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Abuse of Power in Corruption Crimes: A Criminological Perspective

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Abstract

Corruption is one of the serious problems that hinders development, social and economic stability, and public trust in state institutions. In Indonesian law, the crime of corruption is regulated in Law Number 31 of 1999 as amended by Law Number 20 of 2001 concerning the Eradication of Corruption, especially Article 2 which regulates the act of illegally enriching oneself or others that can harm the state's finances. Abuse of power is one of the factors that can encourage the occurrence of corruption crimes, especially when authority is used for personal or group interests. This study aims to analyze the abuse of power in corruption crimes based on a criminological perspective with a focus on the provisions of Article 2 of the Corruption Law. The research method used is normative legal research with a statutory approach and a conceptual approach. The data used are primary, secondary, and tertiary legal materials obtained through literature studies and qualitatively analyzed. The results of the study show that the abuse of power in corruption crimes is not only influenced by individual factors, but also by structural and social factors, such as weak supervision, low transparency, and gaps in the legal system and government administration. Criminological perspectives through anomic theory, rationalization theory, and social control theory can be used to understand the driving factors for the abuse of power in corruption crimes. Therefore, strengthening supervision, transparency, and social control systems is needed as part of efforts to prevent and eradicate corruption crimes in Indonesia.

Keywords Corruption Crimes; Abuse of Power; Criminology; Normative Legal Research.

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1. INTRODUCTION

Indonesia is a country based on the law (rechtstaat) not based on power (machtstaat), which means that every citizen must obey the law and every act of the State apparatus must be in accordance and must be based on the law. The existence of a law in society is the embodiment of the community's demands for a better and orderly life together (Yesmil Anwar & Adang, 2010). Crime will not disappear by itself, on the contrary, crime cases are increasingly occurring and the most dominant type of crime against wealth, especially which includes the crime of Corruption (Wiharma, 2016). Corruption has become one of the main problems that hinder the progress and welfare of a country, including Indonesia. In addition to lowering public trust in government institutions, corruption also damages the

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social, economic, and political order of the country. In general, corruption can lead to the misappropriation of public resources that should be used for the common good, become a source of social inequality, and worsen the quality of life of the community. Corruption in Indonesia is often considered one of the "chronic diseases" that is very difficult to eradicate despite various efforts that have been made, both through legal regulations and law enforcement.

Article 2 of Law No. 31 of 1999 concerning the Eradication of Corruption Crimes (Corruption Law), which was later amended by Law No. 20 of 2001, specifically regulates the crime of corruption committed by abusing authority or position for personal interests, groups, or other parties, which harms the state's finances. This article describes a form of abuse of power involving state officials or government officials who use their positions to commit acts of corruption. From a criminological point of view, the abuse of power in corruption crimes can be analyzed through various theories that explain the behavior of criminal offenders. One of the relevant theories is the Anomi Theory from Emile Durkheim, which states that social inequality and injustice in society can trigger individuals to commit violations of the law, including corruption. Corruption often occurs in societies facing social and economic pressures, where individuals feel that there are no legitimate channels to achieve their goals, so they use illegal means to gain advantage.

The problem of abuse of power in corruption requires a comprehensive analytical approach, not only from a positive legal aspect, but also through a criminological perspective. By understanding the motives, background, and social environment that allows corruption to occur, we can formulate more effective prevention strategies and build a more transparent and accountable power system. This research has novelty that lies in the use of an in-depth criminology perspective to analyze the abuse of power in corruption crimes, especially as stipulated in Article 2 of Law Number 31 of 1999 concerning the Eradication of Corruption Crimes which has been amended by Law No. 20 of 2001.

This study explicitly highlights the interaction between the power structure, the socio-economic background of the perpetrators, and the weak social control in the bureaucracy, which allows corruption to occur systemically. Another novelty is found in the analysis of the e-KTP case as a concrete study that illustrates the application of criminological theories such as the Anomi Theory (Durkheim and Merton), the Differential Association Theory (Sutherland), and the Social Control Theory (Hirschi) in the context of the abuse of power by high-ranking state officials. Through this approach, the research not only explains how corruption is carried out, but also why the system of supervision and law enforcement often fails to prevent it, as well as how the mechanism of power can be manipulated for personal gain in a legalistic manner.

Thus, the scientific contribution of this research lies in the integration of criminological approaches to positive legal provisions (Article 2 of the Anti-Corruption Law), which provides a new perspective to evaluate the effectiveness of anti-corruption regulations and institutions in Indonesia. This research is also expected to be the basis for the development of a more contextual corruption prevention strategy based on Indonesia's socio-political reality.

2. METHODS

This research uses a normative legal research method. Normative legal research is a research that focuses on the study of legal norms, legal principles, and provisions of laws and regulations related to the problem being studied. This method is used to analyze legal provisions regarding personal data protection and forms of legal accountability for the misuse of personal data in online lending activities in Indonesia. The approaches used in this study include the statute *approach*, the *case approach*, and *the conceptual approach* (Benuf & Muhamad Azhar, 2020). The legislative approach is carried out by examining various regulations related to the protection of personal data and the implementation of online loans. The case approach is used by examining cases of misuse of personal data in online lending activities to see the application of legal provisions to these problems. Meanwhile, a conceptual approach is used to understand the concepts of personal data protection, privacy rights, and legal responsibilities from the perspective of Indonesian law (Jonaedi Efendi & Jhony Ibrahim, 2016).

The sources of legal materials in this study consist of primary legal materials and secondary legal materials. Primary legal materials include laws and regulations related to personal data protection, the implementation of online loan services, consumer protection, and relevant criminal provisions. The secondary legal materials are obtained from scientific journals, law books, research results, scientific articles, and the opinions of experts who are related to the research object (Soerjono Soekanto & Sri Mamudji, 1985). The use of secondary legal materials is needed to provide an explanation and academic analysis of the legal provisions that are the basis of the research. The collection of legal materials is carried out through library research, which is by collecting and studying various legal sources that are relevant to the research problem. The legal materials that have been obtained are then identified, classified, and analyzed based on their relationship to the formulation of the problem. In research on personal data protection in online loan services, literature studies are also used to identify forms of misuse of personal data as well as legal remedies that can be taken to provide protection to data owners (Sinta Dewi Rosadi & Garry Gumelar Pratama, 2018)

The analysis of legal materials is carried out qualitatively using a descriptive-analytical method. The collected legal materials are analyzed by linking the provisions of laws and regulations with theories, concepts, and opinions of experts obtained from various scientific literature. The results of the analysis are then used to answer problems regarding the form of legal protection for the personal data of online loan users and legal accountability for the misuse of personal data. With this method, the research is expected to produce systematic legal arguments and provide conclusions that are in accordance with the problems being studied.

3. FINDINGS AND DISCUSSION

Forms of Abuse of Power in Corruption Crimes According to Article 2 of the Law on the Eradication of Corruption Crimes. Abuse of power in corruption crimes is a form of crime that often occurs in the administration of government and bureaucracy in Indonesia. Corruption is not only understood as the act of taking state money directly, but also includes the act of enriching oneself or others by utilizing the positions, authority, and power held by public officials. In the context of positive law in Indonesia, the provisions regarding corruption crimes are regulated in Law Number 31 of 1999 concerning the Eradication of Corruption as amended by Law Number 20 of 2001.

Article 2 paragraph (1) of the Corruption Law states that:

"Any person who unlawfully commits an act of enriching himself or others or a corporation that may harm the state finances or the economy of the state shall be sentenced to imprisonment..."

In Indonesia's positive law, corruption crimes are regulated, among others, in Law Number 31 of 1999 as amended by Law Number 20 of 2001 concerning the Eradication of Corruption Crimes (Corruption Law). Article 2 paragraph (1) of the Corruption Law basically stipulates that any person who unlawfully commits an act of enriching himself or another person or a corporation that harms the state finances or the state economy can be criminally charged. Thus, the construction of Article 2 paragraph (1) consists of several main elements, namely each person, unlawfully, enriching himself/others/corporations, and harming the state finances or the state economy. The study of these elements shows that abuse of power can be a mode or means used to realize the act of enriching oneself or another party (Aulia Putri & Itok Dwi, 2023). The discussion of Article 2 of the Corruption Law also cannot be separated from the element of state financial loss or the state economy. In the Constitutional Court Decision Number 25/PUU-XIV/2016, the phrase "can harm the state finances or the state economy" is interpreted so that the state losses that must be proven are actual losses, not just potential losses (Fatkhurohman & Nalom Kurniawan, 2017)

Based on these provisions, there are important elements that indicate the abuse of power, namely unlawful acts, acts of enriching oneself or others, and losses to state finances or the state economy. In practice, abuse of power is often carried out by public officials who have authority in budget management, procurement of goods and services, granting permits, and implementing public policies (Andi Hamzah, 2015). One form of abuse of power in corruption crimes is the manipulation of the state budget. Officials who have the authority to prepare and use the budget can change or engineer the budget for personal or group benefits. This manipulation is usually carried out through budget mark-ups, fictitious project procurement, or project quality reduction that is not in accordance with the initial specifications. As a result, the state suffers large financial losses and the community does not get the optimal benefits from the budget (Ermansjah Djaja, 2013). In addition to budget manipulation, another form of abuse of power is the abuse of authority in the process of procurement of government goods and services. In this practice, officials with power can regulate the winner of the tender, award projects to certain parties, or accept bribes from partner companies. This action is contrary to the principles of transparency and accountability in the administration of government. Abuse of authority in the procurement of goods and services is often carried out in an organized manner between government officials and the private sector, thus forming a pattern of systemic corruption (Leden Marpaung, 2017).

Another form of abuse of power is the granting of business licenses or public policies based on personal or certain group interests. Public officials can use their positions to provide ease of licensing to certain parties in exchange for a certain amount of money or other benefits. In this context, power is no longer used for the public interest, but as a tool for personal gain. These actions fall into the category of abuse of office that is contrary to the general principles of good governance (Philip Selznick, 1957). The corruption case of the e-KTP project is a clear example of the abuse of power in the crime of corruption. In these cases, state officials and legislators use their influence and authority to regulate national projects for personal and group gain. The budgeting process and project implementation are manipulated so that state losses reach trillions of rupiah. This case shows that power that is not effectively supervised can be a means to commit corruption crimes systematically. Corruption in the procurement of goods and services can occur from the planning stage to the receipt of goods or services by the Budget User or the Budget User Proxy. In many cases, abuse of authority is an important part of the mode of corruption in the procurement process (Ahmad Rustan Syamsuddin, 2020)

In the context of bureaucracy, organizational culture has an influence on the formation of corrupt behavior. Research on corruption in organizational culture shows that corruption is not always an individual act, but can develop in organizational structures and cultures that allow or even normalize deviant behavior (Aurel & Kuswandi, 2026). That the abuse of power in corruption is the result of interaction between the perpetrators, power, opportunities, the organizational environment, and weak social control. Officials who have great authority have access to state resources. If this authority is not balanced by transparency and supervision, then there is an opportunity to commit corruption. Furthermore, a permissive organizational environment can provide justification for these actions. Under certain conditions, the perpetrator can rationalize that the benefits obtained are a "right", "compensation", or part of a habit in the bureaucratic environment.

Corruption is a form of extraordinary crime that has a wide impact on the social, economic, and political life of a country. In practice, corruption is often closely related to the abuse of power by public officials who have authority in the administration of government. Abuse of power occurs when a person uses his or her position or authority not for the public interest, but to obtain personal or certain group benefits. In the Indonesian context, corruption develops not only as an individual act, but also as a systemic and organized crime (Romli Atmasasmita, 2004). Corruption is not only caused by legal factors, but also influenced by social, economic, cultural, political, and environmental factors. Thus, the criminological approach is used to understand why a person with power can commit a crime of corruption through the abuse of his authority (Topo Santoso & Eva Achjani Zulfa, 2015).

From a criminological perspective, this condition shows a relationship between power, opportunity, and crime. The greater the authority a person has without being balanced by adequate supervision mechanisms, the greater the chance of abuse. Therefore, it is not enough to eradicate corruption only through the imposition of criminal sanctions, but must also be directed at reducing opportunities to commit irregularities. The abuse of power in the crime of corruption can be understood through the Anomie Theory proposed by Robert K. Merton. This theory explains that individuals can commit violations of the law when there is a mismatch between the social goals to be achieved and the legal means available. In the context of public officials, the drive to acquire wealth, social status, and maintain power can encourage a person to commit corruption through the abuse of authority (Robert K. Merton, 1968). In addition, Edwin H. Sutherland's Differential Association Theory explains that corrupt behavior is studied through the social environment. In a bureaucracy that is permissive to corrupt practices, an official can study and consider corruption as something that is routinely done. Therefore, an unhealthy organizational culture can increase the chances of abuse of power in the government. In government bureaucracies that have become accustomed to the practice of bribery, gratuities, or budget manipulation, corrupt behavior can be considered something normal. A bad organizational culture will form a subculture of corruption, where individuals who are new to the system tend to follow habits that have taken place before. As a result, abuse of power becomes an inherited practice and is difficult to eradicate because it has become part of the bureaucratic culture (Sutherland, 1947).

The Social Control Theory put forward by Travis Hirschi also explains that crime occurs due to weak supervision and social ties towards individuals. In corruption crimes, weak internal and external supervision of public officials provides a great opportunity for abuse of power. Ineffective supervision, low transparency, and weak law enforcement cause corrupt actors to feel safe to carry out their actions (Travis Hirschi, 1969). In Indonesia, even though there are supervisory institutions such as the Corruption Eradication Commission, the Financial Audit Agency (BPK), and the Ombudsman, corrupt practices still continue to occur. This shows that weak social control and bureaucratic supervision are one of the main factors that encourage the abuse of power. In addition, the existence of a culture of impunity or a sense of security from punishment makes public officials not afraid to commit corruption crimes.

This also shows the importance of distinguishing between administrative violations, abuse of authority, and corruption crimes. Not every mistake in government decision-making can be directly categorized as a criminal act of corruption. Studies on the accountability of government officials in the use of discretion also show the importance of distinguishing administrative actions from actions that can be qualified as criminal acts (Zaki Ulya, 2018) Other studies on abuse of authority in the procurement of goods and services show that there are several forms of irregularities, including conspiracy between procurement officials and providers and inflating prices to obtain personal and group benefits. The application of good governance principles and electronic procurement systems is seen as one of the instruments to reduce the opportunity for abuse (Ni Made Saraswati Pratisthita & I Gusti Ngurah Wairocana, 2019)

Thus, the form of abuse of power in corruption crimes according to Article 2 of the Corruption Law can be in the form of budget manipulation, abuse of authority in the procurement of goods and services, illegal granting of business licenses, and the use of positions to enrich oneself or certain groups. These acts not only harm the state's finances, but also damage the government system, hinder national development, and reduce public trust in state institutions. Therefore, effective supervision, strict law enforcement, and the development of a culture of integrity in the bureaucracy are needed to prevent abuse of power in corruption crimes. This change in meaning has important consequences for proving corruption cases. Law enforcement is not enough to show that an act has the potential to harm the state, but must prove the existence of real state financial losses in accordance with legal provisions and legal evidence.

4. CONCLUSIONS

The form of abuse of power in the crime of corruption according to Article 2 of the Law on the Eradication of Corruption Crimes, it can be concluded that abuse of power is one of the means that can be used by a person, especially officials who have authority, to commit unlawful acts with the aim of enriching themselves, others, or corporations. This abuse can be carried out through the use of positions and authorities owned in the management of state finances, procurement of goods and services, granting permits, and making public policies. The concrete forms include budget manipulation, mark-ups, fictitious projects, arrangement of tender winners, conspiracy with private parties, unauthorized granting of permits, and other actions that use power to obtain personal or group benefits.

The application of Article 2 paragraph (1) of the Corruption Law must still pay attention to the elements of criminal acts that have been determined, namely the existence of the subject of "everyone", acts committed illegally, acts of enriching oneself, others, or corporations, as well as losses to state finances or the state economy. After the Constitutional Court Decision Number 25/PUU-XIV/2016, the elements of state losses in Article 2 paragraph (1) must be based on actual losses, so that not every act or mistake in the use of government authority can automatically be categorized as a criminal act of corruption.

From a criminological perspective, the abuse of power in corruption crimes is not only caused by the personal interests of the perpetrators, but also influenced by opportunities, weak supervision, bureaucratic environment, and permissive organizational culture towards corrupt behavior. Anomie's theory explains that the drive to achieve wealth, status, or power can encourage a person to use unlawful means. Meanwhile, the Differential Association Theory shows that corrupt behavior can be studied through a social environment that has considered corrupt practices as commonplace. Social Control Theory also shows that weak supervision and control of public officials can increase the chances of abuse of power.

Thus, the abuse of power in corruption crimes is a problem that is not only related to violations of the law, but also related to the weak supervisory system and culture of integrity in the administration of government. Therefore, the eradication of corruption needs to be carried out comprehensively through consistent law enforcement, strengthening internal and external supervision, increasing transparency and accountability in financial management and state procurement, implementing the principles of good governance, and building a culture of integrity in the bureaucratic environment. These efforts are important to narrow the opportunities for abuse of power while increasing public trust in the administration of government.

REFERENCE

Anwar, Y., & Adang. (2010). Kriminologi. Bandung: Refika Aditama.

Atmasasmita, R. (2004). Sekitar masalah korupsi: Aspek nasional dan aspek internasional. Bandung: Mandar Maju.

Benuf, K., & Azhar, M. (2020). Metodologi penelitian hukum sebagai instrumen mengurai permasalahan hukum kontemporer. Gema Keadilan, 7(1), 23–35.

Djaja, E. (2013). Memberantas korupsi bersama KPK. Jakarta: Sinar Grafika.

Efendi, J., & Ibrahim, J. (2016). Metode penelitian hukum normatif dan empiris. Jurnal Yustisia, 5(2), 45–46.

Fatkhurohman, & Kurniawan, N. (2017). Pergeseran delik korupsi dalam Putusan Mahkamah Konstitusi Nomor 25/PUU-XIV/2016. Jurnal Konstitusi.

Hakim S., A. S., & Kuswandi. (2026). Korupsi dalam lingkaran budaya organisasi: Kajian kriminologi. Jurnal Ilmu Hukum Wijaya Putra, 4(1).

Hamzah, A. (2015). Pemberantasan korupsi melalui hukum pidana nasional dan internasional. Jakarta: RajaGrafindo Persada.

Hirschi, T. (1969). Causes of delinquency. Berkeley, CA: University of California Press.

Marpaung, L. (2017). Tindak pidana korupsi: Masalah dan pencegahannya. Jakarta: Sinar Grafika.

Merton, R. K. (1968). Social theory and social structure. New York, NY: Free Press.

Pratisthita, N. M. S., & Wairocana, I. G. N. (2019). Penyalahgunaan wewenang pada kegiatan pengadaan barang/jasa pemerintah dalam perspektif hukum administrasi. Kertha Negara: Journal Ilmu Hukum, 7(8).

Rosadi, S. D., & Pratama, G. G. (2018). Urgensi perlindungan privasi dan data pribadi dalam era ekonomi digital di Indonesia. Veritas et Justitia, 4(1), 90–92.

Santoso, T., & Zulfa, E. A. (2015). Kriminologi. Jakarta: RajaGrafindo Persada.

Selznick, P. (1957). Leadership in administration: A sociological interpretation. Berkeley, CA: University of California Press.

Soekanto, S., & Mamudji, S. (1985). Penelitian hukum normatif: Suatu tinjauan singkat. Jurnal Hukum & Pembangunan, 15(2), 150–151.

Sutherland, E. H. (1947). Principles of criminology. Philadelphia, PA: J. B. Lippincott Company.

Syamsuddin, A. R. (2020). Pembuktian penyalahgunaan wewenang dalam perkara tindak pidana korupsi pengadaan barang dan jasa. Jambura Law Review, 2(2).

Sugiyanto, A. P. K., & Kurniawan, I. D. (2023). Pertimbangan hukum hakim dalam menerapkan Pasal 2 UU Tipikor (Studi Putusan Nomor 77/Pid.Sus-TPK/2018/PN.Kdi). Verstek, 11(4).

Ulya, Z. (2018). Pertanggungjawaban pejabat pemerintahan dalam menetapkan diskresi (Studi terhadap Putusan Mahkamah Konstitusi Nomor 25/PUU-XIV/2016). Jurnal Hukum IUS QUIA IUSTUM, 24(3).