



COMBATING DISASTER FUND CORRUPTION THROUGH A HUMAN RIGHTS-BASED LEGAL DEVELOPMENT FRAMEWORK IN INDONESIA

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Abstract

Corruption in disaster funds poses a distinctive challenge to law and development because it diverts public resources intended to protect communities whose social and economic conditions have already been weakened by disasters. This article examines the relationship between legal development, anti-corruption policy, disaster governance, and human rights protection in Indonesia. Using normative juridical research with statutory, conceptual, and comparative-policy approaches, the study analyzes the 1945 Constitution, Law Number 24 of 2007 on Disaster Management, the anti-corruption legal framework, disaster financing regulations, and relevant legal scholarship. The study finds that a state-loss-centered approach is insufficient to capture the broader developmental consequences of corruption in disaster governance. Misappropriation, abuse of authority, procurement manipulation, and diversion of emergency resources may weaken institutional capacity, delay recovery, deepen vulnerability, and impair the enjoyment of social and economic rights. The article proposes a human-rights-based legal development model comprising five pillars: victim-centered accountability, transparent emergency financing, risk-based prevention, integrated institutional supervision, and recovery-oriented remedies. This model complements criminal liability by linking anti-corruption enforcement with constitutional commitments to welfare, social justice, accountable governance, and resilient development.

Keywords: Corruption; Disaster Governance; Human Rights; Legal Development; Indonesia.

INTRODUCTION

Law and development places law not merely as a set of prohibitions and sanctions, but as an institutional framework that shapes the direction, quality, and distribution of development. In the Indonesian constitutional setting, development is inseparable from the obligation of the state to protect the whole nation, advance general welfare, educate the life of the nation, and realize social justice (Indra et al., 2026). The quality of law therefore cannot be measured solely by the existence of legislation. It must also be assessed from the capacity of legal institutions to transform public resources into protection, welfare, and equal access to state services.

Disaster governance provides a critical arena for testing that proposition. Law Number 24 of 2007 places disaster management as a responsibility of government and regional government and requires it to be implemented in a planned, integrated, coordinated, and comprehensive manner (Azhar, 2026). The statutory framework covers pre-disaster, emergency response, and post-disaster phases. During emergency response, the legal system also recognizes special financing mechanisms because ordinary administrative procedures may be too slow for urgent humanitarian needs (Tennakoon et al., 2023). This flexibility is indispensable, but it simultaneously increases governance risks when accelerated expenditure, procurement, distribution, and discretion are not accompanied by proportional safeguards.

The development problem becomes more serious when corruption enters the disaster-management chain. Anti-corruption legislation was formed, among other reasons, because corruption harms state finances or the state economy and obstructs national development. The amendment to the anti-corruption regime also emphasizes the broad social and economic harm caused by corruption. In the disaster context, these consequences become

concrete: funds that should finance food, shelter, health services, logistics, reconstruction, livelihood recovery, and public infrastructure may fail to reach their intended beneficiaries.

Accordingly, corruption in disaster funds cannot be understood only as an offense against state finance. It is also a disruption of the state's development function. A nominal amount of financial loss does not automatically represent the full legal and social injury (Zafar et al., 2023). The same amount diverted during a normal administrative program and during an emergency can produce different consequences because disaster victims face time-sensitive needs, limited alternatives, damaged infrastructure, displacement, and weakened access to public services (Cedergren & Hassel, 2024).

Recent legal scholarship on disaster management has increasingly connected disaster response with human rights standards. Studies of post-disaster governance in Indonesia show that implementation of rights-based standards remains an important concern, particularly regarding access to basic needs, accountability, participation, and recovery. This perspective is relevant to anti-corruption law because the protection of public money in a disaster is inseparable from the protection of the people for whom that money is allocated (Hambali et al., 2024).

The central legal issue of this article is therefore the fragmentation between three legal agendas: development law, anti-corruption law, and disaster law. Each has its own institutions, terminology, and enforcement mechanisms. Development policy emphasizes welfare and institutional capacity; anti-corruption law emphasizes legality, accountability, and criminal responsibility; disaster law emphasizes speed, coordination, emergency response, and recovery. When these agendas operate separately, legal enforcement may punish offenders without fully repairing developmental harm, while emergency governance may prioritize speed without adequately anticipating corruption risk.

This article formulates two research questions. First, how should corruption of disaster funds be positioned within the framework of law and development and human rights protection in Indonesia? Second, what model of legal development can integrate anti-corruption accountability, emergency governance, and victim recovery without undermining the speed required in disaster response? The article aims to construct an integrated normative framework capable of answering both questions.

The novelty of this study lies in shifting the unit of analysis from corruption as a state-finance violation to corruption as a disruption of a legally protected development process. The proposed framework connects criminal accountability with institutional resilience and victim-oriented recovery. In this formulation, the success of law is not exhausted by conviction, imprisonment, or asset recovery. It also requires restoration of public functions, continuity of essential services, and prevention of secondary impoverishment among disaster-affected communities.

LITERATURE REVIEW

A. Law and Development as an Institutional Framework

The law-and-development tradition examines how legal norms and institutions influence economic transformation, social welfare, public administration, and distribution (Meitasari et al., 2025). In contemporary usage, the relationship is reciprocal: development creates new regulatory needs, while law determines whether development is inclusive, accountable, and sustainable. A legal system that formally authorizes public programs but cannot control abuse of power may produce development outputs that are unequal or fragile (Rahayu et al., 2025).

In Indonesia, the idea of law as an instrument of development has long been associated with the proposition that legal order must facilitate social change while maintaining stability and justice (Wijatmoko et al., 2023). In a constitutional democracy, however, law cannot be reduced to an engineering instrument of the state. Development must remain bounded by legality, rights, participation, accountability, and judicial control. The more urgent a policy objective becomes, the more important it is to design safeguards that prevent urgency from becoming a justification for arbitrary action (Mahmuda, 2024).

Disaster policy illustrates this tension. Emergency administration requires discretion, simplified procedures, rapid procurement, flexible logistics, and cross-institutional coordination. Yet these same characteristics can weaken ordinary controls. Law and development therefore requires a calibrated design: procedures must be fast enough to save lives and restore communities, but sufficiently transparent to prevent capture, favoritism, fictitious procurement, mark-ups, diversion, and conflicts of interest.

B. Corruption as a Developmental Harm

The Indonesian anti-corruption framework explicitly links corruption with obstruction of national development. This connection has analytical consequences. Corruption is not only an unlawful transfer of value; it can distort public priorities, increase transaction costs, reduce service quality, undermine trust, and weaken the legitimacy of institutions (Utari et al., 2026). These effects are especially severe where public expenditure concerns essential services. In disaster management, developmental harm may be immediate and cumulative. Immediate harm includes shortages of logistics, poor-quality shelters, delayed medical services, or unfinished emergency infrastructure (Sajow et al., 2020). Cumulative harm appears when disrupted recovery causes loss of employment, school interruption, indebtedness, deterioration of health, migration, and prolonged dependence on assistance. A rights-based analysis makes these consequences legally relevant rather than treating them as merely sociological side effects.

The concept of vulnerability is crucial. Disaster does not affect all groups equally. Children, older persons, persons with disabilities, low-income households, remote communities, and people who lose identity documents or livelihoods may face higher barriers to assistance. Corruption that reduces the quantity or quality of public support can magnify pre-existing inequalities. From a development perspective, this means corruption may reproduce poverty and social exclusion.

C. Human Rights in Disaster Governance

Human rights provide a normative bridge between disaster law and development law. Constitutional guarantees concerning life, dignity, health, social security, property, equal treatment, and a good and healthy environment establish standards for public policy (Afkar et al., 2025). Disaster management is therefore not charity delivered at the discretion of government; it is part of the state's legal responsibility to protect people against foreseeable and actual threats.

A human-rights-based approach requires availability, accessibility, non-discrimination, participation, transparency, and accountability (Patterson, 2024). In practical disaster governance, these principles influence beneficiary data, distribution channels, complaint mechanisms, procurement disclosure, temporary housing, health services, and reconstruction priorities. They also require special attention to groups whose access to decision-making is weak. Research concerning the implementation of human rights standards after major Indonesian disasters indicates that the gap between legal commitment and implementation remains significant. This gap supports the need to evaluate anti-corruption measures not only through enforcement statistics but also through their contribution to effective rights protection and recovery.

METHOD

This research is normative juridical research (Masnun & Prasetyo, 2025). Law is examined as a system of norms, principles, institutions, and legal policies that regulate disaster management, public finance, anti-corruption accountability, and human rights protection. The study does not claim to measure the prevalence of corruption empirically; rather, it constructs a legal-development framework for assessing its consequences and for designing regulatory responses.

Three approaches are used. First, the statutory approach examines the 1945 Constitution, Law Number 24 of 2007 on Disaster Management, Law Number 31 of 1999 as amended by Law Number 20 of 2001 on Eradication of Corruption, relevant rules on disaster financing and institutional governance, and related implementing regulations. Second, the conceptual approach analyzes law and development, accountability, vulnerability, human rights, good governance, and victim-oriented recovery. Third, a policy-comparative approach draws general lessons from international standards and scholarly discussions on disaster accountability without transplanting foreign rules mechanically into the Indonesian legal system.

Legal materials are analyzed qualitatively through interpretation, systematization, and prescriptive legal reasoning (Wulandari, 2026). Primary legal materials are placed at the center of the analysis, while books, peer-reviewed articles, and institutional materials are used to explain concepts and policy implications. The analysis proceeds from identification of normative objectives, mapping of regulatory risks, examination of institutional gaps, and formulation of a model for integrated legal development.

RESULTS AND DISCUSSION

A. Disaster Funds within the Architecture of National Development

Disaster expenditure should be understood as development expenditure because it protects human capital, public infrastructure, productive capacity, and social stability (Abbas Khan et al., 2019). Emergency logistics preserve life and health; temporary housing prevents further vulnerability; reconstruction restores mobility and economic activity; livelihood assistance enables households to regain independence. The legal governance of disaster funds is therefore directly connected to the quality of national and regional development.

Law Number 24 of 2007 recognizes a comprehensive disaster-management cycle. This is important because corruption risk is not confined to the emergency phase. In the pre-disaster phase, risk may arise in mitigation projects, spatial planning, early-warning procurement, and preparedness budgets (Wardhono et al., 2023). During emergency response, risk may occur in rapid procurement, logistics, cash assistance, beneficiary data, transport, and temporary facilities. In the post-disaster phase, large reconstruction budgets create risks involving public works, housing, land, compensation, and procurement.

A development-oriented legal framework must consequently follow money and authority across the entire disaster cycle. Fragmented supervision that focuses only on emergency expenditure can miss earlier decisions that created vulnerability or later decisions that determine the fairness of recovery. This lifecycle perspective is consistent with prevention: the objective is not merely to detect corruption after funds disappear, but to design institutions that make misuse more difficult and more visible.

Special emergency financing mechanisms are legally rational because delay can cost lives. The problem is not flexibility itself. The problem arises when flexibility is not matched by traceability (Lyu et al., 2026). Every relaxation of an ordinary procedure should therefore be accompanied by an alternative control appropriate to emergency conditions: clear authorization, documented justification, minimum disclosure, auditable transaction records, conflict-of-interest declarations, and post-emergency review.

The developmental value of disaster funds also changes the meaning of efficiency. The cheapest procurement is not necessarily efficient if goods arrive late, are unusable, or cannot reach isolated communities. Conversely, higher emergency prices are not automatically corrupt when scarcity and transport costs are objectively documented. Legal control must distinguish legitimate emergency adaptation from manipulative use of emergency conditions.

B. The Legal Character of Corruption in Disaster Governance

Corruption in disaster governance may involve multiple legal patterns: unlawful enrichment, abuse of authority, bribery, gratification, procurement collusion, fictitious expenditure, manipulation of beneficiary lists, diversion of goods, or falsification of accountability documents (Adhi et al., 2025). The exact criminal qualification depends on the elements of the applicable offense and the evidence in each case. A law-and-development analysis should not dilute those elements; instead, it adds a second layer by examining the public consequences of the conduct.

The anti-corruption legal framework historically emphasizes protection of state finance and the state economy, but its legislative rationale also recognizes wider social and economic harm. This broader rationale is particularly relevant to disaster funds. A stolen unit of emergency medicine or a manipulated shelter contract may create harm that cannot be captured by bookkeeping alone. The loss of public value includes the service that should have been delivered.

This distinction supports the concept of functional loss. Financial loss asks how much public money was unlawfully lost. Functional loss asks what public function failed because of the corruption. In disaster governance, functional loss may be measured qualitatively through delayed distribution, reduced coverage, unsafe construction, interrupted health services, or exclusion of eligible beneficiaries. Functional loss should not replace statutory concepts of state financial loss where those concepts are elements of an offense; it should inform policy, sentencing considerations where legally permissible, institutional evaluation, and recovery planning.

A further issue is abuse of discretion. Emergency officials frequently operate under uncertainty and time pressure. Over-criminalization of good-faith decisions can make officials excessively risk-averse and slow down response. For that reason, anti-corruption policy must separate reasonable emergency discretion from corrupt intent, conflict of interest, personal benefit, collusion, fabrication, or deliberate circumvention of controls (Pietrancosta, 2019). Clear safe-operating standards protect both public money and honest officials.

Legal certainty is therefore essential. Emergency rules should specify who may authorize exceptional spending, the period during which exceptional procedures apply, the documentation that may be simplified, the records that remain mandatory, and the point at which ordinary procedures resume. Ambiguity creates two opposite risks: impunity for manipulation and fear among officials who must act quickly.

C. Corruption, Vulnerability, and the Impoverishment of Disaster Victims

The most important contribution of a human-rights perspective is to place the victim at the center of the analysis (Holder & Dearing, 2024). Disaster victims may lose housing, income, productive assets, family support, access to education, and access to health services at the same time. Public assistance is intended to prevent these losses from becoming permanent poverty. When corruption reduces or delays assistance, it can transform temporary vulnerability into structural deprivation.

This process can be described as secondary impoverishment. The disaster creates the initial shock, while governance failure deepens its effects. A household that does not receive timely shelter support may spend savings on rent; a farmer whose recovery assistance is diverted may borrow at high cost; a family excluded from beneficiary data may sell productive assets; delayed reconstruction may prolong unemployment. These consequences illustrate why corruption of disaster resources is a development issue (Lee et al., 2022).

Secondary impoverishment should be distinguished from a new criminal offense unless legislation expressly creates one. As an analytical concept, it helps lawmakers, courts, auditors, and disaster agencies understand the consequences of corruption beyond nominal financial loss. It can also guide impact assessment and victim recovery. The concept avoids expanding criminal liability by analogy while still recognizing the seriousness of rights-related harm.

Human rights also require attention to equality. Corruption can alter who receives assistance, not merely how much assistance exists. Favoritism, political patronage, informal fees, or manipulation of lists can exclude groups that lack influence. Such practices undermine equal access to public services and can reproduce social hierarchy during reconstruction (Tymoshenko et al., 2022).

The relationship between corruption and rights does not mean every administrative error is a human rights violation or every delay is corruption. Legal analysis must preserve causation, attribution, and evidentiary standards. The value of the rights framework lies in identifying legally important interests and designing preventive duties, not in collapsing different forms of wrongdoing into one category.

D. Institutional Fragmentation and Accountability Gaps

Disaster governance involves national and regional governments, disaster-management agencies, financial authorities, procurement institutions, line ministries, law-enforcement bodies, auditors, local communities, and private suppliers. This plurality is unavoidable, but it creates accountability gaps when responsibility is dispersed (Potutan et al., 2021). One institution may control the budget, another procurement, another distribution, and another beneficiary verification. Fragmentation can be reduced through an accountability map that identifies decision makers, fund flows, procurement actors, logistics custodians, distribution points, and complaint channels. Such a map should be prepared before disasters where possible and activated during emergencies. The objective is to ensure that exceptional speed does not produce institutional anonymity.

Digital systems can strengthen traceability, but technology is not a substitute for legal design. A digital dashboard is useful only when data are timely, standardized, verifiable, and accessible to institutions and the public at appropriate levels (Khan, 2022). Poor data can digitize confusion. The legal framework must define responsibility for data entry, correction, interoperability, retention, and public disclosure. Community participation is another control mechanism. Beneficiaries often know whether goods arrived, whether quantities match announcements, and whether projects were completed. Accessible complaint systems, public beneficiary criteria, and local monitoring can produce information that formal audits may miss. Protection against retaliation is necessary so that reporting does not create new vulnerability.

External oversight must also be sequenced intelligently. Real-time oversight should focus on high-risk indicators without obstructing urgent action. More detailed audits can follow when the immediate emergency has passed. This two-stage model reconciles speed with accountability: minimum controls during the crisis and comprehensive review afterward.

E. Reorienting Anti-Corruption Enforcement toward Development Outcomes

Conventional anti-corruption enforcement tends to culminate in investigation, prosecution, conviction, punishment, and asset recovery (Jubaer, 2025). These functions remain essential, but disaster corruption requires an additional question: has the public function been restored? If a corrupt shelter contract is cancelled, victims still need shelter. If stolen funds are recovered years later, communities may already have suffered irreversible losses.

A development-oriented enforcement model should therefore trigger administrative recovery alongside criminal proceedings. Agencies should have contingency mechanisms to replace failed suppliers, reallocate emergency resources, correct beneficiary lists, and continue essential services without waiting for final criminal judgments. This approach respects the presumption of innocence because service restoration is based on administrative risk management, not on declaring an individual guilty.

Asset recovery also acquires a developmental dimension. Recovered assets generally return to the state according to applicable financial rules. Policymakers may nevertheless design lawful mechanisms ensuring that the restoration of affected public programs is considered in budgeting and recovery planning. The aim is not to create informal earmarking contrary to public finance law, but to prevent successful prosecution from coexisting with abandoned victims (Christian et al., 2025).

Performance indicators should be expanded. Success cannot be measured only by the number of cases or value of recovered assets. Relevant indicators include continuity of essential services, speed of corrective procurement, proportion of complaints resolved, transparency of emergency spending, recovery of excluded beneficiaries, and completion quality of reconstruction projects.

This broader measurement aligns anti-corruption policy with the constitutional purposes of government. Criminal law protects legal interests, but development policy determines whether those interests are translated into real public capacity. The two should be mutually reinforcing.

F. Human-Rights-Based Legal Development Model

The human-rights-based legal development model proposed in this study is designed to strengthen the relationship between anti-corruption enforcement, disaster governance, and the protection of disaster-affected populations (Sommario et al., 2020). The model does not seek to replace criminal accountability but to broaden the legal response by incorporating the effects of corruption on victims, public services, institutional capacity, and post-disaster recovery. The model is founded on five interconnected principles: victim-centered accountability, transparent emergency financing, risk-based prevention, integrated institutional supervision, and recovery-oriented remedies.

Victim-centered accountability requires accountability in disaster-related corruption cases to extend beyond identifying perpetrators and calculating state financial losses to assessing the population, public services, and rights affected by the misuse of disaster resources. Impact mapping should therefore accompany major investigations involving disaster funds (Irvin-Erickson & Ricks, 2019). Such mapping may identify the categories of affected beneficiaries, disrupted services, geographical areas affected, duration of disruption, and consequences for access to essential assistance. Importantly, impact mapping should not determine criminal guilt. Its primary function is to support administrative recovery, institutional evaluation, policy correction, and the formulation of appropriate remedies for affected communities.

Transparent emergency financing requires the exceptional administrative flexibility necessary during disasters to remain subject to traceability and accountability (Jayasinghe et al., 2020). Emergency expenditure should operate through a documented chain of authorization, procurement, payment, delivery, and verification. Minimum accountability datasets should include the legal basis of expenditure, responsible institution or unit, supplier or recipient category, financial value, purpose, geographical location, delivery status, and justification for exceptional procedures. Transparency should remain compatible with legitimate restrictions concerning personal data, security, and sensitive operational information. The objective is to establish sufficient transparency to facilitate oversight without undermining the effectiveness of emergency response.

Risk-based prevention requires anti-corruption controls to be proportionate to the level and nature of identified risks rather than applied uniformly to every transaction (Nouira, 2026). Enhanced review may be warranted where emergency procurement involves high financial values, single-source contracting, repeated reliance on the same suppliers, substantial price deviations, unusual changes in beneficiary data, or excessive concentration of decision-making authority. These indicators should function as preventive mechanisms that trigger additional scrutiny, verification, or audit. They should not automatically be interpreted as evidence of corruption or criminal wrongdoing. A risk-based approach enables institutions to intervene at an earlier stage, before vulnerabilities in emergency financing develop into actual losses or violations of beneficiaries' rights.

Integrated institutional supervision recognizes that disaster governance involves multiple institutions with different legal mandates. Disaster management agencies, procurement authorities, internal supervisory bodies, external auditors, and law-enforcement institutions should therefore operate within an integrated accountability architecture (Potutan et al., 2021). Such an architecture should establish clear protocols concerning referral

thresholds, data exchange, emergency consultation, evidence preservation, and the division between administrative correction and criminal investigation. This distinction is particularly important because not every irregularity in emergency administration constitutes a criminal offence. Administrative errors may require immediate correction, whereas indications of intentional misconduct may warrant referral to law-enforcement authorities. Institutional integration can consequently reduce fragmented supervision while ensuring that serious corruption risks receive an appropriate legal response.

Recovery-oriented remedies require anti-corruption enforcement to contribute directly to restoring the rights and essential services disrupted by corrupt practices. Where the misuse of disaster resources interrupts assistance or compromises the quality of recovery programs, legal remedies should extend beyond prosecution and punishment. Depending on the circumstances, corrective measures may include re-procurement, replacement of inadequate assistance, correction of beneficiary status, repair of defective reconstruction, complaint resolution, and restoration of public budgets through lawful mechanisms. Access to essential support should not depend on the completion of criminal proceedings. Criminal accountability and victim recovery should therefore operate through complementary mechanisms, allowing the state to pursue perpetrators while simultaneously restoring the material and institutional conditions necessary for affected communities to recover (Prasetyo et al., 2024).

Taken together, these principles reposition anti-corruption law within a broader framework of human-rights-based disaster governance. The consequences of corruption cannot be adequately measured solely by the amount of state financial loss. In disaster contexts, the diversion or misuse of public resources may reduce access to essential services, increase vulnerability, delay recovery, and undermine the ability of affected populations to enjoy constitutionally and legally protected rights. Legal development should therefore integrate accountability, transparency, prevention, institutional coordination, and recovery into a coherent governance framework. Such an approach preserves the importance of criminal liability while ensuring that anti-corruption enforcement also contributes to social justice, human dignity, accountable government, and resilient development.

G. Integrating Anti-Corruption Law, Disaster Governance, and Human Rights in a Law and Development Framework

The relationship between anti-corruption law and disaster governance should be understood within a broader law and development framework in which the protection of public resources is inseparable from the protection of the rights and welfare of disaster-affected communities (Wardhani et al., n.d.). Disaster governance requires rapid administrative action, flexible procurement, substantial public expenditure, and coordination across multiple levels of government. These conditions create legitimate grounds for exceptional procedures but simultaneously increase opportunities for abuse of authority, procurement manipulation, beneficiary-data distortion, and diversion of public resources. The central legal challenge is therefore not to eliminate administrative flexibility but to ensure that such flexibility remains traceable, reviewable, proportionate, and directed toward public welfare and social justice.

Emergency procurement represents a particularly sensitive area. Disasters disrupt markets, transportation, supply chains, and information flows, making ordinary price comparisons difficult. A sound regulatory framework should nevertheless maintain minimum safeguards, including identifiable decision makers, written justification for exceptional procurement methods, basic supplier due diligence, evidence of delivery, and post-award disclosure within a reasonable period (Shareef et al., 2022). Price reasonableness should be assessed contextually by considering scarcity, transportation disruption, geographical remoteness, and urgency. These conditions may legitimately increase costs, but emergency circumstances should not become a blanket justification for unexplained price inflation. The appropriate legal approach is therefore contextual review supported by reliable documentation and available market evidence.

Beneficiary data require similar protection because they determine access to food, cash assistance, shelter, health services, housing, and livelihood recovery. Duplicate identities, outdated records, exclusion errors, and discretionary additions may generate both corruption risks and violations of equality and accessibility. Regulations should allow rapid correction while preserving an audit trail showing who changed the information, when, and on what basis. Cash assistance may reduce logistical complexity but creates risks involving identity verification, payment channels, account ownership, fraud, and digital exclusion. In remote or low-connectivity areas, reliance on a single digital mechanism may itself create unequal access. Integrity controls must therefore be combined with accessibility safeguards to ensure that anti-corruption measures do not exclude vulnerable communities.

Emergency procedures should also have clear temporal boundaries. Exceptional procurement and financing mechanisms should expire automatically or require formal extension supported by reasons and

appropriate oversight. Post-emergency review is essential to determine whether exceptional procedures were justified, resources reached intended beneficiaries, expenditures were reasonable, and regulatory weaknesses require correction. Without such review, temporary emergency exceptions may become normalized and gradually weaken ordinary procurement and financial-control systems.

These challenges are particularly significant in Indonesia's decentralized governance structure. Disaster impacts are experienced locally, while fiscal resources, technical expertise, and strategic capacities are distributed unevenly between national and subnational institutions. Central intervention may provide essential financial and technical resources, whereas local governments possess contextual knowledge and direct access to affected communities (Putra & Matsuyuki, 2019). Accountability should therefore correspond to the actual distribution of functions. Local authorities should not be held responsible for decisions substantively controlled by central institutions, while central institutions should avoid reporting requirements that are impracticable under emergency conditions. Standardized but proportionate reporting and shared data standards can strengthen national-regional coordination without imposing excessive administrative burdens. Local participation is also essential in reconstruction because decisions concerning relocation, housing, infrastructure, and livelihoods have long-term effects on affected communities.

Corruption prevention must extend beyond financial controls to organizational integrity. Disaster agencies require integrity systems adapted to emergency conditions, including scenario-based training concerning conflicts of interest, gifts, supplier communications, documentation, beneficiary data, whistleblowing, and escalation of potentially unlawful instructions (Mahendra et al., 2026). The objective is not to discourage legitimate emergency discretion but to establish clearer boundaries for lawful decision making. Risk-based staffing, segregation of sensitive functions, dual authorization, and independent review can reduce excessive concentration of authority while preserving operational speed. Supplier integrity can be strengthened through framework agreements and pre-qualified supplier pools, provided that these mechanisms remain transparent, competitive, and periodically reviewed. Contractual provisions should facilitate audit access, delivery verification, sanctions, and termination for fraud or serious non-performance.

Public participation constitutes another preventive mechanism. Communities should receive accessible information regarding available assistance, eligibility requirements, distribution schedules, project locations, and complaint mechanisms. Transparency should therefore be understood not merely as financial disclosure but as a means of enabling communities to understand and monitor their entitlements. Complaint mechanisms should record receipt, response time, corrective action, and unresolved cases. Aggregated complaints can provide early warning of systemic governance problems and enable administrative correction before failures become more serious.

The functions of courts, auditors, administrative institutions, and law-enforcement bodies should remain clearly differentiated. Courts determine criminal responsibility according to law and evidence, while auditors identify control weaknesses, assess compliance, and recommend institutional correction. Emergency conditions should be considered in auditing so that legitimate deviations are not automatically treated as corruption, but emergency status should never exempt transactions from scrutiny. Law-enforcement institutions should focus on corruption-risk intelligence, legal guidance, and investigation where sufficient indications exist, rather than becoming procurement decision makers. Administrative agencies must retain responsibility for service continuity. When a transaction is investigated, authorities should still ensure replacement procurement, alternative distribution, or other measures necessary to maintain essential services.

A human-rights-based evaluation framework can connect financial integrity with development outcomes. Evaluation should consider the availability and accessibility of essential goods and services, as well as their quality and safety (Schäfer et al., 2020). A formally completed project cannot be regarded as a successful development outcome if it is unsafe, unusable, or fails to meet community needs. Participation, access to information, and effective complaint mechanisms should also be measured. These indicators are governance instruments rather than automatic evidence of criminal liability. Their function is to identify risks, evaluate institutional performance, and ensure that financial accountability remains connected to the purposes for which public resources were allocated.

The need for such an integrated framework is particularly evident during reconstruction. Reconstruction decisions concerning roads, schools, health facilities, housing, land, and livelihoods may shape community development for decades. Corruption at this stage can therefore transform immediate financial misconduct into long-term developmental harm. Build-back-better principles should incorporate integrity, resilience, quality assurance, and inclusive planning. Land and relocation processes require transparent verification, accessible objection mechanisms, and legal assistance because disaster may destroy documentation and weaken the

bargaining position of affected households. Long-term monitoring, warranty enforcement, maintenance responsibilities, and public reporting should continue after formal project completion.

The relationship between anti-corruption law and disaster law should consequently be complementary rather than hierarchical. Disaster law establishes duties to respond rapidly and protect affected populations, while anti-corruption law establishes boundaries against abuse of public authority and resources (Daraz et al., 2026). Their integration does not require the creation of a new omnibus criminal offence. Instead, implementing regulations and institutional protocols can establish procurement safeguards, data standards, risk controls, service-restoration duties, and inter-agency coordination. Criminal provisions should remain governed by legality and individual culpability. A victim-centered approach likewise does not require disaster victims to participate formally in every corruption case; it requires the state to identify affected services and activate appropriate recovery mechanisms.

The principal conceptual implication is that protection of state finances and protection of human rights are complementary objectives. Disaster funds are instruments for delivering public services and fulfilling constitutional commitments to welfare and social justice. Protecting those funds therefore contributes to protecting the public functions they finance. Conversely, human-rights protection requires institutional integrity because rights cannot be effectively realized through resources that are systematically diverted or misallocated. This approach also promotes proportionality by distinguishing intentional corruption from good-faith emergency decision making based on clear authority, adequate documentation, and contextual circumstances.

From a law and development perspective, public-law integrity should therefore be understood as institutional infrastructure for sustainable development. Legal institutions enable public resources to produce their intended social outcomes, while effective accountability strengthens institutional resilience. The developmental consequences of corruption may be particularly severe when it affects populations with limited alternatives, although such vulnerability does not alter the legal elements of criminal offences. The appropriate model is consequently one of responsive legality: clear and binding rules combined with contextual implementation, risk-sensitive supervision, institutional coordination, and effective remedies. Anti-corruption enforcement should protect not only public finances but also the social functions those resources are intended to finance. In this framework, disaster law becomes more than an instrument of emergency administration; it becomes a mechanism for protecting human rights, strengthening institutional resilience, and advancing equitable and sustainable national development.

CONCLUSION

Corruption in disaster funds should be understood not merely as a violation of criminal law or public-finance regulations, but as a multidimensional governance problem with significant implications for law and development. The analysis demonstrates that corruption occurring within disaster management may generate consequences beyond measurable state financial losses by weakening institutional capacity, disrupting public services, delaying recovery, increasing vulnerability, and limiting the effective enjoyment of social and economic rights. Accordingly, a legal response focused exclusively on the identification of offenders and recovery of state losses does not fully capture the developmental and human-rights consequences of corruption in disaster governance.

The study establishes that Indonesia's existing legal framework provides a normative foundation for integrating disaster governance, anti-corruption policy, and human rights protection. However, the effectiveness of this framework depends on its implementation across the entire disaster-management cycle. A functional understanding of loss is therefore necessary as a complementary analytical perspective. Functional loss identifies the public service, protection, or recovery outcome that fails as a consequence of corruption without replacing the statutory elements of criminal offences, the principle of legality, or individual criminal responsibility. This perspective enables legal institutions to connect accountability with institutional correction and restoration of affected public functions.

The proposed human-rights-based legal development model provides an integrated framework through five mutually reinforcing dimensions: victim-centered accountability, transparent emergency financing, risk-based prevention, integrated institutional supervision, and recovery-oriented remedies. These dimensions demonstrate that emergency flexibility and legal accountability should not be treated as competing objectives. Emergency governance requires rapid decision making, but such discretion must remain documented, traceable, proportionate, and subject to subsequent review. At the same time, anti-corruption enforcement should be accompanied by mechanisms capable of restoring disrupted services and addressing the consequences experienced by disaster-affected populations.

The principal theoretical contribution of this study is to extend the law-and-development perspective by positioning institutional integrity and human-rights protection as interconnected components of disaster governance. Anti-corruption law is not only a mechanism for protecting public finances; it also protects the social functions and public services financed through those resources. From this perspective, the effectiveness of legal development should be assessed through both enforcement outcomes and developmental outcomes, including service continuity, accessibility, institutional resilience, equitable recovery, and protection against renewed vulnerability. For Indonesian legal policy, the future direction should be toward integrating corruption-risk controls, transparency requirements, shared accountability mechanisms, and rights-based recovery into disaster governance from mitigation and preparedness through emergency response and reconstruction. Such integration does not require indiscriminate expansion of criminal liability. Rather, it requires clearer administrative standards, stronger preventive controls, coordinated supervision, reliable data systems, and effective remedies for disrupted public functions. The ultimate objective of disaster-related anti-corruption policy should therefore extend beyond punishment and asset recovery toward ensuring that public resources fulfill their intended social purposes, affected communities regain meaningful access to their rights, and disaster governance contributes to resilient, equitable, and sustainable national development.

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