*Research Article*

# When Punishment Becomes Political Currency: The Penological Theater of the Tom Lembong Case

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**Abstract:** In its ideal form, punishment is conceived as a rational and proportionate response to moral wrongdoing, grounded in demonstrable harm and clear culpability. Classical penological theories emphasize the principles of retribution, deterrence, rehabilitation, and incapacitation, all of which presume the presence of intent and injury. However, in the case of Tom Lembong, punishment was imposed absent any proven crime, malicious intent, or measurable harm. Instead, it became a symbolic act, reconfigured as a performance of political theater to assert and preserve a sovereign narrative. This article advances two interrelated aims. First, it analyzes how the penalization of Tom Lembong reflects a wider pattern wherein legal institutions are repurposed to perform sovereignty and construct legitimacy through public spectacle. Second, it critiques the inadequacy of classical penological frameworks when punishment operates without moral fault or corrective intent. Using a qualitative research method and conceptual approach, this study draws upon library-based data sources, critically engaging with theoretical literature on penology, sovereignty, and post-truth politics. Data analysis was conducted descriptively, allowing conceptual mapping between legal practices and political narratives. The findings indicate that the punishment in this case functioned less as an instrument of legal redress than as political choreography. It transformed into symbolic currency designed to enforce narrative conformity and signal power consolidation. In such contexts, punishment serves not as a corrective measure but as a performative mechanism, signaling the dominance of a political order over competing interpretations of truth. This rupture in classical penological logic calls for a post-penological framework—one that accounts for punishment as a tool of narrative enforcement and symbolic governance within post-truth legal orders. Such a framework recognizes the transformation of legal acts into staged political performances, where the appearance of justice supersedes substantive fairness.

**Keywords:** Governance; Penology; Political currency; Post-truth; Punishment

## 1. Introduction

In ideal theory, the criminal justice system is designed to adjudicate moral violations through structured legal reasoning. Penal codes operate under the assumption that punishment is a direct consequence of individual culpability, determined through the intersection of unlawful conduct (*actus reus*) and subjective blameworthiness (*mens rea*). Within this framework, the legitimacy of state-imposed punishment hinges on its rational application: it must be justifiable, proportionate, and procedurally consistent. Law becomes the boundary between state power and individual liberty, and punishment is legitimized only when it is the product of impartial adjudication, detached from political expediency or emotional excess.

Penology, as a scientific discipline, rests upon the assumption that punishment serves a higher rationality. Whether approached from retributive, deterrent, or rehabilitative perspectives, punishment is assumed to fulfill social functions that go beyond vengeance or symbolic spectacle. Retributive theory holds that punishment restores moral balance, deterrence theory that it prevents future violations and rehabilitation that it reforms the deviant.[1] Across these paradigms, a shared expectation prevails: punishment is only legitimate when it addresses wrongdoing rooted in demonstrable harm and agency. Any deviation from this logic particularly when punishment is deployed without crime or criminal intent constitutes a crisis of penological coherence.

In 2025, Tom Lembong, a former Indonesian Minister of Trade, was convicted of corruption and sentenced to imprisonment for decisions made during a period of market instability. He had authorized sugar imports through non-SOE channels to address acute logistical failures. These decisions were policy-based, transparent, and arguably responsive to economic exigencies. Yet, they were retroactively framed as criminal. No personal enrichment was proven no illicit network uncovered. Nonetheless, the state deployed its full penal apparatus to impose guilt. The resulting sentence did not reflect legal proportionality it served as a performative gesture with political implications.

What makes this case troubling is not simply the weakness of evidence, but the absence of *mens rea*. The court's reasoning displaced subjective culpability with administrative irregularity. Guilt was constructed through formal deviation from ministry protocols rather than through demonstrable intent to harm. The legal process became less an inquiry into truth than a staging ground for political messaging. The use of high-profile court proceedings, amplified by state-affiliated media, transformed the trial into a symbolic event less concerned with legal coherence than with the appearance of decisive governance.[2] The courtroom ceased to function as a deliberative space and became instead a stage of moral assertion.

This transformation was not accidental. Lembong, known for his technocratic neutrality and alignment with internationalist economic rationalism, represented a model of governance increasingly at odds with rising populist and nationalist sentiment. His prosecution stood in contrast to other actors who had engaged in more dubious practices but escaped sanction. In that sense, the Lembong case was not about legality it was about symbolism. His punishment functioned as a warning to others occupying ambiguous political terrain. The state, through selective penalization, delineated acceptable boundaries of bureaucratic behavior. Discretion not aligned with regime narratives became vulnerable to criminalization.

Months after the conviction, the new administration issued a presidential abolition, citing "national interest" and "public reconciliation." But this executive act did not function as institutional correction, it served as narrative closure. The sequence from indictment to conviction to abolition reads less like an anomaly and more like dramaturgy punishment delivered to demonstrate control, followed by pardon to perform magnanimity. Far from negating the penal message, abolition completed the theater. It sealed the logic of sovereign prerogative. Legal procedure, while intact on paper, had been hollowed out in function subordinated to the symbolic needs of statecraft.

The Lembong case exposes a foundational disintegration in the relationship between punishment and justice. Legal doctrine assumes a rational sequence crime, trial, punishment but that sequence is inverted when law becomes a medium for political signaling. When *mens rea* is discarded and legal instruments are redirected to construct guilt without wrongdoing, the penal system ceases to be a corrective institution. It becomes a communicative apparatus. In such settings, the conviction is not a legal conclusion, but a message that loyalty trumps legality, and discretion unmoored from regime narrative is punishable.

This collapse of logic is especially concerning in the treatment of technocrats. The bureaucratic class is traditionally protected by norms of institutional autonomy. [3] Yet, when penal power is weaponized against policy decisions made in good faith, the legal status of technocratic governance becomes fragile. Penal signals are broadcast not just to punish, but to preempt. In this sense, Lembong's prosecution is exemplary not because it reflects legal dysfunction, but because it illustrates how punishment is retooled as a mechanism of preventive obedience. The criminal trial becomes an anticipatory warning, it punishes to prevent thought, not conduct.

This phenomenon demands urgent scholarly attention. If punishment can be imposed without crime, and if courts can be used to dramatize state authority rather than resolve disputes, then the normative foundation of criminal law is in crisis. The case invites a fundamental reconsideration of what punishment is for and whom it serves. The emergence of penal performance as political currency marks a shift from legal rationality to aesthetic governance. Without theoretical tools to decode this transformation, legal scholars risk mistaking symbolic violence for institutional robustness.

This article pursues two interrelated aims. First, to analyze how the punishment of Tom Lembong reflects a broader trend in which legal institutions are repurposed to perform sovereignty and narrate legitimacy. Second, to critique the inadequacy of classical penological theories in explaining punishment that lacks moral fault, demonstrable harm, or corrective purpose. In response, the article advances a post-penological framework, conceptualizing punishment as symbolic currency in regimes where truth and legality are subordinated to performance. This contribution not only reframes the Lembong case as a case study in penal

theater but also offers a critical vocabulary for understanding punishment in post-truth political orders.

## 2. Proposed Method

This study employs a qualitative research method. Qualitative research is designed to understand social phenomena and human behavior through the interpretation of descriptive data. The research adopts a conceptual approach, focusing on the analysis of key concepts and theoretical frameworks relevant to the topic under investigation. Data were collected through library research, involving the review of scholarly literature and other academic sources. The collected data were then analyzed qualitatively and presented in a descriptive manner to construct a coherent and critical understanding of the research problem.

## 3. Results and Discussion
## The Penal Logic of Political Utility

The prosecution of Tom Lembong was formally rooted in allegations of procedural irregularity, specifically regarding the delegation of import rights to private entities without exclusive reliance on state-owned enterprises. Legally, the indictment rested on a bureaucratic interpretation of financial harm to the state, despite the absence of personal gain or criminal collusion. What distinguishes this case from routine administrative review, however, is the framing that the legal process did not merely investigate decision-making, it dramatized it. The procedural details, though legally defensible, were operationalized to signal that deviation from the prevailing power structure especially by high-ranking technocrats would not be tolerated. The penal process, thus, became a performance in which law validated political retribution through the illusion of neutral enforcement.

The political meaning of the prosecution emerges clearly in its timing. Lembong had served under a previous administration and was increasingly affiliated with an oppositional technocratic bloc during the 2024 presidential campaign. The indictment did not follow immediately after the alleged act but surfaced post-election, amid administrative transition. This temporal gap weakens the argument for institutional urgency and strengthens the case for political selectivity. Penal action here functioned less to resolve a legal question than to produce a symbolic effect. The spectacle of a rational bureaucrat on trial served multiple political functions to discredited dissenting expertise, reaffirmed hierarchical discipline, and branded the new regime as incorruptible. The law, in this context, became an aesthetic carefully choreographed to express sovereignty.

The choice of Lembong as a penal subject was not incidental. Other officials had exercised similar policy discretion without legal consequence. What differentiated Lembong was not the nature of the act but the status of the actor. As a technocrat who straddled political lines and upheld market rationality over partisan loyalty, he symbolized a form of statecraft not fully aligned with dominant interests. His punishment, therefore, operated as a signal to the bureaucratic field neutrality was no longer safe. Discretion would be punished unless it aligned with sovereign narratives. The legal apparatus, while formally neutral, had become saturated with political semiotics transforming selective enforcement into a language of discipline.

In transitional regimes, where institutional memory remains fragile and electoral legitimacy must be continuously reasserted, the law often functions performatively [4]. It stages acts of punishment not solely to restore order but to narrate it. The Lembong trial exemplifies this logic. Legal procedure served as mise-en-scène, evidence was choreographed into moral lesson, and conviction became a punctuation mark in a broader political narrative. Under these conditions, legal rationality is not abandoned but it is appropriated. Its function is inverted from protection to projection. Punishment, then, becomes political currency, a symbolic asset used to transact power, affirm legitimacy, and restructure administrative loyalty. The courtroom transforms from a site of judgment to a stage of regime branding.

In classical criminal jurisprudence, guilt is grounded in the presence of both a wrongful act (*actus reus*) and a guilty mind (*mens rea*).[5] The erosion of this dual structure in the Lembong case reveals a profound recalibration of penal logic. The prosecution did not establish intent to harm, deceive, or defraud. Instead, it centered on procedural irregularities namely, the bypassing of state-owned enterprises in favor of private importers as if such decisions were inherently malicious. The burden of proof shifted from demonstrating criminal intention to identifying deviations from bureaucratic procedure. As a result, culpability was detached from

motive and reframed as a matter of formal error. This shift reflects not merely a juridical misstep, but a systemic transformation in how guilt is constructed within politically charged legal environments.

Lembong's decision emerged from a complex policy context marked by urgent supply chain disruptions, slow-moving state logistics, and the need for rapid market intervention. Far from being clandestine or self-serving, the policy was announced publicly and justified on economic grounds. However, within the logic of selective penalization, such context was evacuated from the courtroom.[6] Discretion normally protected within technocratic governance was retroactively rendered criminal by redefining it as a violation of ministerial boundaries. This maneuver allowed legal institutions to convert bureaucratic risk-taking into prosecutable offense, irrespective of its intent or outcome. The penal process thus operated not to clarify legal boundaries, but to retroactively criminalize decision-making that no longer served prevailing political interests.

What is striking about the Lembong case is not the claim of financial harm an abstract and contested figure but the absence of a clear victim or injurious consequence. There was no personal enrichment, no evidence of collusion, and no disruption to public welfare. Yet, the court treated these omissions as irrelevant. Instead, it fixated on procedural misalignment and institutional formalism. Harm, which traditionally anchors punishment, was displaced by deviation from bureaucratic ritual. This transformation is penologically significant. It suggests a shift from punishing injury to punishing misalignment, from redressing damage to affirming bureaucratic orthodoxy. In such a configuration, punishment no longer mediates between crime and justice, it enforces symbolic conformity.

The construction of guilt in the Lembong case illustrates how political regimes manufacture legality to sanction dissenting figures. In the absence of *mens rea*, guilt is not proven but narrated it is projected through legal language, institutional performance, and media amplification. The court's verdict functioned less as a resolution to a juridical conflict and more as a semiotic device, a declaration that policy deviation, even when rational, may be treated as criminal if politically inconvenient. This mode of guilt production reveals the law's pliability under political pressure. Rather than safeguarding the principle of proportionality, the legal system becomes an extension of executive will transforming penal judgment into ideological assertion.

Selective penalization is not merely a legal inconsistency it is a moral performance. In the case of Tom Lembong, the decision to prosecute did not stem from a uniform application of law but from the strategic need to dramatize rectitude. Other officials who made comparable or even more legally ambiguous policy choices were spared scrutiny. Their decisions were normalized, depoliticized, or simply ignored. By contrast, Lembong's prosecution was amplified as a moral event: a public demonstration of accountability, discipline, and institutional seriousness. This selectivity did not undermine the legitimacy of the law in the eyes of its architects it enhanced it, by allowing punishment to serve as curated spectacle. The law became a stage, and Lembong its chosen antagonist.

What distinguishes Lembong was not the legal abnormality of his actions, but the visibility of his position and his symbolic detachment from political orthodoxy. He was not merely prosecuted he was staged. The trial, the coverage, and the sentencing constructed him as a cautionary figure: a man whose technical rationality was reframed as defiance, whose efficiency was interpreted as disloyalty. This is central to the function of selective punishment it does not pursue justice, but produces clarity. By isolating one technocrat and marking him as deviant, the state narrates its own virtue. In doing so, it turns selective prosecution into moral pedagogy, disciplining others through a single, emblematic punishment.

The moral clarity achieved through this penal theater is not spontaneous, it is designed to stabilize political authority in times of flux. The Lembong case occurred at the threshold of political transition when old loyalties wavered and new allegiances had to be forged. In such periods, punishment becomes a vehicle of ideological renewal. By performing justice selectively, the regime signals a redefinition of acceptable behavior. The spectacle is not aimed at the public alone, but at the bureaucratic class, warning them against ideological ambiguity. In this way, penal action serves the dual function of punishing a body and managing a field: the body of the accused, and the field of governance.

The Lembong case must therefore be read not as the application of legal principle, but as a semiotic act a production of meaning through state violence masked as legality. [7] His conviction, widely covered and heavily dramatized, became a signifier of the regime's moral seriousness, regardless of its juridical logic. The absence of uniform enforcement did not dilute the spectacle, it intensified it. By choosing whom to punish and whom to spare, the

state positioned itself as sovereign interpreter of right and wrong. In this landscape, punishment loses its coherence as a legal response and gains potency as a symbolic message. It no longer corrects but it choreographs.

The presidential abolition of Tom Lembong's sentence, issued shortly after regime consolidation, did not function as an institutional correction or legal redress. Rather, it operated as a post-penal gesture less a reversal than a resolution. The pardon did not repudiate the original conviction, it preserved its symbolic utility while mitigating its temporal cost. In effect, abolition completed the ritual, the punishment had served its performative purpose, and the grace extended afterward reaffirmed the sovereign's magnanimity. This dynamic demonstrates that abolition, far from neutralizing symbolic violence, can extend its narrative.

By selectively pardoning Lembong without rescinding the basis of guilt, the state reinforced both the spectacle of discipline and the spectacle of mercy. The former communicated the boundaries of loyalty, the latter reasserted the regime's moral authority. Mercy was thus not an act of forgiveness, but a reiteration of power. It confirmed that innocence or intention were immaterial to the logic of punishment the sovereign alone determines who is guilty, who is redeemable, and when punishment has served its purpose. Abolition was not the undoing of injustice, but the ritual closure of a political performance. [8]

What abolition provided was narrative closure, not systemic accountability. It resolved the story but not the structure. The technocratic community remained on alert, its trust in legal neutrality fractured. Abolition sealed the spectacle rather than challenged it. It confirmed that punishment could be used not to protect rule of law but to produce political meaning. In this framework, even mercy becomes part of the punitive apparatus not as antidote to excess, but as affirmation of control.

## Penal Performance and the Crisis of Penological Coherence

Retributive theory demands a moral calculus that the punishment must match the gravity of the offense, and guilt must be personal, intentional, and morally blameworthy.[9] In the Lembong case, none of these conditions were satisfied. There was no malicious intent, no personal gain, no betrayal of public trust in the conventional sense. His decisions, while arguably controversial, were rooted in policy rationality, not moral corruption. Applying retributive logic here produces an incoherence it demands retribution where no moral injury exists. Rather than restoring justice, punishment becomes arbitrary, undermining the theory's internal requirement for proportionality and desert.[10] The Lembong sentence reveals how retributivism collapses when moral culpability is artificially constructed.

Equally untenable is the rehabilitative model, which presumes that the offender has deviated from societal norms and can be reintegrated through correction. In this case, what normative failure is being corrected? Lembong's actions were consistent with the values of evidence-based policy and institutional efficiency principles generally celebrated in democratic governance. His imprisonment offers no opportunity for moral rehabilitation because no recognizable deviance was present. To suggest that a technocrat requires reformation implies that policy dissent is pathology, and that loyalty, rather than legality, is the ultimate civic virtue. Thus, rehabilitation in this context functions not as moral renewal but as ideological discipline a distortion of the model's original intent.[11]

The deployment of punishment in this case exposes how traditional penal models can be used as doctrinal fictions rationalizations for decisions already made on political grounds. Both retribution and rehabilitation depend on conditions that, in this case, were fabricated post hoc to legitimize an already-scripted outcome. This reveals a deeper epistemological crisis that the penal system claims coherence while operating under symbolic logic. It stages justice where none is required and imposes correction where none is needed. In doing so, it fractures the theoretical foundations of penology itself. What remains is not a system of reasoned justice, but a choreography of legitimacy.

In post-truth regimes, the authority of law is no longer grounded in evidentiary rigor or institutional neutrality, but in its capacity to construct politically resonant narratives.[12] Legal proceedings become vehicles not of fact-finding but of story-shaping. The Lembong case fits squarely within this paradigm. The accusation, the trial, and the conviction were less about adjudicating technical violations than about crafting a public morality play. His guilt was narratively necessary to affirm a regime's moral supremacy. This shift reveals a transformation in penal logic from juridical reasoning to symbolic storytelling. The courtroom becomes a space not of deliberation, but of dramatization.[13]

Punishment, under such conditions, becomes an instrument of political branding.[14] By selectively prosecuting high-profile figures under the guise of anti-corruption, the regime positions itself as morally vigilant and ethically unyielding. The punishment of a technocrat like Lembong widely seen as competent and reform-minded sends a potent message that moral legitimacy belongs to the state, not to expertise. In this schema, penal power no longer protects the law, it performs the regime's narrative. Justice is not served it is staged. The result is not deterrence but declaration. A moral rebranding effort that reinforces the ruling coalition's claim to authority.

The deployment of courts, prosecutors, and legal instruments in such regimes does not signal institutional strength, but narrative coordination. These institutions are not bypassed, they are repurposed. Their legitimacy is retained at the surface but hollowed out in function. In the Lembong case, the institutional machinery of law remained intact hearings were held, verdicts delivered, procedures observed. Yet the outcome was predetermined by narrative imperatives rather than evidentiary weight. This dynamic exemplifies a broader trend in which legal institutions act not as checks on power, but as amplifiers of political messaging, dressed in procedural respectability.

Perhaps most troubling is the way penal power is used to criminalize rational, non-partisan governance. Lembong's actions embodied a technocratic logic that efficiency, responsiveness, and institutional adaptation. Yet in a post-truth regime, such logic becomes threatening. It defies the emotional simplifications upon which populist legitimacy is built. By punishing technocratic discretion, the regime signals that reason itself may constitute disloyalty. Penal power thus acquires a symbolic function not only in affirming the moral hierarchy of the state, but in delegitimizing alternative forms of political rationality. The law becomes a boundary marker, not of legality, but of ideological purity.

Traditional deterrence theory assumes a rational actor who weighs the costs and benefits of criminal conduct.[15] However, this model collapses when applied to policy decisions made in the gray zones of administrative discretion. In the Lembong case, deterrence was not aimed at the prevention of corruption or malfeasance, but at discouraging a particular mode of governance one characterized by flexibility, autonomy, and technocratic pragmatism. The penalty served as a warning not against crime but against discretion. In this post-bureaucratic logic, the goal is not legal compliance per se, but ideological synchronization. The message becomes clear: efficiency must not outpace loyalty.

Unlike classical deterrence, which operates through systemic consistency and predictability, penal deterrence by spectacle thrives on exceptionality. Its power lies in visibility, not frequency. The prosecution of Lembong was not part of a general crackdown, it was an isolated, high-profile act, calculated to resonate within the ranks of bureaucratic elites. The disproportionate response becomes the point it dramatizes the risks of deviation. In such a system, deterrence does not emerge from law's predictability but from its performative arbitrariness. Punishment functions as a broadcast, not a legal mechanism: a single televised conviction may deter more effectively than a hundred invisible ones.

What is penalized is not criminality but neutrality. Lembong's nonalignment, his refusal to collapse policy into partisanship, rendered him politically unreadable and therefore dangerous. In regimes that demand narrative loyalty, such ambiguity is intolerable. Technocrats are expected not only to implement but to embody political will.[16] When they do not, they become expendable, and their downfall becomes pedagogical. The punishment teaches bureaucratic actors that nonalignment is no longer a position of safety. It restructures the calculus of administrative behavior not according to legality, but according to narrative compliance. The legal system is thus weaponized to discipline even those who follow the law, but not the storyline.

In this configuration, policy disagreement is transformed into moral deviation.[17] Technocratic risk-taking once seen as innovation is reframed as insubordination. Penal deterrence by spectacle collapses the distance between administrative error and ethical transgression.[18] The spectacle elevates governance decisions into matters of loyalty and betrayal, thereby distorting the professional identity of public service itself. What is punished is not the policy outcome, but the symbolic challenge it poses to sovereign authority. The courtroom becomes the theater where this transformation is declared and internalized. Deterrence, then, is no longer about reducing crime it is about producing conformity through fear of visibility.

The Lembong case demonstrates that classical penology anchored in deterrence, retribution, and rehabilitation is no longer adequate to explain the penal practices of transitional regimes. When punishment is imposed in the absence of harm, intent, or

deviation, traditional models fail to account for its function. In such cases, the logic of penal action is not legalistic but symbolic, not corrective but communicative. The coherence of penal theory dissolves when confronted with punishment that is neither just, necessary, nor effective. This exhaustion opens space for new theoretical vocabularies frameworks capable of interpreting punishment as a cultural performance rather than a juridical response.

A post-penological approach begins by rejecting the premise that punishment must serve rational ends. Instead, it situates punishment within the broader machinery of statecraft as a means of narrating legitimacy, enforcing alignment, and managing dissent. Punishment in this reading is not a reaction to transgression, but a choreography of sovereignty.[19] It is mobilized to communicate power, reaffirm political hierarchies, and produce consent through fear and ritual. In the Lembong case, the entire arc from indictment to conviction to abolition reads as a tightly staged performance. The legal process provided the costume, but the drama was always political.

The post-penological lens foregrounds the aesthetic dimension of punishment. It sees legal proceedings as semiotic acts that organize meaning, enforce moral binaries, and discipline through visibility. This is especially salient in cases involving elite actors, whose punishment is not needed to control behavior, but to control narratives. When technocratic competence is framed as betrayal, and when legality is subordinated to storyline, the penal system becomes a tool of symbolic violence. It no longer seeks to manage crime, but to manage perception. It punishes not to restore order, but to maintain spectacle.

To theorize punishment beyond rationality is not to abandon critique, but to sharpen it. Post-penology does not excuse the erosion of legality it names it. It allows us to see punishment not as a neutral act of justice, but as a symbolic gesture embedded in political economies of fear, control, and performance.[20] The Lembong case is not exceptional it is paradigmatic of a new penal logic, in which law is used not to balance harm and guilt, but to dramatize power and silence reason. Future scholarship must take seriously the theatrical and disciplinary dimensions of punishment, especially in contexts where legality has been hollowed out by narrative sovereignty.

## 4. Conclusions

The penal treatment of Tom Lembong illustrates the instrumentalization of punishment as a form of political signaling rather than legal correction. His conviction lacking demonstrable harm, personal gain, or intent cannot be rationalized through classical penological theories. It was not administered to redress moral transgression, deter criminality, or foster rehabilitation, but to choreograph authority and enforce narrative loyalty during a moment of political consolidation. The case reveals a penal logic rooted not in proportionality or justice, but in symbolic utility. Punishment became political currency. It circulated as a message to bureaucrats, elites, and the public that discretion detached from sovereign narrative would be penalized, regardless of legality. The abolition that followed did not negate the message, it completed the ritual. This configuration demands a reevaluation of how penal power operates when legality is retained procedurally but evacuated substantively.

This article argues that the Lembong case exemplifies a broader epistemic rupture in the field of penology. When punishment is decoupled from guilt, harm, and moral culpability, traditional theories no longer explain its logic. In response, a post-penological framework is proposed one that interprets punishment as a performative act embedded in regimes of symbolic control. This framework foregrounds the semiotic, affective, and political dimensions of penal power, particularly under conditions of post-truth governance. The courtroom becomes a stage, the sentence a declaration, and the law a narrative instrument. The criminalization of technocratic discretion signals the rise of a new penal paradigm. Punishment no longer responds to crime, it enforces coherence. Understanding this shift is critical for any future theory of justice in settings where law serves not as a shield for rights but as an emblem of control.

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