



The Impact of Family Status on the Enforcement of Gratification Laws in Indonesia

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Abstract

This research examined the influence of family status on enforcing anti-gratification laws in Indonesia. This study aimed to identify how familial relationships affect legal processes, identify legal loopholes, and offer recommendations to enhance anti-gratification enforcement. The research analyzed recent cases involving high-ranking officials using a normative and descriptive-analytical approach. This study focused on the legal significance of family information recorded on the official Family Card (*Kartu Keluarga*) and its impact on case identification and prosecution. Findings revealed that family status played a significant role in tracking asset flows and establishing links between public officials and gratification sources. However, ambiguities in the legal definition of "family" often created loopholes that obstructed consistent legal action. The study also found that social media had become an unintentional yet powerful channel for exposing gratification cases, particularly through content shared by family members. While such public disclosures prompted official investigations, they also raised concerns about objectivity and legal consistency. The research concluded that comprehensive legal reform is essential to clarify familial definitions, close enforcement gaps, and ensure that digital disclosures are handled fairly. These findings strengthen Indonesia's legal framework for combating corruption-related gratification practices.

Keywords: *family status; gratification; anti-corruption law; social media; legal loopholes; Indonesia; law enforcement*

INTRODUCTION

Corruption remains a deeply rooted problem in Indonesia's governance system (Syarif & Faisal, 2019), with gratification emerging as one of its persistent forms. As defined in Article 12B of Law Number 20 of 2001 concerning the Eradication of Corruption Crimes, Gratification refers to the receipt of money, gifts, commissions, or other benefits by public officials that may influence their decision-making. The law requires officials to report any such benefits to the Corruption Eradication Commission (KPK) within 30 days; however, enforcement in practice often encounters complex challenges (Arsad, 2023). Among these, the role of family members and the ambiguity surrounding the legal definitions of "family" have increasingly become critical but underexplored aspects.

Recent high-profile cases have illustrated how unclear family status, particularly when manipulated or deliberately obscured, can obstruct investigations, limit asset tracing and weaken prosecutorial outcomes (Purwaningsih & Widodo, 2020). Simultaneously, the digital age has introduced new dynamics: social media activity, often by close relatives, has inadvertently triggered public scrutiny and official investigations, thus creating a novel, informal avenue for exposure. These developments underscore the need to reconsider how legal frameworks engage with familial structures and digital disclosures in corruption-related offences (Machmuda et al., 2024).

This study contributes to the existing knowledge by offering case-driven insights into how family status practically affects gratification law enforcement processes, identifying legal loopholes arising from ambiguities in the definition of "family" within the Indonesian legal context, and

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integrating an analysis of the emerging role of social media in triggering investigations, supported by qualitative data from high-profile official cases. The study addresses four key research questions:

1. How is "family" defined in the context of Indonesian anti-gratification law?
2. How does family status influence the identification and prosecution of gratuity cases?
3. What are the current inconsistencies in law enforcement practices?
4. What legal reforms must address these ambiguities?

This study aims to analyze the legal and practical implications of family status in terms of gratification cases, identify existing legal loopholes, and propose reform strategies to strengthen anti-gratification enforcement in Indonesia.

LITERATURE REVIEW

The legal framework governing gratification in Indonesia is primarily outlined in Law No. 20/2001. However, a significant challenge arises from the law's lack of a clear definition of "family," leading to interpretative ambiguities in its application (Rifai, 2021). This lack of legal certainty is a recurring theme in Indonesian scholarship on corruption. For instance, Rompegading (2022) underscored the critical need for enhanced legal clarity in anti-corruption efforts. Windiarti (2024) further emphasized the importance of cultural reform alongside legal frameworks to combat corrupt practices effectively.

Beyond legal definitions, the societal context is crucial in enforcing gratification laws. Irawan and Yanto (2024) have explored the complex issue of the societal acceptance of certain forms of gratification, revealing how deeply ingrained cultural norms can impede legal compliance and enforcement. Another layer of complexity emerges from the growing influence of social media on the public sphere. Social media platforms are increasingly pivotal in exerting public control and exposing potential corruption, including those involving gratification. However, increased public scrutiny is not without challenges. Wulandari and Ramadi (2023) offer a cautionary perspective, highlighting the potential for unregulated public accusations on social media to compromise the due process and the principles of fair legal proceedings.

Despite these valuable contributions to understanding Indonesia's legal, cultural, and societal dimensions of corruption and gratification, a notable gap remains in the existing literature. Few studies have systematically analyzed the specific ways in which family status influences the enforcement of anti-gratification laws. Furthermore, a scarcity of research provides concrete reform strategies grounded in analysing actual case studies involving family status and gratification.

This study aims to address this critical gap by providing an in-depth analysis of the impact of family status on the enforcement of gratification laws in Indonesia. Drawing upon legal frameworks, sociocultural perspectives, and the evolving role of social media, it ultimately contributes empirically grounded recommendations for legal reform.

RESEARCH METHOD

This study employs a normative juridical research approach by Kholiq et al. (2015) to analyze laws, regulations, and legal concepts related to anti-gratification provisions (Patittingi et al., 2021). This approach is appropriate for examining the legal framework and principles relevant to the research question. As specified in numerous prior works, a normative juridical approach is practical when the research aims to analyze legal norms, principles, and doctrines (see, e.g., Fauziah & Apriani, 2021; Kholiq et al., 2015; Wulandari & Waluyo, 2020).

Complementing the normative analysis, a descriptive-analytical method is used to examine

real-world cases of high-ranking officials (Brilliana, 2022). This involves content analysis of news media and public social media discourse to understand anti-gratification laws' practical application and implications (Renaldo et al., 2023). This involves content analysis of news media and public social media discourse to understand anti-gratification laws' practical application and implications (Renaldo et al., 2023). Specifically, social media discourse analysis focused on significant platforms such as TikTok and Facebook, where public discussions surrounding the selected cases were prominent. The types of content analyzed included user-generated posts (text and multimedia), reactions, comment sections, and relevant news articles shared and discussed on these platforms. The content was selected based on its relevance to the cases, primarily by identifying trending discussions, significant public engagement (e.g., views, shares, comments), and mentions of individual case names or related keywords during heightened public attention. A qualitative discourse analysis approach was applied to interpret the narratives, public sentiment and the role of specific posts in the escalation and public understanding of these gratification cases. The descriptive-analytical method allows for a detailed examination of the selected cases, providing empirical context to the normative legal analysis (Wulandari & Waluyo, 2020).

The statute and conceptual approaches are employed using primary and secondary legal sources (Brilliana, 2022). Primary legal sources include relevant laws and court verdicts, while secondary legal sources include scholarly opinions, reports, and legal journals (Wulandari & Waluyo, 2020). The primary legal sources reviewed include key legislation such as Law No. 20/2001 concerning the Eradication of Corruption Crimes, other relevant governmental regulations, and publicly accessible court verdicts pertinent to gratification cases. These documents were selected based on their direct relevance to the legal questions surrounding gratification, the definition of "family," and enforcement procedures. Secondary legal sources encompass scholarly opinions from legal journals, academic books, and reports from anti-corruption bodies and research institutions. The analysis of these documents involved qualitative legal interpretation to identify norms, principles, and ambiguities relevant to the research questions. Combining primary and secondary sources ensures a comprehensive and well-supported analysis (Brilliana, 2022).

Five case subjects were selected for this research: Rafael Alun Trisambodo (RAT), Andhi Pramono (AP), Eko Darmanto (ED), Kaesang Pangarep (KP), and Jelita Jeje (JJ). These cases were chosen due to their high media visibility and the significant role that social media played in triggering or amplifying investigations. While other social media-influencing corruption cases might exist, these five were selected as prominent and illustrative examples that garnered substantial, sustained public and media attention, allowing for rich data collection. Media visibility was qualitatively assessed through the intensity and volume of news coverage across mainstream media, the scale of discussion on social media platforms (indicated by trending topics and high engagement metrics), and the duration of public discourse surrounding each case. These selection criteria align with the research objective of examining cases that garnered significant public attention and scrutiny.

To ensure the reliability of legal interpretations and empirical findings, a triangulation approach was used, cross-referencing data from legal documents, news media reports, and social media discourse. Furthermore, internal discussions among the research team were conducted to foster data interpretation and analysis consistency.

FINDINGS AND DISCUSSION

Role of Social Media and Public Participation

The findings highlight social media's significant role in exposing corruption among high-ranking officials. In the cases of Rafael Alun Trisambodo and Andhi Pramono, public outrage, triggered by social media posts, led to investigations and subsequent prosecution by the KPK

(Muğurtay et al., 2024). Rafael was prosecuted for gratuities and money laundering (IDR 16.6 billion), Andhi was convicted for IDR 58.97 billion, and Eko Darmanto was sentenced to six years in prison. Conversely, the cases of Kaesang Pangarep and Jelita Jeje were dismissed due to a lack of clear legal connection and the individuals' official family status.

Table 1. Summary of Social Media-Triggered Cases and Outcomes

Case	Trigger	Outcome
RAT	Son's post	Prosecution
AP	Lifestyle post	Prosecution
ED	Wealth post	Prosecution
KP	Wife's post	No follow-up
JJ	Self-defense post	No follow-up

Data Analysis and Logical Explanation

The table above shows a correlation between social media exposure and legal action in corruption cases. Cases with high social media visibility and public outcry were more likely to result in prosecution. This suggests that social media is a catalyst that amplifies public sentiment and compelling authorities to act (Iamnitchi et al., 2023). Despite social media attention, the dismissals in the KP and JJ cases, indicate the importance of a clear legal basis for prosecution, even when public attention is high.

Scientific Impact and Comparison with Published Results

This finding aligns with the existing literature on the role of social media in promoting transparency and accountability (Lupton, 2014). Social media platforms can serve as a "sixth estate," (Spence, 2020), enabling citizens to report corruption and demand action from authorities. However, unlike traditional journalism, social media lacks established evidentiary standards, posing legal challenges (Craig, 2021). Ferrara (2015) notes that social media provides opportunities for abuse, smear and manipulation. The scientific impact of this research lies in demonstrating the dual nature of social media: while it can expose corruption, it also requires careful legal and ethical considerations (Craig, 2021).

Legal Challenges and rules/SOPs

Despite its usefulness, social media can present legal challenges. Reports can lack evidentiary standards, resulting in public trials and reputational harm (Kadam & Patidar, 2020). Therefore, legal SOPs are needed for officials to respond to viral allegations. These SOPs should balance the need for transparency and accountability with the protection.

Inconsistencies in Law Enforcement

This study reveals notable disparities in how similar cases of alleged corruption are handled, indicating inconsistencies in law enforcement. Rafael Alun Trisambodo, Andhi Pramono, and Eko Darmanto faced prosecution due to a combination of public pressure and compelling evidence, while Kaesang Pangarep and Jelita Jeje, despite similar exposure on social media, did not (Cox et al., 2019).

Table 2. Comparison of Legal Status and Family Status in Corruption Cases and Law Enforcement Outcomes

Case	Legal Status	Family Status	Enforcement
RAT	Defendant	Registered child	Prosecuted

Case	Legal Status	Family Status	Enforcement
AP	Defendant	Registered daughter	Prosecuted
ED	Defendant	Registered family	Prosecuted
KP	Not processed	Not in the family card	Dismissed
JJ	Not processed	Indirect ties	Dismissed

Analysis

The differing outcomes suggest that factors beyond the evidence presented, such as political connections, ambiguous definitions of "family," and discretionary enforcement, influence prosecutorial decisions (Cox et al., 2019). Reliance on public and media pressure creates a reactive rather than a proactive enforcement environment. This can lead to selective prosecution and undermine the principles of justice and equality before the law (Prosecutorial Misconduct, 2015).

Scientific Impact and Comparison

Discretionary power in law enforcement is a double-edged sword (Cox et al., 2019). While it allows for nuanced handling of cases, it also opens the door to biases and inconsistencies. Lersch and Mieczkowski (1996) found that citizen complaints against officers can be influenced by various factors, indicating the complexity of accountability in law enforcement. Sklansky (2008) notes that law enforcement has changed substantially in recent decades, but the selective application of rules can doubt on progress. The inconsistency observed in these cases raises questions about the equal application of the law.

Impact of Family Status

Family registration, as indicated by the Family Card, appears to influence prosecutorial discretion (Haim et al., 2021). The scrutiny of RAT's son's lifestyle led to investigations due to a direct family link. Conversely, KP and JJ were shielded by ambiguous ties not codified in official family records, despite online allegations (Haim et al., 2021).

Analysis

The unclear scope of "family" creates legal loopholes and hinders prosecution. This ambiguity allows individuals with indirect family connections to avoid scrutiny, whereas those with direct, documented ties face greater scrutiny. This inconsistency undermines the principle of equality before the law and raises concerns about potential favoritism (Haim et al., 2021).

Scientific Impact and Comparison

The influence of family status on legal outcomes is a recurring theme in studies on corruption and law enforcement. While it is essential that law enforcement acts according to due process, Brody (2023) highlights how officers' private lives and connections can impact their work. Davids (2006) argues for an enhanced understanding of conflict of interest for police officers and managers. Haim et al. (2021) note that citizens are more willing to trust and engage with officers to whom they are more closely related.

CONCLUSIONS

This research demonstrates that family status significantly affects the identification and legal follow-up of gratuity cases in Indonesia. Ambiguities in the legal definition of "family" and inconsistencies in law enforcement lead to unequal application of the law and erode public trust. Social media is a critical detection tool, yet it lacks proper legal anchoring for actionable outcomes. The findings directly address the study's objective of understanding the factors influencing the

handling of corruption cases involving public officials, revealing through specific case analyses how family status and social media exposure intersect to shape legal outcomes (Ferrara, 2015; Iamnitchi et al., 2023).

The findings directly address the study's objective of understanding the factors influencing the handling of corruption cases involving public officials. By analyzing specific cases, the research revealed how family status and social media exposure intersect to shape legal outcomes. These findings contribute to a broader theoretical understanding of corruption, law enforcement, and the role of social media in democratic societies. This study supports the argument that legal frameworks must adapt to the evolving dynamics of social media and address the potential for bias in discretionary enforcement (Singh, 2024). The observed lack of established evidentiary standards for information on social media is a troubling aspect that warrants further scholarly investigation (Kadam & Patidar, 2020).

The insights from this study yield several practical implications and actionable recommendations for strengthening anti-gratification efforts in Indonesia. First, legal reform is essential, and there is an urgent need to clarify the definition of "family" within anti-corruption laws. This clarification is crucial to prevent legal loopholes that hinder prosecution and to ensure consistent application of the law, thereby promoting fairness and predictability in the legal process. Second, developing Standard Operating Procedures (SOPs) for social media evidence is necessary because law enforcement agencies require clear guidelines for handling allegations of corruption that surface on social media. These SOPs must be carefully designed to balance the imperative for transparency and accountability with the robust protection of individual due process rights and the prevention of trials by media. Finally, enhanced public awareness and ethical promotion should be prioritized through intensified efforts to inform the public about corruption risks, particularly gratification, and to promote established reporting mechanisms. At the same time, fostering ethical behavior and transparency in public service through continuous training and advocacy is paramount.

LIMITATION & FURTHER RESEARCH

This study has several limitations that offer avenues for future research. First, its reliance on publicly available information and a limited number of high-profile case studies means that the findings may not be generalizable to all corruption cases in Indonesia, particularly those that do not receive significant media or social media exposure. While providing rich contextual insights, the qualitative approach does not offer the breadth of quantitative analysis. Additionally, the study does not delve into the psychological motivations of the individuals, nor does it explore the broader socio-economic factors that contribute to corruption. The absence of a jurisdictional comparison also limits the ability to identify broader patterns and best practices from other legal systems.

To address these limitations and further advance the understanding of this area, the following directions for future research are recommended. First, quantitative studies on enforcement disparities could be conducted to statistically assess the prevalence of inconsistencies in law enforcement related to family status and the impact of social media exposure on legal outcomes, while controlling for other relevant variables. Second, in-depth qualitative studies involving interviews with law enforcement officials, prosecutors, legal experts, and individuals involved in or affected by corruption cases could provide nuanced insights into decision-making processes and the multifaceted factors that influence them. Third, comparative legal and cultural analysis is needed to explore how other countries, particularly those with similar sociocultural contexts or corruption challenges, address issues of family influence and social media in law enforcement. This should include a deeper analysis of how cultural values and norms within Indonesia, such as filial piety, shape the interpretation and application of family definitions in legal

contexts, potentially through ethnographic studies and surveys. Fourth, research into the impact of social media algorithms and digital forensics is crucial to investigate how algorithms may amplify or suppress information related to corruption cases. Further exploration into digital forensic methodologies for collecting and validating social media evidence in a legally sound manner is also pertinent. To ensure the relevance and rigor of future research, it is recommended that at least 75% of the references be drawn from scientific articles in scientific journals published within the past 10 years. Researchers should also avoid excessive self-citations and ensure that all citations are mentioned in the text and included in the reference list.

REFERENCES

- Arsad, R. (2023). Obstacles and challenges in law enforcement against corruption in public services. *Russian Law Journal*, 11(3), 3331.
- Brilliana, R. (2022). *Strategi penegakan hukum terhadap tindak pidana gratifikasi di era digital*. Jakarta: Penerbit Hukum Indonesia.
- Brody, R. G. (2023). The ethics of public officials and their families: Accountability in government. *Public Integrity*, 25(1), 17–31. <https://doi.org/10.1080/10999922.2022.2123289>
- Craig, R. (2021). *Social media and the law: The risks and responsibilities*. New York: Oxford University Press.
- Cox, D., Feree, M. M., & Ritchie, M. (2019). Selective enforcement and the rule of law. *Journal of Legal Studies*, 48(2), 237–264. <https://doi.org/10.1086/703221>
- Davids, C. (2006). Conflicts of interest and ethical challenges in policing. *Criminal Justice Ethics*, 25(1), 28–40.
- Fauziah, R., & Apriani, R. (2021). Pendekatan yuridis normatif dalam kajian hukum: Konsep dan aplikasi. *Jurnal Hukum dan Pembangunan*, 51(2), 215–232. <https://doi.org/10.21143/jhp.vol51.no2.2707>
- Ferrara, E. (2015). Manipulation and abuse on social media. *ACM SIGWEB Newsletter*, Spring, 1–9. <https://doi.org/10.1145/2818710.2818713>
- Haim, M., Nanes, S., & Davidson, R. (2021). Kinship and law enforcement: When family ties influence justice. *Journal of Law and Society*, 48(3), 367–387. <https://doi.org/10.1111/jols.12300>
- Iamnitshi, A., Fay, D., & Das, S. (2023). The social media sixth estate: Civic engagement and corruption exposure. *Information, Communication & Society*, 26(1), 56–75. <https://doi.org/10.1080/1369118X.2022.2040251>
- Irawan, D., & Yanto, R. (2024). Budaya dan gratifikasi di Indonesia: Antara norma sosial dan hukum. *Jurnal Sosiohumaniora*, 26(1), 33–45.
- Kadam, R., & Patidar, A. (2020). Legal challenges of social media evidence in criminal trials. *International Journal of Law and Legal Jurisprudence Studies*, 7(3), 112–124.
- Kholiq, A., Wulandari, R., & Patittingi, F. (2015). Pendekatan statute dan konseptual dalam penelitian hukum. *Jurnal Ilmu Hukum*, 10(2), 99–113.
- Lersch, K. M., & Mieczkowski, T. (1996). Who is the police officer? Complaints against officers. *Journal of Criminal Justice*, 24(6), 477–487. [https://doi.org/10.1016/S0047-2352\(96\)00047-2](https://doi.org/10.1016/S0047-2352(96)00047-2)
- Lupton, D. (2014). *Digital sociology*. Routledge.
- Machmuda, M., Fatimah, J. M., Sultan, M. I., & Farid, M. (2024). Social media as communication tools for anti-corruption campaign in Indonesia. *International Journal of Data and Network Science*, 8(3), 357–368. <https://doi.org/10.5267/j.ijdns.2023.9.018>
- Muğurtay, M., Siregar, R., & Prasetyo, B. (2024). Media sosial dan keadilan hukum di Indonesia: Studi kasus gratifikasi pejabat publik. *Jurnal Komunikasi dan Media*, 9(1), 14–29.

- Patittingi, F., Fauziah, R., & Apriani, R. (2021). *Kajian yuridis gratifikasi dalam perspektif hukum Indonesia*. Makassar: Universitas Hasanuddin Press.
- Prosecutorial misconduct. (2015). In B. A. Garner (Ed.), *Black's law dictionary* (10th ed.). Thomson Reuters.
- Purwaningsih, T., & Widodo, B. E. C. (2020). The interplay between incumbency, political dynasty, and corruption in Indonesia: Are political dynasties the cause of corruption? *Revista UNISCI/UNISCI Journal*, 53(May), 157. <http://dx.doi.org/10.31439/UNISCI-89>
- Renaldo, M., Yusuf, T., & Handayani, F. (2023). Diskursus gratifikasi dan media sosial: Analisis sosio-hukum. *Jurnal Penegakan Hukum*, 5(2), 65–82.
- Rifai, A. (2021). Masalah definisi “keluarga” dalam hukum gratifikasi di Indonesia. *Jurnal Legislasi Indonesia*, 18(3), 233–248.
- Rompegading, A. (2022). *Kepastian hukum dalam penegakan tindak pidana korupsi*. Yogyakarta: Genta Press.
- Singh, R. (2024). Discretion in law enforcement: Between fairness and bias. *Legal Review International*, 42(2), 145–162.
- Sklansky, D. A. (2008). *Democracy and the police*. Stanford University Press.
- Spence, M. (2020). The sixth estate: Social media and new power structures in the digital age. *Journal of Political Studies*, 78(4), 322–340.
- Syarif, L. M., & Faisal, A. (2019). Addressing the root of political corruption in Indonesia. *Jurnal Antikorupsi INTEGRITAS*, 5(2), 191–198. <https://doi.org/10.32697/integritas.v5i2.487>
- Windiarti, L. (2024). Budaya gratifikasi dan tantangan penegakan hukum. *Jurnal Anti-Korupsi*, 12(1), 1–12.
- Wulandari, R., & Ramadi, A. (2023). Risiko tuduhan gratifikasi di media sosial: Antara partisipasi publik dan proses hukum. *Jurnal Hukum Digital*, 4(1), 55–70.
- Wulandari, R., & Waluyo, B. (2020). Metode penelitian hukum normatif: Pendekatan statuta dan konseptual. *Jurnal Hukum & Pembangunan*, 50(3), 431–446.