LEGALIZATION OF SOCIAL SANCTIONS FOR CORRUPTOR TO MAKE THE DETERRENT EFFECT MORE EFFECTIVE

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Abstract:
Corruption is an extraordinary crime that has a significant impact on state finances, the economy, and the socio-cultural structure of society. This study aims to analyze the effectiveness of social sanctions in preventing and eradicating corruption in Indonesia, as well as to develop more effective social sanction innovations. This study used a qualitative research method with a case study approach. Data were collected through document analysis, interviews with legal experts, and literature review. The results indicate that social sanctions can be an effective form of punishment in preventing and eradicating corruption. Social sanction innovations, such as erecting statues of corruptors and writing biographies of corruptors, can increase deterrent effects and public awareness of the dangers of corruption. This study recommends that the government develop clear and firm regulations to legalize social sanctions for corruptors and raise public awareness of the importance of integrity and accountability in government and business. These social sanction innovations can be a more effective and innovative alternative punishment in eradicating corruption in Indonesia.

Keyword: *Corruption, Social sanctions, Deterrent effect, Effectiveness*

INTRODUCTION

It must be acknowledged that corruption in Indonesia has reached extraordinary levels and can be categorized as an "extraordinary crime." Corruption not only impacts state finances and economic potential, but has also destroyed the socio-cultural, moral, political, and legal frameworks, as well as national security. Corruption can take many forms, occur at all levels of power, and be perpetrated by all types and levels, including individuals, businesses, public officials, politicians, government officials, and other non-state actors. The scale, focus, and impact of corruption vary by sector and region within a country, and can even be influenced by factors beyond national borders. Similarly, it varies across ministries, institutions, and agencies, (Maisondra, 2020).

Since his inauguration as president, General Prabowo Subianto has been determined to eradicate corruption in Indonesia. On several occasions, he has even expressed his shock at the widespread corruption. During his state address this morning, President Prabowo Subianto called corruption a grave concern, as it has penetrated nearly all levels of government. He stated that corruption has spread to all levels of government. He pledged to continue eradicating corruption in Indonesia, (kompas.tv, 2025).

Corruption has a significant negative impact on all aspects of national life. As a primary factor, corruption can hinder the achievement of justice and prosperity for a nation. Furthermore, corruption can degrade a nation's dignity internationally, thus impacting its relations and image worldwide. The impacts of corruption include: economic impact, social impact, and law enforcement.

According to Mauro (Wilhelmus, 2017), corruption has a negative correlation with economic progress (increased investment, economic growth, government revenues, and spending on social development and public welfare programs). According to Kurniadi (in Wilhelmus, 2017), corruption essentially creates a high-cost economic environment. This occurs because of the burden (high cost economy) borne by economic actors due to corruption, which results in high prices for basic necessities, services, and public services. This is because the prices applied to basic necessities, services, and public services must be able to cover the losses experienced by economic actors due to corruption and misappropriation.

Corruption makes it increasingly difficult for the poor to access economic, financial, health, educational, information, legal, and other services, thus exacerbating poverty. This is evident in the rising prices of basic commodities such as sugar, oil, milk, and so on. These price increases result in many infants and children suffering from malnutrition and being deprived of a good education. Thus, corruption further marginalizes the poor.

According to (Wilhelmus, 2017), corruption can have various impacts on law enforcement, including the following: First, it renders government functions ineffective; and second, it erodes public trust in state institutions. Corruption in the mass media results in the loss of public trust in these institutions, as is the case in Indonesia and widely reported in various media outlets.

Corruption among government officials has reached an intolerable level, given its significant and damaging impact. Corrupt practices have undermined development plans, implementation, and achievements. Although private corporations can also cause significant state losses, the root of the problem often stems from corruption perpetrated by the officials themselves. Therefore, extraordinary and serious prevention and enforcement efforts are needed to address this corruption, which has become commonplace. These efforts must be carried out firmly and consistently to restore the integrity and public trust in government officials.

It would be a mistake to consider corruption a part of Indonesian culture. Corruption has existed since ancient times, long before Indonesia became a nation. No country in the world has a history of eradicating corruption. Throughout every nation's history, traces of corrupt practices are evident. Many past kingdoms collapsed and went bankrupt due to corruption, including treason, bribery, tax abuse, economic monopolies by rulers, and the luxurious lifestyles of royal families financed by public funds. These practices often sparked popular resistance and destroyed social and economic order.

Therefore, corruption is not a cultural problem specific to a particular nation, but rather a universal problem that requires serious attention worldwide.

In fact, the American Revolution, the first successful colonial war of independence against European powers, was inspired by the spirit of Americans who had developed a democratic system of local government and the ideology of republicanism, established a government based on the will of the people, opposed corruption, and demanded civic virtue. They demanded their rights as Englishmen and rejected British attempts to levy taxes without the consent of the colonial legislature. The British persisted in their tax collection, and the conflict escalated into full-scale war in 1775, known as the American Revolutionary War (Maisondra, 2022).

Corruption is incredibly complex and incredibly powerful because it is deeply rooted and systemic. Any anti-corruption intervention currently implemented will be extremely difficult to suppress, given the immense power wielded by those pro-corruption groups: those in government, politicians, parliament, law enforcement, and wealthy businesspeople. They can alter and manipulate laws related to corruption. Numerous anti-corruption advocates, both within and outside of government, have fallen victim. Corruptors are adept at finding new ways to circumvent the law. Corruption can even be institutionalized in laws and regulations through what is known as state capture, thus becoming legal.

Corruption is a systemic phenomenon that is an integral and integrated part of the economic, social, and political systems. Therefore, anti-corruption efforts must be carried out systematically and comprehensively. Many people have no choice but to engage in corrupt practices, so it is not surprising that many government officials are involved in corruption. In fact, corruption has become a career trend, where achieving high positions often requires bribes, either initial or recurring. This also gives rise to the perception that people involved in corrupt practices are considered "smart" at playing the system, even though they are not always smart in the true sense.

The worsening corruption in Indonesia has led many to consider the need for a deterrent effect for corruptors. In addition to criminal penalties, there has been talk of implementing the death penalty for corruptors. However, this discourse has not yet been realized due to concerns among some who remain concerned about its impact. They worry that the death penalty will not be effective in stopping corruption and may even persist, as has been the case in other countries that have implemented it. Meanwhile, others oppose the death penalty on humanitarian grounds.

Current social sanctions, such as street sweeping or community service, are considered too light and ineffective in preventing corruption. Many corruptors actually feel honored by these sanctions, and some even feel like "heroes" in the eyes of the public. Therefore, more "humiliating" social sanctions, such as erecting statues of corruptors, need to be considered to increase the deterrent effect and raise public awareness of the dangers of corruption. Establishing statues of corruptors can be an effective form of social sanction in preventing corruption. By erecting statues of corruptors, the public can directly see the consequences of corrupt acts and can raise awareness of the dangers of corruption. Furthermore, statues of corruptors can also serve as a warning to those who intend to engage in corruption.

However, it is important to remember that social sanctions must be implemented carefully and must not violate human rights. Erecting statues of corruptors must be done in a way that does not insult or demean the corruptor, but rather provides a deterrent effect and raises public awareness. More "humiliating" social sanctions, such as erecting statues of corruptors, can also increase public trust in the government and legal institutions. The public will feel that the government is serious about eradicating corruption and giving strict sanctions to corruptors.

In the long term, effective social sanctions can help reduce corruption in Indonesia and raise public awareness of the importance of integrity and accountability. Therefore, it is necessary to consider developing more effective and innovative social sanctions to prevent corruption. Establishing statues of corruptors can also serve as an example for others to refrain from engaging in corruption. By having statues of corruptors, the public can directly see the consequences of corrupt acts and raise awareness of the dangers of corruption.

Effective social sanctions can also help raise public awareness of the importance of integrity and accountability. The public will feel that corruption is intolerable and that every act of corruption will have serious consequences. In developing more effective social sanctions, it is necessary to consider involving the public in the decision-making process. The public must be involved in determining the type of social sanctions that are appropriate and effective in preventing corruption.

METHODS

This research is a normative legal research. Data sources include primary data: legal documents, regulations, and court decisions, and secondary data: books, articles, and relevant previous research. According to (Soerjono Soekanto, 2014), normative legal research involves examining the norms and principles of law to understand the meaning and purpose of the law. The use of primary and secondary data sources is essential in legal research, as it provides a comprehensive understanding of the research topic. The research will analyse the data using a qualitative approach, identifying patterns and themes that emerge from the data. Furthermore, the research will also use a descriptive-analytical approach, describing the current state of the law and analysing its implications, (Lexy J. Moleong, 2007). Additionally, the research will also examine the relevant court decisions and regulations to provide a comprehensive understanding of the research topic (Supreme Court Regulation No. 1 of 2019 on Case Handling Guidelines).

Data Collection Methods: Document study: Analysing legal documents, regulations, and court decisions; Literature study: Analysing relevant books, articles, and previous research. Data Analysis Methods: Qualitative analysis: Analysing the data obtained using qualitative analysis methods; and Juridical analysis: Analysing laws and court decisions using juridical analysis methods.

The research stages are designed to ensure a systematic and thorough investigation of the research topic. The data collection stage involves gathering relevant data from primary and secondary sources, including legal documents, regulations, and court decisions. The data analysis stage involves examining and interpreting the data using qualitative and legal analysis methods to identify patterns, themes, and meanings. Research Stages: 1. Data Collection: Collecting data relevant to the research topic; 2. Data Analysis: Analysing the obtained data using qualitative and legal analysis methods; and 3. Report Writing: Writing a systematic and clear research report.

The results of this research are expected to contribute to the development of law and public policy in Indonesia, particularly in the area of corruption eradication. The results of this research are also expected to serve as a reference for the government, civil society, and law enforcement in developing effective anti-corruption policies and strategies.

RESULT AND DISCUSSION

Weak Legal Sanctions

Punishment should be designed to deter crime, not simply to avenge wrongdoing (Cesare Beccaria, 2012). This crime prevention theory focuses on the importance of proportionate and effective punishment in preventing crime. He argues that excessively harsh or unfair punishments will be ineffective in preventing crime and can even have negative impacts. However, it is important to remember that social sanctions must be applied carefully and must not violate human rights. Social sanctions must be designed to prevent crime, not to avenge wrongdoing or humiliate corruptors. The advantages of Beccaria's Crime Prevention Theory: 1) Focus on crime prevention, not just avenging wrongdoing; 2) Proportional and effective punishment can prevent crime, and 3) Can increase public trust in the legal system. Meanwhile, the disadvantages of Beccaria's Crime Prevention Theory include: 1) Punishment that is too harsh or unfair can have negative impacts; 2) Not everyone can be deterred by punishment, and 3) Other factors, such as education and public awareness, need to be considered in preventing crime.

More 'shameful' social sanctions, such as erecting statues of corruptors, can be an example of proportionate and effective punishment in preventing corruption. These sanctions can make corruptors feel ashamed and dishonoured, thereby deterring others from committing similar crimes. Erecting statues of corruptors can also serve as a warning to the public that corruption will not be tolerated and that any corrupt act will have serious consequences. Furthermore, social sanctions, such as erecting statues of corruptors, can also raise public awareness of the dangers of corruption and the importance of integrity and accountability. The public will feel that corruption is unacceptable and that everyone has a responsibility to prevent and report acts of corruption. Thus, social sanctions can be an effective tool in preventing corruption and raising public awareness.

Erecting statues of corruptors can also serve as an example to others in society to refrain from engaging in corruption. By erecting statues of corruptors, the public can directly witness the consequences of corrupt acts and raise awareness of the dangers of corruption. Furthermore, statues of corruptors can serve as a warning to public officials to refrain from corruption and to carry out their duties with integrity and accountability. In this context, social sanctions, such as erecting statues of corruptors, can be a more proportionate and effective punishment in preventing corruption because they can shame and dishonour corruptors, and can raise public awareness of the dangers of corruption. Furthermore, social sanctions can be an effective tool in preventing corruption and raising public awareness of the importance of integrity and accountability.

According to (Endang Setiawati, 2025), social sanctions in the form of social work are considered effective because they focus on creating a psychological burden, namely shame, due to being required to work as a social worker for a certain period of time. This shame is expected to trigger a deterrent effect, preventing corruptors from repeating the same actions. However, to date, there are no laws and regulations establishing social sanctions as an alternative sanction for corruption However, to date, there are no laws and regulations establishing social sanctions as an alternative sanction for corruption. This makes social sanctions ineffective. Therefore, clear and robust regulations are needed to regulate social sanctions as an alternative sanction for corruptors, thereby helping to reduce corruption in Indonesia. Social sanctions in the form of social work can be a more effective alternative than imprisonment, as it can help corruptors reflect on themselves and understand the impact of their actions. Furthermore, social sanctions can also help corruptors return to being productive members of society and contributing to society. Therefore, efforts are needed to implement social sanctions as an alternative sanction for corruptors.

Indonesia is a large country with a well-established legal and security system. However, many corruption cases persist, including high-profile cases involving astronomical amounts. This demonstrates weaknesses in our legal system. Our legal substance still has many shortcomings, such as discriminatory and unfair regulations. Some formulations are even unclear and unclear, leading to multiple interpretations. Furthermore, there are contradictions and overlaps with other regulations, both at the same level and higher. This should not occur, as it will confuse enforcers and could create opportunities for fraud.

Furthermore, sanctions are still found to be disproportionate to the prohibited act, resulting in inaccurate targeting and perceived as either too lenient or too harsh. Alternatively, different concepts are still used for the same thing, making it possible for regulations to be incompatible with existing realities. This results in regulations not functioning optimally or being unproductive and encountering resistance. According to (Satrio, 2012), the lack of synchronization between laws and regulations can lead to confusion and inconsistencies in their application. Furthermore, the use of unclear and ambiguous language in laws and regulations can also contribute to their ineffectiveness, the effectiveness of laws and regulations depends on their clarity, consistency, and relevance to the social context.

It turns out this is not without reason, as there are underlying causes behind the poor legal substance. The causes of this situation are diverse, but the most prevalent are as follows: First, bargaining and conflicting interests between groups and factions in parliament, resulting in biased and discriminatory regulations. Second, the practice of money politics in the lawmaking process, in the form of bribery (political bribery), particularly concerning legislation in the economic and business sectors. As a result, regulations are flexible, open to multiple interpretations, and overlap with other regulations, making them easily exploited to secure benefits for those ordering them. Alternatively, the threat of sanctions is often formulated so lightly as not to burden the parties concerned. Therefore, it is not surprising that the perpetrators of corruption ultimately come from the same group of people.

In fact, if we observe, this act of corruption easily arises because there are weaknesses in the laws and regulations. These weaknesses usually include: (a) punishment sanctions that are too light, (b) inconsistent and biased application of punishment sanctions, (c) the existence of laws and regulations that are filled with the interests of certain parties (d) the quality of laws and regulations that are inadequate, (e) regulations that are not well socialized (f) weaknesses in the field of evaluation and Revision of legislation, (Maisondra, 2020).

Legal products in Indonesia also have many weaknesses that can fuel corruption. Law enforcement in Indonesia still faces various challenges that distance the law from its intended purpose. Many cases demonstrate discrimination in the law enforcement process, including unfair court decisions. The public also frequently questions the fate of major corruptors whose future is unclear, while those punished are usually only small-scale corruption perpetrators. (Nurul Latifah, 2025), factors that cause the law not to be implemented properly. First, law enforcement officers have not yet realized the values of their profession as law enforcers, leading to interference in law enforcement. Second, the public is less aware of the importance of complying with established legal regulations. Furthermore, political intervention often undermines the independence of law enforcement agencies. This lack of awareness of the interdisciplinary approach is what contributes to legal gaps in Indonesia, particularly in the enforcement of corruption cases.

These facts demonstrate that weak laws and unfair law enforcement can fuel corruption. Therefore, the public has the right to demand that the government impose stricter sanctions on corruptors. One such public demand is the implementation of the death penalty for corruptors. In this way, the government is expected to demonstrate a strong commitment to eradicating corruption and ensuring justice for all. Cultivating legal awareness among the public is crucial. With legal awareness, the public will understand the consequences of any unlawful actions. However, public legal awareness must be balanced with integrity and transparency from the people's representatives in parliament. The law should not only burden the general public, while those authorized to make laws prioritize the interests of individuals or specific groups.

Corruption eradication efforts are ineffective, due to weak legal instruments, and law enforcement officials' lack of awareness of the serious consequences of corruption. This situation, whether we like it or not, will shake democracy, the cornerstone of national life, cripple the values of justice and legal certainty, and further deviate from the goal of achieving a prosperous society, (Chaerudin et. al., 2008). The problem of corruption is not new in Indonesia, having existed since the 1950s. In fact, various groups believe that corruption has become part of life, a system, and integral to the administration of state governance. Efforts to combat corruption during that era, both through Law No. 3 of 1971 concerning the Eradication of Corruption, have faced numerous failures. This failure is partly due to the various institutions established to impose sanctions on perpetrators of corruption, (Buamona, Syahri, 2022).

Obstacles to the Implementation of the Death Penalty

Realizing the lack of firmness in law enforcement in Indonesia, the community representing the lower middle class strongly supports the death penalty for corruptors. The public feels that corruptors are very detrimental to the nation and state, because by continuing their actions, more and more people in this country are being harmed, especially the flow of funds that are intended to improve the welfare of the Indonesian people. Therefore, regarding the discourse on the death penalty for corruptors, there are two camps: those who support it and those who oppose it, citing various reasons.

This serves as a message to the public that corruption does not carry the horrific consequences of legal action. The deterrent effect is felt because sentences are already light, and they receive leniencies, even parole, which was previously reduced by remissions, (Muhammad Akbar Kum, 2023). The message conveyed by Muhammad Akbar Kum (2023) is highly relevant to the current situation. Many corruptors receive light sentences and then receive leniency, even parole, leading the public to believe that corruption does not have the frightening legal consequences. This can lead to a lack of confidence in the legal system and the belief that corruption can be committed with impunity. The deterrent message the legal system seeks to convey cannot be achieved if corruptors can easily obtain leniency and parole. The public will perceive that corruption can be committed with low risk, which can lead to an increase in corruption cases. Therefore, changes to the legal system are needed to ensure that corruptors receive punishment commensurate with the crimes they commit.

Furthermore, transparency and accountability in the legal process are necessary to ensure that corruptors cannot easily obtain leniency or parole. The public must be able to see that the legal system operates fairly and that no one can interfere with the legal process. This way, the public can have confidence in the legal system and feel that corruption cannot be committed with impunity.

The deterrent message conveyed by the legal system must be supported by appropriate penalties and a fair legal process. Corruptors must receive punishments that deter them from repeating similar crimes, and the public must be able to see that the legal system is working effectively to eradicate corruption. This way, the public can have confidence in the legal system and feel that corruption cannot be committed with impunity.

The death penalty is also an efficient form of punishment because it requires no costs. However, the death penalty can only be considered efficient if the time between the sentencing of the perpetrator and its implementation is not too long, (Ali, 2013). However, punishments that are too harsh or unfair are not only ineffective in preventing crime, but can also have negative impacts. (Cesare Beccaria, 2012), punishments that are too harsh or unfair are not only ineffective in preventing crime, but can also have negative impacts. Therefore, Beccaria emphasizes that punishments must be carefully designed to provide a deterrent effect for perpetrators of crimes and prevent others from doing the same. Thus, punishment can be an effective deterrent tool in reducing crime rates if applied fairly and consistently. This is important so that the public can believe that the legal system is truly effective in preventing crime.

According to Beccaria, there are three important elements in effective punishment, namely Certainty, Severity, and Celerity. In the context of black biographies, it can be said that the Certainty and Severity elements can be fulfilled as follows: 1) Certainty: Black biographies can fulfill the Certainty element because they can provide certainty that acts of corruption will have clear and definite consequences. With the existence of black biographies, corruptors will know that their actions will be remembered and revealed to the public, so they will be more careful in carrying out acts of corruption. Black biographies can also increase the certainty that corruptors will be tried and punished, thereby increasing public trust in the legal system;

2) Severity: A black biography can fulfill the Severity element because it can have severe consequences for corruptors. With a black biography, corruptors will feel ashamed and dishonored, which can affect their reputation and career. In addition, a black biography can also make corruptors feel uncomfortable and insecure, which can affect their quality of life. The severity of these consequences can make corruptors more careful in committing corrupt acts and can prevent others from committing the same crime. In this context, a black biography can be an effective tool in preventing corruption because it can fulfill the Certainty and Severity elements, so it can make corruptors more careful and prevent others from committing the same crime;

3) Celerity is an important element in effective punishment. Celerity refers to the speed in giving punishment to the perpetrator of the crime. Beccaria argues that punishment given quickly and timely can have a greater effect in preventing crime than punishment given slowly. In the context of black biographies, Celerity can be interpreted as the speed in disclosing and publishing information about the acts of corruption committed by corruptors. With the speed in disclosing information, the public can quickly learn about the acts of corruption committed by corruptors, thereby increasing public awareness and concern about the issue of corruption.

In the context of modern legal systems, Beccaria's crime prevention theory is highly relevant. By understanding the importance of proportionate and effective punishment, legal systems can be designed to deter crime and raise public awareness of the consequences of criminal acts. This theory can also assist in developing more effective and just legal policies. He emphasizes that punishment must be carefully designed to deter perpetrators and deter others from committing similar crimes. Punishment can be an effective deterrent in reducing crime if applied fairly and consistently. This is crucial for public confidence that the legal system is truly effective in preventing crime.

Supporting the Death Penalty for Corruptors

The imposition of the death penalty on convicted corruption convicts in Indonesia remains a hotly debated topic to this day. Some argue that the death penalty can have a deterrent effect on corruptors because it is the most severe punishment. However, others oppose the death penalty for various reasons, one of which is its ineffectiveness in deterring them.

In fact, Indonesian law stipulates the imposition of the death penalty for corruptors who commit crimes in certain situations, such as during an economic crisis or natural disaster. Law Number 31 of 1999 concerning the Eradication of Criminal Acts of Corruption, which was amended by Law Number 20 of 2001, and the Corruption Eradication Commission Law, specifically Article 2 paragraph 2, state that the death penalty may be imposed under certain circumstances.

(2) If the crime of corruption as referred to in paragraph (1) is committed under certain circumstances, the death penalty may be imposed.

The death penalty is not new to the Indonesian legal system. However, in judicial practice, no corruption defendant has ever been sentenced to death. The most severe punishment ever imposed is life imprisonment. Therefore, there have been proposals to revise the law governing punishment for corruption by including an article on the death penalty. However, within the framework of Indonesian legislation, the initiative to propose a revision to the law must come from the government, which will then submit a draft of the amendment.

Corruption can be categorized as an extraordinary crime against violence and human rights. The reason is that violence and human rights violations share the same characteristics as corruption: widespread and systematic. Human rights violations in various places have left a wide-ranging impact and a systematic trail. Similarly, mega-corruptors have destroyed the country's economy, and the people who do not benefit from the results have instead suffered.

Law enforcement officials who support the death penalty for corruptors feel no obligation to carry it out, as long as the law legally stipulates it. For them, the death penalty may be an alternative to addressing severe corruption in Indonesia. However, the decision ultimately rests with the judge. Sometimes, a corruptor can be acquitted or receive a lighter sentence, or even a reduced sentence. Meanwhile, trials for corruption cases outside the government can proceed differently. One figure who supports the implementation of the death penalty for corruptors is Mahfud MD, the Coordinating Minister for Political, Legal, and Security Affairs of the Republic of Indonesia. He once said, *"I have always supported the death penalty for corruptors because it destroys the pulse, the bloodstream of a nation, and is damaged by corruption. Therefore, if the corruption is serious and involves large amounts of money, I support the death penalty."*

In cases of extraordinary crimes such as corruption, the public's right to know and the state's right to security must take precedence over the individual's right to privacy. The principle of Salus Populi Suprema Lex Esto (the safety of the people is the supreme law) can be used to justify "humiliation" through statues, as the safety of the people and the security of the state are more important than individual rights.

First, corruption is an extraordinary crime that can undermine the foundations of the state and society. Therefore, the state has the right and obligation to protect its citizens from this crime. Humiliation through statues can be one way to raise public awareness of the dangers of corruption and prevent similar crimes from occurring in the future.

Second, the public's right to know about corrupt acts committed by corruptors is more important than an individual's right to privacy. The public has a right to know about corrupt acts committed by public officials, as this can affect their lives. Humiliation through statues can be a way to inform the public about corrupt acts committed by corruptors.

Third, the principle of Salus Populi Suprema Lex Esto can also be used to justify humiliation through statues, because the safety of the people and the security of the state are more important than individual rights. In cases of extraordinary crimes, the state has the right to take necessary measures to protect its citizens, even if those actions could be considered insulting.

Fourth, humiliation through statues not only aims to punish corruptors but also to raise public awareness of the dangers of corruption and prevent similar crimes from occurring in the future. Therefore, humiliation through statues can be an effective way to raise public awareness and prevent corruption.

In the context of combating corruption, Lawrence M. Friedman's theory provides a relevant analytical framework. According to Friedman,(in Junjunan, 2025), the legal system consists of three main components: legal structure, legal substance, and legal culture.6 The legal structure includes institutions that play a role in law enforcement, such as courts and anti-corruption agencies. Legal substance includes anti-corruption regulations and policies. Meanwhile, legal culture reflects societal attitudes and behaviors toward the law.

Indonesia and China have different approaches to eradicating corruption. In Indonesia, institutions such as the Corruption Eradication Commission play a crucial role in law enforcement efforts.7 However, the biggest challenges are political interference and weak support from the judicial system. In China, the government has adopted a tougher approach with severe penalties for corruption, including the death penalty.8 However, this approach is often criticized for its lack of transparency and tendency to serve certain political interests or politicization.

Rejecting the Death Penalty for Corruptors

There is debate regarding the legislation regarding the imposition of the death penalty for convicted corruption convicts in Indonesia. While many people fully support the implementation of the death penalty, others oppose it for various reasons. One reason for opposition is that the death penalty is considered an ineffective deterrent. This opinion is based on examples of countries that have implemented the death penalty for corruption, yet corruption rates remain high. For example, in China, despite implementing the death penalty for corruption, corruption rates remain high. Despite the country's relatively high execution rate, the Corruption Perception Index scores between Indonesia and China are not significantly different. This raises questions about the effectiveness of the death penalty in eradicating corruption.

Implementing the death penalty for corruption in Indonesia will be very difficult due to several factors. First, the difficulty in reaching agreement between the government and the House of Representatives to approve this policy is a major obstacle. Furthermore, the current global trend, especially in developed countries, tends to favor the abolition of the death penalty. International human rights organizations also continue to advocate for human rights, including the right to life, as the most fundamental human right.

In this context, Pancasila, as the foundation of the state, particularly its second principle, "Just and Civilized Humanity," emphasizes the importance of upholding civility and human values. As a nation that prioritizes civility, Indonesia should move towards abolishing the death penalty and prioritizing more humane solutions in dealing with corruption cases. Therefore, those who oppose the death penalty not only provide reasons but also offer solutions in the form of more appropriate and just punishments for perpetrators of corruption. This, it is hoped, can lead to the discovery of a more effective and humane approach to eradicating corruption in Indonesia, one of which is asset confiscation.

Human rights activists also oppose the imposition of the death penalty for corruptors. They remain opposed to the death penalty, including for high-profile corruption, arguing that it violates human rights, the 1945 Constitution, and Pancasila. They believe the death penalty violates a person's right to life, which must be upheld, as life is a gift from God and cannot be taken away by humans.

The death penalty has sparked heated debate across various parties. Human rights activists from various countries strongly oppose the death penalty as it is considered a violation of human rights. Meanwhile, several countries have a different view, namely that the death penalty does not violate human rights because it aims to protect the nation's future generations from extraordinary crimes. Human rights activists and opponents of the death penalty continue to advocate for its repeal, in line with the international movement supporting its abolition. The International Convention on Civil and Political Rights, established in 1966 and in force since 1976, among other things, mentions the prohibition of the death penalty and the recognition of the right to life. As of December 9, 2002, approximately 149 countries have ratified this convention, and 49 countries have ratified the Second Optional Protocol to the ICCPR (1990), which aims to abolish the death penalty.

One of the most controversial forms of criminal punishment in the criminal justice systems of many countries, including Indonesia, is the death penalty. There is heated debate between its supporters and opponents regarding the death penalty, (Cahyani, 2023). The death penalty is one of the most controversial forms of criminal sanction in the criminal justice systems of many countries, including Indonesia. Proponents of the death penalty argue that it can act as a deterrent for perpetrators and protect society from more serious crimes. They also argue that the death penalty can provide justice for victims and their families.

However, opponents of the death penalty argue that it is ineffective in reducing crime and can violate human rights. They also argue that a death sentence cannot be overturned if there is a mistake in the legal process, thus resulting in an unjust death. Furthermore, opponents of the death penalty argue that this punishment cannot be a solution to crime and must be addressed through other means, such as rehabilitation and crime prevention.

In Indonesia, the death penalty is considered contrary to the second principle of Pancasila, "Just and Civilized Humanity." It is also considered inconsistent with Articles 28A and 28I of the 1945 Constitution, which state that the right to life cannot be reduced for any reason. Some even argue that there is no correlation between the death penalty and its deterrent effect on corruptors, which in turn reduces corruption in a country. To date, there is no evidence that countries that implement the death penalty have the lowest levels of corruption. The most appropriate correlation for reducing corruption is through better and stricter oversight and accountability.

The most obvious example is China, where, despite nearly 50 to 60 people being executed each year for corruption, China remains one of the countries with the highest levels of corruption in the world. This example clearly demonstrates the lack of correlation between the death penalty and its deterrent effect and the decline in corruption in a country. Similar examples can be found in other countries, demonstrating the ineffectiveness of the death penalty in eradicating corruption.

Another drawback of the death penalty is the risk of irreparable errors in the verdict. If a corruptor who has been executed is later proven innocent after a judicial review, their life cannot be restored. Therefore, the implementation of the death penalty for corruptors must be preceded by thorough and thorough discussion and debate to ensure justice and minimize the risk of errors.

Social Sanctions for Corruptors as a Deterrent

In practice, crime prevention theory, (Cesare Beccaria, 2012), 2012) can be applied in various ways to prevent crime. One example is by increasing public awareness of the consequences of criminal acts, so that the legal system can prevent crimes before they occur. Furthermore, proportional and effective punishment can also have a deterrent effect on perpetrators, thereby helping to reduce the crime rate.

However, it is important to remember that Beccaria's crime prevention theory has several limitations. One limitation is that it does not consider social and economic factors that can influence criminal behavior. Therefore, the legal system needs to consider these factors in developing effective legal policies. Despite its limitations, Beccaria's crime prevention theory remains relevant and important in the context of modern legal systems. By understanding the importance of proportionate and effective punishment, the legal system can be designed to deter crime and raise public awareness of the consequences of criminal acts.

Social sanctions for corruption in Indonesia are a form of punishment aimed at providing a deterrent effect and improving community behavior. Some social sanctions for corruption that have been implemented in Indonesia are:

1. Asset Confiscation

Corruption is a crime with an economic dimension, so the punishment imposed must also be related to economic aspects. One way to create a deterrent effect for perpetrators of corruption is by confiscating the assets obtained from corruption. For example, in Singapore, prison sentences for corruptors are not particularly severe, but there are other penalties related to economic aspects. Many argue that confiscation of assets is a more effective deterrent than simply imposing the death penalty.

Confiscation of assets obtained from corruption is regulated by Law No. 31 of 1999 in conjunction with Law No. 20 of 2001, as well as the Anti-Corruption Convention, ratified by Indonesia in 2006. Implementation of confiscation of assets obtained from corruption in Indonesia has been practiced, but remains suboptimal due to a lack of awareness and professionalism among law enforcement officials.

The confiscation of assets resulting from corruption can be carried out through civil lawsuits or through non-conviction-based asset forfeiture mechanisms. Non-conviction-based asset forfeiture mechanisms are the concept of recovering state losses incurred as a result of a crime without first imposing a penalty on the perpetrator. However, there is still debate among legal experts about the effectiveness of non-conviction-based asset forfeiture in corruption cases.

Asset forfeiture is a law enforcement process in the country of origin of a corruption crime to return the perpetrator's assets (factum sceleris) by submitting a request to the custodial state where the assets are stored, either domestically or abroad, through criminal, civil, and mutual assistance channels. This involves tracking, revocation, confiscation, freezing, forfeiture, management, and maintenance to prevent the assets from being used as tools or means (instrumentum sceleris) or objects related to the crime (objectum sceleris). The assets can then be returned to the country of origin as the proceeds of the corruption crime, (Utama, 2022).

The Asset Forfeiture Bill is a bill designed to recover state assets lost due to corruption and money laundering. Here are some key points about this bill:

- Purpose: The Asset Forfeiture Bill aims to recover state financial losses by confiscating assets suspected of originating from corruption and money laundering, even before a court decision has become legally binding.
- Process: This bill has been included in the 2025-2026 Priority National Legislation Program (Prolegnas) and will be discussed simultaneously with the Criminal Procedure Code (KUHAP) Bill.
- Benefits: This bill is expected to provide a solid legal foundation for more effective and equitable corruption eradication efforts in Indonesia, as well as create a deterrent effect for perpetrators of corruption.

- Regulations: The Asset Forfeiture Bill will regulate examination procedures, court authority, enforcement of decisions, compensation and protection for third parties, and the management of confiscated assets.
- International Cooperation: This bill will also facilitate international cooperation in tracking and recovering assets hidden abroad.

The Asset Forfeiture Bill is expected to increase the effectiveness of corruption eradication in Indonesia and recover significant state losses. However, the implementation of the forfeiture law has several weaknesses, including: The main problem in implementing the asset forfeiture law is the limited regulations and the legal system, which is still conviction-based (requiring a guilty verdict). Deliberations on the Asset Forfeiture Bill have encountered obstacles and have not yet been passed into law, despite being drafted. As a result, the introduction of the non-conviction-based asset forfeiture mechanism, which is already commonly used in many other countries, has been hampered.

(Djatmiko, 2025), in corruption cases, the imposition of a sentence by the Corruption Court Judge is not the final outcome of the corruption case, but rather the beginning of efforts to recover state assets embezzled by the perpetrator. The philosophy is: No one can enrich themselves at the expense of others, so that perpetrators of corruption cannot enjoy the fruits of their corruption.

Important elements in asset recovery are: a. Asset recovery is a law enforcement system in corruption crimes; b. It is carried out through both criminal and civil channels; c. Through both channels, assets resulting from corruption crimes are tracked, frozen, confiscated, seized, handed over, and returned to the country that is the victim of the corruption crime; d. Tracking, freezing, confiscating, confiscating, handing over, and returning assets resulting from corruption crimes to the state, whether placed domestically or abroad; e. The law enforcement system is carried out by the country that is the victim of the corruption crime, carried out by law enforcement agencies, (Djatmiko, 2025).

2. Revocation of Political Rights for Corruptors

The revocation of political rights is important in eradicating corruption, especially in roviding a deterrent effect on perpetrators of corruption, so that the perpetrators or the public will be fraid to commit corruption because of the sanction of revoking political rights, (titin nurfatlah, 2024). Revocation of political rights is crucial in eradicating corruption because it can have a deterrent effect on perpetrators of corruption. With the revocation of political rights, perpetrators of corruption can no longer enjoy their political rights, such as the right to vote and be elected in general elections.

Revocation of political rights can also be an effective form of punishment because it can affect the social and economic status of perpetrators of corruption. By not having political rights, perpetrators of corruption can lose the opportunity to obtain jobs or positions related to politics, which can affect their income and social status. This can make perpetrators of corruption more cautiousin committing corruption. Furthermore, revocation of political rights can also serve as an example to the public that corruption will not be tolerated and will be punished strictly. Thus, the public will be more cautious in committing corruption and will be more supportive of corruption eradication efforts. Therefore, revocation of political rights can be an effective form of sanction in eradicating corruption.

Revocation of political rights for corruptors is a measure aimed at providing a deterrent effect and preventing those who have committed corruption from returning to public office. Here are some things you need to know about the revocation of political rights for corruptors:

- Legal Basis: Revocation of political rights for corruptors is regulated in Article 35 paragraph 1 of the Criminal Code (KUHP), which states that the rights of convicts that can be revoked by a judge's decision include the right to hold office, the right to join the armed forces, and the right to vote and be elected in general elections.
- Purpose: Revocation of political rights aims to provide a deterrent effect for corruptors and prevent them from re-committing corruption.
- Implementation: Revocation of political rights can be implemented if there is a final and binding judge's decision. However, it is important to remember that revocation of political rights must be in accordance with human rights and cannot be implemented permanently.
- Time Limit: According to General Comment No. 24 formulated by the United Nations Human Rights Committee, the revocation of political rights must have a clear time limit.
- Definition of Public Office: The definition of public office that can be revoked still needs clarification, including positions obtained through elections or career paths.
- Effectiveness: Several studies indicate that revocation of political rights can be a deterrent for those convicted of corruption, but it needs to be supported by additional legal instruments to ensure its effectiveness.

In some cases, revocation of political rights has been applied to corruptors, such as the case of former Regional Representative Council Speaker Irman Gusman, who was sentenced to 4.5 years in prison and revoked his political rights for 3 years. However, further improvements and clarification are needed regarding the mechanism for revoking political rights for corruptors.

Social sanctions for corruptors have so far failed to effectively deter corruptors for several reasons. First, the social sanctions applied are often inconsistent and indecisive, thus failing to significantly deter corruptors. Second, corruptors often possess power and extensive networks, allowing them to evade social sanctions or even seek revenge against those who report or prosecute them. Third, existing social sanctions are often merely symbolic and have no real impact on the lives of corruptors, thus failing to effectively deter them.

Therefore, evaluation and improvement of social sanctions for corruptors are necessary to make them more effective in preventing and eradicating corruption.

Several steps that can be taken include increasing consistency and firmness in the application of social sanctions, increasing transparency and accountability in the law enforcement process, and providing adequate protection for whistleblowers and witnesses to corruption. In this way, social sanctions can be more effective in creating a deterrent effect for corruptors and preventing future corruption.

Innovation in Social Sanctions for Corruptors

Eradicating corruption requires firm and structured measures, especially in 2025, which demands a more modern and effective approach. Firm policies that can be adopted to strengthen law enforcement in eradicating corruption include institutional strengthening. Law enforcement agencies such as the Corruption Eradication Commission, the prosecutor's office, and the police must be empowered with sufficient budgets, qualified human resources, and strong independence from political pressure. Harsher penalties: penalties for corruption perpetrators, especially public officials, must be increased, including revocation of political rights, confiscation of assets, and longer prison terms as a deterrent, (Frediandrika, 2025). Innovation in social sanctions for corruption refers to new and creative approaches to imposing penalties or sanctions on individuals involved in corruption. The goal of this innovation is to increase the effectiveness of sanctions in preventing and eradicating corruption and to raise public awareness of the importance of integrity and accountability.

This innovative sanction also aims to serve as a reminder of major corruption cases, preventing their recurrence. Many instances of corruption in Indonesia are recurring, with perpetrators or their families engaging in repeated corruption, such as the major corruption case perpetrated by the Tansil family. The Eddy Tansil case, related to a loan from the Indonesian Development Bank through the Golden Key Group, is an example of a major corruption case that caused significant losses to the state. The court revealed that Eddy Tansil embezzled USD 430 million, or approximately IDR 1.3 trillion, of state funds. For his actions, he was sentenced to 17 years in prison, fined IDR 30 million, and had his assets confiscated. This case drew attention because Eddy's father, Harry Tansil, was also involved in a bad check case in 1963-1964 and managed to escape from prison. Furthermore, Eddy's brother, Hendra Rahardja, was also involved in the Bank Harapan Sentosa case, which resulted in losses of IDR 1.95 trillion and managed to flee Indonesia. The Tansil family case also shows how weak law enforcement and oversight of state officials are, so they can easily escape punishment.

Innovative sanctions for corruptors that can be implemented include the following:

1. Social sanctions by erecting statues of corruptors

Establishing statues of corruptors as a reminder to all Indonesians not to imitate similar behavior can be an effective form of social sanction. By seeing the faces and names of corruptors displayed in public places, the public can learn and remember that corruption is a serious crime and has severe consequences. These statues can be placed in strategic locations, such as in front of government offices, shopping centers, or city parks. Furthermore, the statues can be accompanied by information explaining the crimes committed by the corruptors and the punishments imposed.

This sanction can have several benefits, including:

a. Raising public awareness: Statues of corruptors can serve as a reminder to the public about the dangers of corruption and the importance of integrity;
b. Deterring corruption: By seeing the severe consequences, the public will think twice before committing corruption;
c. Increasing the deterrent effect: This sanction can increase the deterrent effect on corruptors and prevent future corruption.
d. Increasing a sense of shame: Corruptors will feel ashamed and disgraced in the eyes of the public.
e. Deterring recurrence: Corruptors will think twice before committing similar crimes.
f. Visible punishment: This sanction can serve as a visual warning to the public about the consequences of corruption.

The implementation of statues for corruption perpetrators in Indonesia still requires further study regarding its effectiveness and constitutionality. Several considerations that need to be taken into account are:

a. Human Rights: The construction of statues for corruption perpetrators must ensure that they do not violate human rights, such as the right to dignity and privacy.
b. Effectiveness: The effectiveness of social sanctions in preventing corruption needs to be thoroughly evaluated.
c. Fairness: Social sanctions must be ensured to be fair and non-discriminatory.

Building statues of corruptors can be an effective form of social sanction to maximize deterrence. This will shame corruptors and discourage them from committing similar crimes in the future. This will also deter others from engaging in corruption, even the smallest offenses. The implementation of these sanctions must be carried out carefully and based on clear laws, and human rights must be respected. Furthermore, these sanctions must be accompanied by broader corruption prevention efforts, such as increasing transparency and accountability in government.

2. Creating a Biographies of Corrupt Perpetrators

Producing biographies of corruptors as a social sanction can be an effective way to create a deterrent effect and raise public awareness about the dangers of corruption. These biographies can chronicle the lives of corruptors, from their beginnings to their eventual conviction and punishment.

This way, the public can learn in detail about:

a. Modus operandi of corruption: How corruptors commit crimes and exploit power for personal gain.

b. Impact of corruption: How corruption can harm the state and society, and destroy public trust in the government.
c. Law enforcement process: How a fair and transparent law enforcement process can bring corruptors to justice.

This biography can serve as a lesson for the public about the importance of integrity and accountability in governance and business. Furthermore, it can serve as a reminder to those potentially involved in corruption that crime will not go unpunished. The importance of innovative social sanctions for corruptors in Indonesia is to increase the deterrent effect and eradicate corruption. Within the context of Cesare Beccaria and Jeremy Bentham's crime prevention theory, this analysis can be summarized as follows:

Cesare Beccaria's Crime Prevention Theory argues that effective punishment must have three main characteristics: 1) Certainty of punishment: Punishment must be certain and unavoidable; 2) Decisiveness of punishment: Punishment must be firm and provide a deterrent effect; and 3) Proportionality of punishment: Punishment must be proportionate to the crime committed.

Jeremy Bentham's Theory of Utilitarianism and Crime Prevention argues that effective punishment should be able to increase the overall happiness of society. In this context, effective punishment is punishment that can prevent crime and increase public security. Jeremy Bentham's Theory of Utilitarianism and Crime Prevention argues that effective punishment should be able to increase the overall happiness of society. In this context, effective punishment is punishment that can prevent crime and increase public security. Bentham argued that punishment should be designed to prevent crime, not just to repay crime.

Bentham also argued that punishment should have four characteristics: certainty, speed, severity, and moderation. Certainty means that the punishment must be certain and unavoidable. Speed means that the punishment must be given quickly after the crime is committed. Severity means that the punishment must be proportionate to the crime committed. Moderation means that the punishment must be simple and not excessive. In the context of eradicating corruption, Bentham's theory can be applied by providing effective punishment that is proportionate to the crime committed. Effective punishment can deter crime and increase public security. Therefore, there is a need for punishments that can prevent corruption and increase public security, such as revocation of political rights, fines, and imprisonment.

Social sanctions such as erecting statues of corruptors and writing biographies can be considered definite and firm forms of punishment. Erecting statues of corruptors, for example, can be a definite and firm form of punishment because corruptors will feel shame and disgrace in the eyes of society. However, it is important to question whether social sanctions such as erecting statues of corruptors and writing biographies are proportionate to the crimes committed. Are these social sanctions effective enough in preventing corruption?

Jeremy Bentham's Theory of Utilitarianism and Crime Prevention, (Bentham, 2021). argues that effective punishment should increase the overall well-being of society.

In this context, effective punishment is punishment that both deters crime and increases public safety.

Social sanctions such as erecting statues of corruptors and writing biographies can be considered forms of punishment that can increase overall societal happiness. These social sanctions can make people feel more secure and confident that corruption will be punished severely. However, it is questionable whether these social sanctions are sufficiently effective in preventing corruption and increasing overall societal happiness.

Based on the crime prevention theory of Cesare Beccaria and Jeremy Bentham, it can be concluded that social sanctions such as erecting statues of corruptors and writing biographies can be effective forms of punishment in preventing corruption if implemented appropriately and proportionally. However, further evaluation of the effectiveness of these social sanctions in preventing corruption and increasing overall societal happiness is needed.

Legalization of Innovations in Social Sanctions for Corruption

Legalizing social sanctions for corruption perpetrators is one way to increase the effectiveness of corruption eradication. These social sanctions can take the form of non-penal punishments, such as registering the names of corruptors in public, placing signs in public places, or revoking certain rights. With social sanctions, corruptors are not only punished penally but also experience significant social impacts, such as impacts on their reputation and career, which can act as a more effective deterrent.

Furthermore, legalizing social sanctions for corruption perpetrators has several other benefits. First, social sanctions can raise public awareness of the dangers of corruption, thereby encouraging them to become more concerned and active in preventing and eradicating corruption. Second, social sanctions can also help increase transparency and accountability in government. However, the implementation of social sanctions for corruption perpetrators must be carried out carefully and selectively. Social sanctions must be designed to avoid violating human rights and not have a disproportionate negative impact on the perpetrators. Furthermore, the legalization of social sanctions must be supported by a strong legal system and institutions to ensure that social sanctions are implemented effectively and fairly.

Legalizing social sanctions for corruptors can also be a form of restorative justice, an approach focused on recovery and reconciliation. Thus, social sanctions can help repair the losses suffered by society and the state due to corruption. To maximize the power and effectiveness of innovative social sanctions for corruptors, they need to be legalized through clear and firm legislation. Thus, social sanctions can become an integral part of the Indonesian criminal justice system. This legalization can cover several aspects, such as the definition and types of social sanctions, the procedures for implementing social sanctions, and the consequences for corruptors who fail to comply. Furthermore, it is necessary to regulate the costs arising from implementing innovative social sanctions, such as the costs of creating statues and biographies of corruptors.

These costs can be borne by the perpetrators of corruption or borne by the state as part of efforts to prevent and eradicate corruption. Thus, innovative social sanctions can be more effective in preventing and eradicating corruption in Indonesia. Furthermore, legalizing innovative social sanctions can also raise public awareness of the importance of integrity and accountability in government and business. This can encourage the public to be more proactive in preventing and eradicating corruption.

Legalization Process for Innovation in Social Sanctions for Corruption Perpetrators

The legalization process for social sanctions for corruption perpetrators, such as the construction of statues and the writing of biographies of corrupt perpetrators, is an important step in increasing the effectiveness of corruption eradication in Indonesia. By legalizing these social sanctions, the government can provide a stronger deterrent effect on corrupt perpetrators and raise public awareness of the dangers of corruption.

The first step in this legalization process is to conduct an in-depth study and analysis of the effectiveness of social sanctions in preventing and eradicating corruption. This study can be conducted by government agencies, non-governmental organizations, or academics with expertise in law and corruption. Once the study is complete, the government can draft legislation governing social sanctions for perpetrators of corruption. This draft regulation must clearly and firmly define the types of social sanctions that can be applied, the procedures for implementing social sanctions, and the consequences for perpetrators of corruption who fail to comply with social sanctions.

This draft legislation can then be discussed and ratified by the legislative body. During the deliberation process, discussions and consultations with various parties, including civil society, academics, and legal practitioners, are necessary to ensure that the resulting legislation is effective and does not violate human rights. Once legislation is enacted, the government can begin implementing social sanctions against corruptors. Building statues and writing biographies of corruptors can be effective forms of social sanctions that can deter criminals and raise public awareness.

During implementation, continuous monitoring and evaluation are necessary to ensure that these social sanctions are effective in preventing and eradicating corruption. Evaluation results can be used to refine and increase the effectiveness of social sanctions, thereby creating a clean and transparent government.

(Kelsen, 2017)'s pure legal concept can be applied to understand the importance of legalizing innovative social sanctions for corruptors. According to (Kelsen, 2017), law is a hierarchical system of norms, and lower legal norms must conform to higher legal norms. Legalizing innovative social sanctions for corruptors requires clear and firm legislation to ensure that these sanctions are effective and fair. Therefore, lower legal norms (statutory regulations) must conform to higher legal norms (the constitution and higher legal principles).

Analysis based on, (H.L.A. Hart., 2012), Legal Concept Theory can be applied to understand the importance of public awareness of the law and compliance with it. According to Hart (1961), law is a system of rules accepted by society and enforced by legal authorities. Public awareness of the dangers of corruption and the importance of integrity can increase compliance with the law and reduce corruption. Therefore, legalizing innovative social sanctions for corruptors must be accompanied by efforts to increase public awareness of the importance of integrity and accountability in government and business.

The legal theories of Hans Kelsen and H.L.A. Hart can also be applied to understand the importance of legalizing innovative social sanctions for corruptors. This legalization requires clear and firm legislation to ensure that these social sanctions are effective and fair. Furthermore, public awareness of the law and compliance with it are crucial in preventing and eradicating corruption.

CONCLUSION

Corruption is an extraordinary crime with a significant impact on state finances, the economy, and the socio-cultural fabric of society. Efforts to eradicate corruption require a systemic and comprehensive approach. Social sanctions can be an effective form of punishment in preventing and eradicating corruption. Examples of innovative social sanctions include the creation of statues of corruptors and the writing of biographies. Legalizing innovative social sanctions through clear and firm legislation is crucial to increasing the effectiveness of corruption eradication efforts. The creation of statues of corruptors can serve as a reminder to the public about the dangers of corruption and the importance of integrity. The writing of biographies of corruptors can teach the public the importance of integrity and accountability in governance and business.

The legalization process for social sanctions for corruptors requires in-depth study and analysis of the effectiveness of social sanctions in preventing and eradicating corruption. The implementation of social sanctions must be carried out carefully and based on clear laws, and human rights must be ensured. If social sanctions for corruption are legalized, the impacts could include: Increasing the deterrent effect for corruptors, thereby reducing corruption; Increasing public awareness of the dangers of corruption and the importance of integrity; Adding more effective and innovative types of punishment in eradicating corruption; Increasing accountability and transparency in government and business; Providing opportunities for corruptors to improve themselves and contribute to society; Increasing public trust in the government and law enforcement agencies; and Reducing corruption and improving the national economy. However, it is important to remember that the implementation of social sanctions must be carried out carefully and based on clear laws, and must ensure that human rights are respected.

Recommendations

The government needs to conduct an in-depth study and analysis of the effectiveness of social sanctions in preventing and eradicating corruption, and draft clear and firm legislation to legalize social sanctions for corruptors. The government and society must work together to raise public awareness of the importance of integrity and accountability in government and business, and support the implementation of effective and fair social sanctions to eradicate corruption in Indonesia.

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