious studies and performing prayers in the congregation. Parole offenders are also under observation and their safety and welfare are taken care of such as group insurance as well as counselling sessions and religious talks. In addition, family members of offenders are advised to accept offenders and provide moral support to offenders in addition to the parole element that provides a salary to offenders during the parole period held. These all meet the objectives of shariah (Wan Roslilin & Najibah, 2015) and not only benefit the individual but also the prison institutions and socio-economic activities of the community and then the country.

Benefits to Individuals - Offenders

Parole activities in Malaysia can give a second chance to an individual, the offender. Parole activities not only provide a place of transition but also provide employment opportunities to offenders. Employment opportunities will improve the offenders' personal economy and increase their self-confidence to start a new life. Negative stigma and the presumption that offenders are a liability or burden to society and the country need to be rectified. Offenders are eligible to be given a second chance after receiving punishment and receiving treatment and job training on parole. Negative stigma is a significant factor and influences offenders to get jobs, personal relationships, and get other opportunities. Parole recipients will receive a salary from parole activities and from that can be channelled to zakat institutions.

Benefits to the Institutions - Malaysian Prisons Department

The implementation of parole can reduce the cost of state prison spending. Not only can it reduce the length of admission but also cover management and administrative costs as well as provide food, drinks, and other necessities while in prison. This has been evidenced by the study of Zhang X. S et al (2006) who conducted an evaluation of parole activity in California, USA, and found that parole can reduce incarceration costs by USD 21 million and encourage investment in community-based correctional services in gaining greater benefits and saving on the expenses of prisons and other institutions involved. In addition, parole prison institutions need to cooperate with the Zakat institution in empowering parole recipients in terms of capital for starting new ventures and

upskilling training through programs that have been implemented by the Zakat institutions. Such cooperation programs can sustainably reduce costs not only for prison institutions and zakat institutions.

Benefits to the community and the country

Parole activities can improve the socio-economy of the community and the country through the participation of offenders in critical sectors that require labour such as the agriculture and plantation sectors. Based on Azman's (2013) study, workers in the agricultural sector in our country depended 76.5% on foreign workers in 2012 and increased to 78% in 2018.

The agricultural sector is among the sectors that are said to have 3D dangerous, dirty, and difficult experiencing a shortage of labour, especially local labour. It is also a backup plan to the country's dependence on foreign workers, the majority of whom are from Indonesia foreign workers from Indonesia are declining due to their home country's wage rate in the plantation sector which is growing rapidly and offering fewer wages to our country (Azman, I et al, 2015; Abdullah, R et al, 2011). The reduction in the use of foreign labour can provide income opportunities to parole recipients who are local people who will become zakat payers and the money successfully collected can be spent for the prosperity of the country together.

CONCLUSION

This research paper can conclude two main points through literature review and research findings. First, parole activity is a second chance for offenders who meet the moral economy that is for the context of Malaysia where Islam is the official religion and practiced by most of its people meet the five objectives of shariah. Second, parole activities in Malaysia significantly contribute to the socio-economic activities of offenders who are not a burden to society or liability but are able to be the backbone of the country in employment in the critical sector of agriculture and plantation. The benefits not only to individuals but also to institutions in reducing the cost of imprisonment and in turn increasing economic growth through the economic sectors carried out.

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