

## Normalization of Corruption and the Erosion of Shame: A Legal Sociological Review of the Culture of Impunity in Indonesia

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### Abstract

*This research aims to analyze the loss of shame among perpetrators of corruption in Indonesia and its relationship to the culture of impunity and the ineffectiveness of punishment from the perspective of legal sociology. This study uses a descriptive qualitative approach with a literature study method on academic documents, research reports, and current news. The analysis was carried out using content analysis and critical interpretation of secondary data. The results of the study indicate that shame as a social sanction no longer functions in corruption cases due to the weak social reaction and tolerance of society towards deviant elites. On the other hand, the inconsistent and often symbolic legal system fails to have a deterrent effect on perpetrators. The culture of impunity that occurs systematically causes the delegitimization of law in the eyes of the public. This article emphasizes the need for a more holistic legal approach based on the reconstruction of social values so that corruption is no longer a practice that is normally accepted in public life.*

**Keywords:** *Corruption, Shame, Sociology of Law, Culture of Impunity, Deterrent Effect*

### Introduction

Corruption has become one of the deep-rooted structural problems in the life of the nation in Indonesia. Although various efforts to eradicate corruption continue to be carried out, corrupt behavior actually seems to be increasingly cultural, even experiencing a process of normalization in the social order. This phenomenon not only shows the weakness of the legal system, but also reflects the collapse of moral values, especially shame. Corruption is no longer considered a despicable act that damages the dignity of the perpetrators, but has become part of the practice of power that is tacitly accepted in society (Heryanto, 2018).

Sociologically, the existence of a sense of

shame plays an important role in maintaining the balance of social norms. However, in the context of corruption in Indonesia, that sense of shame seems to be eroding. Many perpetrators of corruption continue to appear in the public space without regret or social exclusion. In fact, not a few have returned to positions of power after serving their sentences (Fitriani, 2021). This shows that legal sanctions are no longer able to create a deterrent effect or the effect of shame that should be attached to acts of corruption.

The culture of impunity is one of the main causes of why the sense of shame is increasingly disappearing. Impunity, which means the absence of legal accountability for perpetrators of crimes, encourages the creation of a social space that is permissive of



corruption (Santoso, 2019). When perpetrators of corruption are not given appropriate punishment or even receive special treatment, society will consider that the act is no longer a social disgrace.

This phenomenon is exacerbated by weak law enforcement. The sanctions imposed are often disproportionate to the state losses incurred. Light sentences, reduced prison terms, luxurious facilities in prison, and easy remissions show that the legal system does not fully side with justice (ICW, 2023). As a result, corruption has become part of the "new normal" in bureaucratic and political life in Indonesia.

According to the perspective of legal sociology, law is not just a collection of norms, but part of social dynamics. Therefore, when the law fails to reflect social values such as justice, shame, and responsibility, the law loses its legitimacy (Soekanto, 2020). Corruptors no longer feel socially pressured, because society has begun to be tolerant of corrupt behavior, especially if the perpetrators come from elite groups.

One concrete example is the many corruption cases that are responded to with apathy by society. Handling of major cases such as bribery of officials, fictitious projects, or social assistance budgets, only become momentary media consumption without strong follow-up. These incidents form a kind of collective fatigue that makes the public seem to no longer care, while also reflecting the failure of social morals in stigmatizing corruptors (Nurhalimah, 2022).

In addition, the formal legal approach that ignores sociological aspects also strengthens impunity. Laws that focus too much on administrative procedures are often unable to accommodate the dimensions of values and social sanctions that are moral in nature. In

fact, in the context of crimes such as corruption, the effect of shame resulting from social sanctions can be more effective than criminal sanctions alone (Ali, 2024).

This loss of shame is also closely related to the pattern of value formation in society. When success is measured by power and wealth, without considering how it was obtained, then integrity and honor are no longer the benchmarks. This makes corruption not only tolerated, but even secretly admired by some people (Rachman, 2020).

Several studies have tried to explain why corruptors no longer feel ashamed even though they have been punished. Research by Syarif and Widodo (2020) found that most corruption convicts did not experience significant social stigma after being sentenced, especially if they came from elite circles. Meanwhile, a study by Prasetyo (2021) showed that corruptors often still have networks of power and political support, which actually strengthens their position in society, even after being found guilty.

Another study by Kurniawan (2023) highlighted that the feudal and patron-client culture in the Indonesian political system is the main reason why people are reluctant to openly condemn corruptors. These weak social sanctions prevent perpetrators from experiencing the psychological or social pressure that should be attached to their criminal actions.

Although many studies have discussed the culture of impunity and the weak legal sanctions against corruption, not many have specifically highlighted the relationship between the loss of shame and the legal system and social culture in an integrated manner. Most studies still focus on the normative legal aspect or the criminological aspect, without linking it to with the dynamics



of social values and legal legitimacy in society.

This is where the research gap that this article seeks to fill lies. By using a sociological legal approach, this study attempts to integrate law as a normative system and the social reality that shapes and is influenced by the law itself, especially in the context of the loss of shame in perpetrators of corruption.

This article offers novelty in viewing the loss of shame in perpetrators of corruption as an impact of the failure of legal and social structures in creating moral pressure. This study will also elaborate on how impunity does not only stem from the weakness of formal law, but also from the collapse of social sanctions in a society that has become accustomed to corrupt practices.

In addition, this article emphasizes the importance of revitalizing social values such as shame and honor through community-based law enforcement strategies. By placing shame as part of the social control mechanism, punishment is not only a state affair, but also a shared responsibility of society.

At the level of reality, corruption cases involving public figures such as regional heads, ministers, and even members of the legislature often do not cause the perpetrators to be shunned by society. In fact, in some cases, the perpetrators actually received sympathy or political support, and ran for public office again (Tempo, 2023). This indicates that social sanctions such as shame hardly work.

This reality shows that corruption is not only a legal or political issue, but also a collective moral failure. When society is no longer disturbed by corruption, and the perpetrators do not feel ashamed, then efforts to eradicate

corruption will not touch the root of the problem. Therefore, a legal sociology approach is important to understand and formulate more comprehensive solutions.

## Method

This study uses a descriptive qualitative approach with a literature study method as the main data collection technique. This approach is used to deeply understand the phenomenon of the loss of shame in corrupt practices and the relationship between the culture of impunity and legal legitimacy in the Indonesian context. Qualitative research is exploratory and interpretive, which aims to explore the social meaning of corrupt behavior within the framework of the sociology of law (Creswell, 2016).

The literature study was conducted by examining various relevant secondary sources such as scientific journals, academic books, research reports, legal documents, and investigative news that discuss corruption cases in Indonesia. The literature selection process was carried out purposively to obtain data that has high credibility and relevance to the focus of the study. The selected literature is limited to 2024 to ensure that the context remains current (Sugiyono, 2021).

Data analysis was carried out using the content analysis technique, namely analyzing the contents of documents to find thematic patterns related to the loss of shame, ineffective punishment, and a culture of impunity. This process is carried out inductively by formulating categories based on the repetition of meanings found in the text (Krippendorff, 2019). This analysis also considers the socio-political context of each document so that the meaning is not separated from the factual situation.

The validity of the data is maintained through



source triangulation techniques, namely by comparing findings from various types of sources to ensure consistency and validity of information. In addition, researchers also use an interpretive approach in interpreting data, in order to be able to capture the nuances of social meaning hidden behind the text, especially in sensitive issues such as the moral legitimacy of corruptors (Neuman, 2014).

With this approach, the study aims to develop a critical understanding of the legal and social dynamics in the normalization of corruption. The main goal is not to measure quantitatively, but rather to reveal the structure of meaning that makes corruption no longer considered a disgrace, and how the ineffectiveness of the punishment system actually strengthens the ongoing culture of impunity.

## **Result and Discussion**

### **A. Result**

#### **1. Erosion of Shame as a Result of Weak Social Sanctions**

The first finding shows that shame as a form of social sanction has lost its power to suppress corruption. In many cases, corruption perpetrators are still socially accepted after serving their sentences, and some of them even regain political positions or public office. For example, former corruption convicts who run again in local elections and receive public support (Tempo, 2023).

This phenomenon shows that society has experienced a decline in moral sensitivity towards corrupt behavior. The sense of shame that should be attached to the perpetrators is instead replaced by a sense of pride for being able to "outwit" the legal system. The culture of patronage and group loyalty is more dominant than individual moral judgment (Fitriani, 2021).

In addition, social media and mainstream news often treat corruption perpetrators sympathetically, even the celebrity of legal cases also helps to weaken social pressure. In many post-arrest interviews, corruptors present an image as political or personal victims who "have paid for their mistakes", rather than as moral criminals (Nurhalimah, 2022).

Legal sociologists see that social sanctions such as shame will not be effective without strong and consistent social norms. When society does not collectively reject corrupt behavior, individuals will not feel isolated or socially shamed for their actions (Soekanto, 2020). This is a major challenge in fostering a value-based deterrent effect.

#### **2. Ineffectiveness of Punishment in Creating a Deterrent Effect**

The second finding revealed that the formal punishment system for corruptors in Indonesia tends to be weak, inconsistent, and often symbolic. Many perpetrators of corruption receive light sentences, luxurious facilities in correctional institutions, and reduced sentences through remissions (ICW, 2023). This creates the perception that corruption sentences are not something to be afraid of.

The deterrent effect in law enforcement depends on two main aspects: the severity of the sanctions and legal certainty. Unfortunately, these two aspects are often ignored in the practice of corruption justice in Indonesia. Not a few major corruption cases end in light sentences or protracted legal processes, thus eliminating the social momentum to condemn the act (Santoso, 2019).

Research by Kurniawan (2023) also strengthens this finding by showing that public perception



of the legal system is very low, especially in cases of high-level corruption. The public considers that the law is only strict against the common people, while political elites and state officials actually receive special treatment, which leads to public distrust of the deterrent effect.

When punishment no longer creates fear or shame, corruption will be seen as a small risk worth taking for the sake of big profits. The law in this context loses its function as a social control tool and fails to instill anti-corruption norms at the individual and collective levels.

### 3. Culture of Impunity and Legal Delegitimization

The third sub-finding highlights the existence of a culture of impunity as the main cause of the loss of legal legitimacy. Impunity in corruption cases occurs due to various factors: political intervention, economic power, and social networks that protect perpetrators from the entanglement of the law. In a system like this, corruption is not only difficult to eradicate, but becomes part of the mechanism of power itself (Heryanto, 2018).

Legal delegitimization occurs when society no longer believes that the law can guarantee justice. This causes legal norms to no longer be respected, but rather manipulated. For perpetrators of corruption, the law becomes a bargaining tool, not a moral tool. In many cases, the legal process is used to create the impression of "legality", not substantive justice (Ali, 2024).

A study by Syarif and Widodo (2020) shows that corrupt actors who have access to power tend not to fear legal sanctions because they believe they will escape punishment or can negotiate a verdict. This perpetuates a culture of impunity and strengthens the gap between law

and morality.

The sociology of law assesses that when the law fails to represent the values of society, the law loses its authority. The culture of impunity that is repeated in corruption cases in Indonesia not only shows the technical failure of the law, but also the social failure to form collective norms that punish deviant behavior with shame and exclusion (Soekanto, 2020).

## B. Discussion

### 1. Erosion of Shame as a Result of Weak Social Sanctions

From the perspective of legal sociology, shame is part of informal social control that functions to maintain compliance with norms. When individuals violate norms, shame acts as a social punishment that prevents the behavior from being repeated. However, in a society that experiences moral desensitization such as Indonesia, this informal social control becomes blunt (Braithwaite, 1989). Corruption is no longer considered shameful because there is no collective reaction that ostracizes the perpetrators.

Howard Becker's labeling theory explains that a person will only become a "deviant" if society labels him as such. In the context of corruption, when the perpetrator is not labeled as a moral violator by his social environment, his status as a "corruptor" does not cause shame. This happens in Indonesia because society tends to be permissive towards elites who have power and wealth (Becker, 1963; Fitriani, 2021).

In addition, the cultural criminology approach shows that in modern society, deviant acts such as corruption can lose their moral stigma when they occur in a value system that celebrates power and luxury. A social symbol that should be embarrassing has instead turned into a





symbol of success due to the weakness of socially inherited integrity values (Ferrell et al., 2008).

## 2. Ineffectiveness of Punishment in Creating a Deterrent Effect

The effectiveness of the law in creating a deterrent effect is highly dependent on the certainty, consistency, and severity of sanctions. Deterrence theory emphasizes that individuals will avoid crime if the risk of punishment is high enough. However, in the Indonesian context, inconsistency in law enforcement and light sentences for corruptors actually reduce the preventive function of the law (Bentham, 1789; Santoso, 2019).

Instrumentalism theory in the sociology of law also shows that law that is seen as a tool of power tends to lose moral legitimacy. In Indonesia, perpetrators of corruption often take advantage of legal loopholes and power to lighten sanctions, which makes the law transactional and not frightening (Ali, 2024). This results in the collapse of the function of law as a mechanism for forming social norms.

In this context, legal sanctions fail to function symbolically or substantively. There is no symbolic process that confirms that the perpetrator has committed a serious violation of shared values. On the contrary, society witnesses that perpetrators of corruption can still live comfortably, even have undisturbed political opportunities, so that a deterrent effect is not created (ICW, 2023).

## 3. Culture of Impunity and Delegitimization of Law

The culture of impunity in Indonesia has created conditions in which perpetrators of corruption do not experience significant social or legal

consequences. According to the theory of legal consciousness, society will obey the law if they believe that the law is fair and can be applied equally (Ewick & Silbey, 1998). However, when the law is only strict with lower groups, while the elite are allowed to escape, then public legal awareness becomes weak.

The social contract theory put forward by Rousseau assumes that law is the result of a mutual agreement aimed at maintaining social justice. However, in practice, law in Indonesia seems to be detached from this social contract. Selective law enforcement reinforces the perception that the law does not represent the public interest, but only protects the ruling elite (Rousseau, 1762; Soekanto, 2020).

This condition causes the delegitimization of the law to become stronger. When society does not believe in the law, legal norms lose their ability to influence behavior. This culture of impunity is a major obstacle in efforts to enforce anti-corruption based on morality, shame, and social integrity (Kurniawan, 2023).

## Conclusion

The results of this study indicate that the loss of shame in perpetrators of corruption in Indonesia is a consequence of the weakening of social sanctions and the ineffectiveness of the legal system in creating a deterrent effect. A permissive culture towards corrupt elites, weak social control, and selectivity in law enforcement make corruption something that is normalized. In this condition, the law loses its function as a means of forming collective morals.

Furthermore, a systemic culture of impunity has created a delegitimization of the law. Perpetrators of corruption not only feel safe from punishment, but also do not experience social exclusion. For this reason, there needs to



be a legal sociology approach that is able to rebuild collective awareness of the importance of shame, as well as encourage a legal system that is consistent, fair, and supports the values of social integrity.

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