



Legitimacy Fatigue and Voluntary Legal Compliance Vulnerability in Continuously Regulated Societies

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ABSTRACT

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This research is motivated by the increasingly intense regulatory dynamics in modern society which has the potential to cause a decrease in legal legitimacy and weaken voluntary legal compliance. The purpose of this study is to normatively analyze the concept of legitimacy fatigue and its implications for the vulnerability of voluntary legal compliance in a society that continues to be regulated. The method used is normative juridical research with a conceptual and legislative approach through the study of literature, legal doctrine, and legal compliance theory. The results of the study show that over-regulation can shift the perception of legal legitimacy, reduce the normative acceptance of society, and weaken the basis for voluntary compliance. In conclusion, legitimacy fatigue is an important concept in modern law that needs to be considered in policy formulation in order to maintain a balance between the effectiveness of regulation and legal legitimacy.

Legal Legitimacy, Voluntary Compliance, Regulatory Fatigue, Normative Law, Over-Regulation.

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INTRODUCTION

In the development of modern law, countries in various parts of the world face the tendency to increase the production of regulations in response to the social, economic, and technological complexities of digital technology. This phenomenon is often described in the literature as regulatory expansion which in many cases transforms into a condition of over-regulation. Levi-Faur (2021) emphasized that contemporary regulatory governance is increasingly complex due to the overlapping involvement of various actors and legal instruments. In these conditions, the law not only functions as a tool to regulate behavior, but also as a normative system that can experience the saturation of social acceptance. This situation raises new problems in the form of the potential decline of legal legitimacy in a society that lives under increasing and continuous regulatory pressure.

Theoretically, legal legitimacy is the main foundation that underpins voluntary legal compliance. Tyler (2006) explained that individuals obey the law not solely because of the threat of sanctions, but because of the perception of procedural justice and the legitimacy of legal authority. In Habermas's perspective, legal legitimacy also depends on the rational communication process that allows legal norms to be accepted as morally and socially valid. However, in the conditions of a society with high and ever-changing regulatory intensity, the relationship between legal authorities and citizens can be distorted. The accumulation of regulations has the potential to create psychological and normative distance which ultimately reduces the level of public acceptance of the law itself.

The phenomenon of continuously regulated societies is increasingly evident in various modern legal systems, both at the global and national levels. The OECD (2023) reports that an increase in the number of regulations without being followed by the simplification and harmonization of the legal system can increase compliance costs and reduce the effectiveness of public policy implementation. In Indonesia, various studies in administrative law show that regulatory complexity often leads to overlapping norms, inconsistency of rules, and difficulties in implementation at the community level (Sihombing, 2023; Pratiwi et al., 2024). This condition not only has an impact on the technical aspects of the law, but also on the psychological and normative dimensions of society in interpreting legal obligations.

The study of legal compliance has developed widely in the legal literature, criminology, and social sciences. However, most research still focuses on traditional approaches that emphasize deterrence theory, sanctions effectiveness, and compliance based on economic rationality. Makkos (2024) shows that legal compliance is more strongly influenced by the perception of procedural justice than by the threat of punishment alone. However, the study has not elaborated in depth on how the accumulation of regulations in the long term can slowly erode the legitimacy of the law and form a condition of normative fatigue among the public.

International research also highlights that legitimacy is a dynamic social construct and is influenced by the interaction between legal institutions and society. Dickson (2022) found that the perception of legitimacy has a significant influence on the compliance of individual behavior with the law. Meanwhile, Eyal and Fu (2025) emphasize that legitimacy is not only psychological, but also an institutional product that is continuously reproduced through legal practice and public policy. However, studies that specifically link the dynamics of legitimacy with the phenomenon of fatigue due to overregulation are still relatively limited, thus opening up space for the development of new concepts in contemporary legal studies.

Based on these gaps, this study aims to normatively analyze the concept of legitimacy fatigue in a society that experiences continuous regulatory intensity and

examine its implications for the vulnerability of voluntary legal compliance. This study focuses on theoretical analysis in a normative juridical framework through a conceptual and regulatory approach, with an emphasis on the relationship between legal legitimacy, regulatory structure, and community compliance dynamics without using an empirical approach.

Theoretically, this research is expected to contribute to the development of legal science, especially in expanding the discourse on legal legitimacy in the era of overregulation by introducing the concept of legitimacy fatigue as an analytical construct. Practically, this research is expected to be a basis for consideration for policymakers in designing regulations that are simpler, consistent, and do not cause excessive normative burdens for the community. Thus, this research contributes to efforts to maintain a balance between the effectiveness of regulation and the sustainability of legal legitimacy in an increasingly complex modern legal system.

RESEARCH METHOD

This research uses a type of normative juridical research with a conceptual approach and a statute approach. Normative legal research is understood as research that places law as a system of norms that is studied through written legal materials, not through empirical data in the field. This approach is used to analyze in depth the concept of legitimacy fatigue and its relationship with voluntary legal compliance in a society that is experiencing regulatory intensification. Within its methodological framework, normative research focuses on the construction of legal argumentation based on doctrines, principles, and the structure of legal norms that are prescriptive and systematic.

This study does not use population and samples, but secondary data in the form of primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations related to the regulatory system and legal compliance, while secondary legal materials include national and international scientific journals, legal textbooks, and relevant previous research results. Data collection techniques are carried out through library research by studying, identifying, and classifying various relevant legal literature. In normative legal research, conceptual and legislative approaches are commonly used to systematically examine legal norms in order to build coherent and prescriptive legal arguments.

Data analysis was carried out using normative qualitative methods through descriptive-analytical techniques and legal interpretation. The analysis process includes the identification of legal concepts, the interpretation of doctrine, and the deduction of conclusions on the relationship between over-regulation, legal legitimacy, and voluntary compliance. To support the accuracy of the analysis, this study utilizes academic databases such as Google Scholar and Garuda Kemdikbud. This normative

approach is in line with the character of legal research that emphasizes norm-based prescriptive analysis and the construction of a legal system that is logical and consistent in answering contemporary legal issues.

RESULT AND DISCUSSION

Over-Regulation and Dysfunction of Legal System Integration

The results of the study show that the modern legal system is experiencing an increase in regulatory intensity which is not only quantitative, but also creates structural complexity. The phenomenon of over-regulation is characterized by the fragmentation of norms, overlapping regulations, and an increasing burden of legal compliance that must be borne by the community. Normatively, this condition shows that the implementation of Article 5 and Article 6 of Law No. 12 of 2011 jo. Law No. 13 of 2022 has not been fully optimal, especially related to the principles of integration, clarity of purpose, and ease of implementation.

Theoretically, these findings indicate that law no longer works as a coherently structured system, but rather develops as an accumulation of sectoral regulations that are not always in sync. This condition creates a dysfunction of legal integration which has implications for increasing the complexity of legal interpretation by the public and the apparatus. In the perspective of Levi-Faur (2021), this phenomenon reflects the character of a regulatory state that is expanding without a balanced simplification mechanism.

Cognitive Legal Burden as a Mechanism Between Regulation and Compliance

The results of the study show that the impact of over-regulation is not directly on legal compliance, but through an intermediate mechanism in the form of cognitive legal burden. This burden arises when society faces difficulties in understanding, internalizing, and adjusting to rapid and repetitive regulatory changes.

In this context, Article 28D paragraph (1) of the 1945 Constitution of the Republic of Indonesia regarding fair legal certainty is not only interpreted as the existence of rules, but also the affordability of understanding these rules. When cognitive burden increases, substantive legal certainty decreases even though formal rules remain available. This discussion reinforces the OECD's (2023) view that regulatory complexity directly increases compliance costs and decreases the effectiveness of law implementation.

Legitimacy Fatigue as a Gradual Normative Degradation Process

The results of the study construct legitimacy fatigue as a gradual normative process formed through three main mechanisms: erosion of institutional trust, saturation of regulatory accumulation, and a decline in normative acceptance of too rapid legal changes. This process shows that the legitimacy of the law does not collapse

suddenly, but rather undergoes a gradual degradation in a legal system that is too regulative.

Conceptually, this condition indicates a shift from legitimacy as a source of compliance to legitimacy as an institutional formality. In Tyler's (2006) perspective, legitimacy-based legal compliance relies heavily on the perception of fairness and trust. However, the results of this study expand this view by showing that this trust can be eroded by the accumulation of uncontrolled regulations.

Transformation of Voluntary Legal Compliance Patterns

The results show that voluntary legal compliance undergoes a structural transformation into three main forms: legitimacy-based compliance, fear-based compliance, and bureaucratic compliance. In conditions of over-regulation, there is a dominant shift towards formalistic administrative compliance.

Theoretically, this condition shows that the law is still obeyed externally, but there is a decline in the internalization of normative values. This strengthens Makkos' (2024) argument that compliance with modern law is not only influenced by sanctions, but also by the psychological structure of compliance. However, the study adds that excessive regulatory burdens create conditions where compliance is no longer based on legal awareness, but simply the fulfillment of administrative procedures.

Comparison with Previous Studies and Conceptual Gaps

The comparative results show that previous research has placed more emphasis on aspects of procedural fairness (Tyler, 2006), regulatory effectiveness (OECD, 2023), and institutional legitimacy (Eyal & Fu, 2025). However, these studies have not specifically addressed the cumulative mechanisms of regulation that result in a gradual decline in legitimacy.

This study found that there is a conceptual gap in the form of the absence of a model that explains the relationship between over-regulation, cognitive burden, and legitimacy fatigue in a single normative framework. Thus, legitimacy fatigue is positioned as a connecting concept that explains the transition from regulation to systemic decline in voluntary compliance.

Conceptual Model of Research Results

The results of the study construct the normative relationship model as follows:

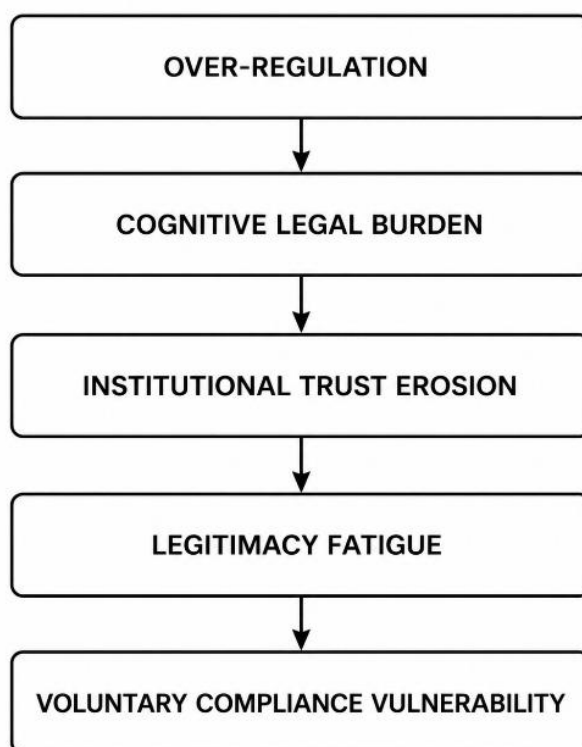


Figure 1.

Conceptual Models of Legitimacy Fatigue and Vulnerability of Voluntary Legal Compliance in a Society with Sustainable Regulation

This conceptual model illustrates the gradual relationship between the intensification of regulation and the decline in voluntary legal compliance in an increasingly regulated society. The process starts from a condition of over-regulation that reflects the accumulation and complexity of high regulations. This condition increases the cognitive legal burden, which is the cognitive burden of the community in understanding and interpreting the rule of law. Furthermore, this burden triggers institutional trust erosion which is characterized by a decline in trust in legal institutions. The accumulation of this process forms a condition of legitimacy fatigue, which is the normative fatigue of society towards the legal system. In the final stage, this condition has implications for increasing voluntary compliance vulnerability, namely weakening legal compliance based on awareness and legitimacy. This model emphasizes that the decline in compliance does not occur directly, but through a gradual and structural process of legitimacy degradation.

Theoretical and Normative Implications

Theoretically, this study expands the legal discourse by introducing legitimacy fatigue as a new analytical construct in the study of modern legal legitimacy. Normatively, these findings show that the effectiveness of the law does not only depend on the existence of regulations, but also on the stability, simplicity, and adaptability of the community to changes in the law.

In the context of Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, the rule of law is not only characterized by the number of regulations, but also by the ability of these regulations to maintain legitimacy and voluntary compliance on an ongoing basis.

CONCLUSION

This study concludes that the dynamics of regulatory intensification in the modern legal system not only raises the problem of regulatory quantity, but also produces deeper normative consequences in the form of a gradual degradation of legal legitimacy. The process takes place through a layered mechanism that begins with over-regulation, which increases the cognitive legal burden, then triggers institutional trust erosion, to form a condition of legitimacy fatigue that leads to an increase in voluntary compliance vulnerability. These findings confirm that legal compliance cannot be understood as a stand-alone phenomenon, but rather as the result of complex interactions between regulatory structures, people's cognitive capacity, and levels of institutional legitimacy. Thus, legitimacy fatigue proves to be a relevant conceptual construct in explaining the degradation process of legal compliance in a society that continues to be regulated, as well as expanding the perspective of legal legitimacy theory that previously tended to focus on aspects of procedural justice and the effectiveness of sanctions alone.

Based on these findings, this study recommends that legal policymakers restructure regulations through the principles of simplification, harmonization, and consistency of norms to prevent excessive accumulation of people's cognitive burden. Strengthening the quality of regulations must not only be oriented to administrative effectiveness, but also to the sustainability of social legitimacy so that the law remains complied with voluntarily. In addition, it is necessary to strengthen the legislative approach based on periodic evaluation of the impact of regulations to ensure that each legal product does not actually weaken public trust in the legal system itself. Thus, the balance between regulatory effectiveness and legal legitimacy can be maintained as the main foundation of the sustainability of the modern legal state.

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