



Law Enforcement of Paper Rupiah Mutilation Practice from the Perspective of Currency Law and *Jarimah Ta'zir*

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Abstract

Research Objective: This study examines law enforcement measures against rupiah bill mutilation by Bank Indonesia's Malang office, analyzing legal frameworks and enforcement strategies. **Research Method:** The study employs an empirical juridical approach with a sociological emphasis on law. Data were collected through interviews, document analysis, and a literature review. **Results:** Bank Indonesia Malang implements public education, awareness initiatives, formal warnings, and inter-agency collaboration to address currency mutilation. **Findings and Implications:** Currency mutilation violates Law No. 7/2011 on Currency and Islamic law principles. Offenders face imprisonment, fines, and other sanctions reflecting the economic significance of currency protection. **Conclusion:** Indonesia maintains a comprehensive legal framework against currency mutilation. Bank Indonesia Malang actively enforces these regulations through preventive and punitive measures within national and Islamic legal structures. **Contribution:** This research documents practical enforcement strategies, examines regulatory implementation at regional levels, highlights Islamic legal principles integration, and provides a reference for comparative studies. **Limitations and Suggestions:** Geographic focus on Malang limits generalization. Future research should compare multiple regions, measure awareness campaign effectiveness, explore technological solutions, examine cross-jurisdictional enforcement, and assess public compliance with currency protection regulations.

Introduction

Money is a fundamental component of the economy, functioning as legal tender for the purchase of goods and services as well as for settling debts. The government, through its central bank, has the authority to create money to satisfy demand. It is vital to maintain a stable amount of money in circulation to ensure that its value remains consistent. As the central bank, Bank Indonesia possesses the exclusive right to print and distribute currency.¹

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¹ Adi Wijaya, Nurjanana, and Erwin Kurniawan A, "The Flow of Money Demand in Indonesia: What Drives It?" *Asian Journal of Economic Modelling* 10, no. 4 (December 19, 2022): 245–54,



Bank Indonesia reported that from January to October 2022, the number of counterfeit notes in circulation in Indonesia reached 575,327 pieces. This marks a significant increase of 154.38% compared to the 226,170 counterfeit notes recorded in the same period of 2021. The data was sourced from the Mapping Data of the Counterfeit Rupiah Eradication Coordination Agency (Botasupal) and indicates that the production and circulation of counterfeit rupiahs have risen since July 2021, with an increase of 14,484 pieces, or 10.729%.²

A viral video has been spreading across social media, showcasing mutilated Rp 100,000 (one hundred thousand rupiah) bills, each displaying different serial numbers.³ The footage reveals original rupiah notes that have been tampered with and suggests a connection to counterfeit currency. In light of this issue, Bank Indonesia, the central bank responsible for issuing currency, has released a public advisory through a video on its official Instagram account to inform and educate the public. The Diskominfo SP Tuban Hoax Clinic team has confirmed that the warning issued in the video regarding the circulation of mutilated or partially counterfeit rupiah bills is indeed legitimate.⁴

Defacing paper currency is often linked to illegal counterfeiting and currency destruction activities. However, current law enforcement efforts to address these crimes remain inadequate. This is evident in the limited advancements made by police investigations into counterfeiting operations. Acquiring substantial evidence and identifying suspects presents a significant challenge. Counterfeiting activities are frequently orchestrated by individuals who possess considerable financial resources, education, and social standing.⁵

Ta'zīr refers to the punishments or sanctions imposed by a ruler or judge as a means of educating individuals and preventing future criminal behavior (*jarimah*). These penalties are designed to deter the offender. Unlike hudud crimes, which have defined punishments, or crimes involving murder and wounding, *ta'zīr* encompasses a range of immoral acts that do not fall within these specific categories. Given that *ta'zīr* is not explicitly detailed in the Qur'an or hadith, it possesses a broad and potentially unlimited scope concerning both the rights of Allah SWT and

<https://doi.org/10.55493/5009.v10i4.4693>; Danny Hermawan et al., "Money Velocity, Digital Currency and Inflation Dynamics in Indonesia," *Bulletin of Indonesian Economic Studies* 60, no. 3 (September 17, 2024): 305–45, <https://doi.org/10.1080/00074918.2024.2398347>.

² Vitto Andhika Putra et al., "Perkembangan Hukum Menanggapi Ancaman Perkembangan Teknologi Pada Pembuatan Dan Peredaran Rupiah Palsu Di Indonesia," *Jurnal Lemhannas RI* 10, no. 3 (October 9, 2022): 51–63, <https://doi.org/10.55960/jlri.v10i3.297>; Suman Garg and Renu Aggarwal, "Is the Counterfeit Currency Mechanism Strictly Enforced by Banks and Regulatory Authorities?," *Journal of Financial Crime* 31, no. 4 (June 4, 2024): 908–21, <https://doi.org/10.1108/JFC-07-2023-0183>; Anjali Tomar et al., "An Overview of Security Materials in Banknotes and Analytical Techniques in Detecting Counterfeits," *Critical Reviews in Analytical Chemistry* 54, no. 8 (November 16, 2024): 2865–78, <https://doi.org/10.1080/10408347.2023.2209185>.

³ Diskominfo Kabupaten Tuban, "Fakta: Beredar Imbauan Mengenai Fenomena Uang Rupiah Mutilasi" (Tuban, 2023), <https://diskominfo.tubankab.go.id/entry/fakta-beredar-imbauan-mengenai-fenomena-uang-rupiah-mutilasi>.

⁴ Diskominfo Kabupaten Tuban.

⁵ V. H. C. von Lengeling, "The Distribution of Fake British Pounds in the Biggest Money Counterfeiting Scheme in History," *Journal of Intelligence History* 22, no. 2 (May 4, 2023): 171–91, <https://doi.org/10.1080/16161262.2022.2043039>; Shuan-Yu Huang et al., "Recent Advances in Counterfeit Art, Document, Photo, Hologram, and Currency Detection Using Hyperspectral Imaging," *Sensors* 22, no. 19 (September 26, 2022): 7308, <https://doi.org/10.3390/s22197308>; Alice Bejjani et al., "Enhancing Counterfeit Banknote Analysis: Case Studies Using TOF-SIMS," *Forensic Chemistry* 41 (December 2024): 100617, <https://doi.org/10.1016/j.forc.2024.100617>; Tomar et al., "An Overview of Security Materials in Banknotes and Analytical Techniques in Detecting Counterfeits."



human rights. When determining the type and severity of *ta'zīr* sanctions, it is essential to thoughtfully consider religious texts, as these significantly impact the public interest.⁶

This research explores the issues surrounding currency tampering and counterfeiting, with a specific emphasis on mutilated rupiah notes. The analysis delves into the legal framework that incorporates elements of *maqāṣid sharia*, particularly regarding the preservation of wealth (*ḥifẓ al-māl*). This perspective stands in contrast to the rationale for enforcing penalties under Law No. 7/2011, which is rooted in the theories of punishment in positive law—namely, absolute, relative, and combined theories. In comparison, Islamic criminal law utilizes *ta'zīr* sanctions primarily as a tool for educating and rehabilitating individuals involved in counterfeiting.

This study investigates the potential for Islamic criminal law to enhance the legal framework of Indonesia in addressing issues related to currency defacement and counterfeiting. It centers on three primary questions: What is the efficacy of the current enforcement mechanisms? How is the Islamic concept of *ta'zīr* interpreted in these offenses? In what ways can Islamic legal principles provide practical and ethical solutions? These inquiries establish a foundation for a comparative analysis between Islamic law and the existing positive law in Indonesia, with the goal of identifying innovative or complementary strategies for preserving the integrity of the national currency.

The framework prominently features *maqāṣid al-sharī'ah*, particularly the principle of *ḥifẓ al-māl* (preservation of wealth), serving as a guiding concept for proposed reforms. From this vantage point, the research contrasts classical Islamic theories of punishment with contemporary legal practices in Indonesia. It seeks to determine how the incorporation of ethical and preventive principles from Sharia can address deficiencies in the current criminal enforcement system, which frequently encounters challenges in evidence collection and prosecution.

The interdisciplinary nature of this study, blending Islamic jurisprudence with modern legal policy, offers insightful contributions to discourse on economic crime. The findings may prove beneficial to policymakers, legal practitioners, and scholars in crafting a more comprehensive legal model that supports currency integrity while remaining consistent with both national law and Islamic values. The research aspires to promote a just and ethically informed approach to criminal justice, firmly rooted in the Indonesian context.

Methods

This research utilized qualitative normative-comparative legal methods in conjunction with empirical juridical legal research. The normative-comparative element enabled an in-depth analysis of Islamic jurisprudence alongside Indonesia's statutory law, leveraging primary sources such as the Qur'an, hadith, classical fiqh texts, and legal regulations like Law No. 7/2011. Secondary sources also provided essential context, including journals, books, fatwas, and case studies. By employing *maqāṣid al-sharī'ah*, particularly the objective of *ḥifẓ al-māl* (protection of wealth), the study evaluated the philosophical and practical alignment of both Islamic and state legal frameworks about currency crimes. This methodological approach facilitated an interdisciplinary examination of ethical and policy considerations grounded in Islamic values

⁶ Zul Anwar Ajim Harahap, "Reconstruction of Online Gambling Sanctions in Indonesia: A Comparative Analysis of Ta'zir Sanctions and Penalties of the Electronic Information and Transaction Law," *Al-Istinbath: Jurnal Hukum Islam* 10, no. 1 (April 27, 2025): 130–53, <https://doi.org/10.29240/jhi.v10i1.11314>; Chibli Mallat, "Mapping Saudi Criminal Law," *The American Journal of Comparative Law* 68, no. 4 (December 31, 2020): 836–92, <https://doi.org/10.1093/ajcl/avaa032>; Danial Danial, "Criminalization in Islamic Penal Code: A Study of Principles, Criminalization Methods, and Declining Variations," *Jurnal Ilmiah Peuradeun* 11, no. 3 (September 30, 2023): 1005, <https://doi.org/10.26811/peuradeun.v11i3.1058>; Risdianto Risdianto, "Hukuman Terhadap Tindak Pidana Kekerasan Dalam Rumah Tangga Menurut Hukum Islam," *Islamic Review: Jurnal Riset Dan Kajian Keislaman* 10, no. 1 (April 26, 2021): 59–76, <https://doi.org/10.35878/islamicreview.v10i1.266>.

while remaining attuned to the national legal context.

The empirical juridical component adopted a legal sociology approach to explore how social behaviors contribute to legal challenges, particularly regarding the mutilation of paper rupiah. Fieldwork was conducted at the Representative Office of Bank Indonesia in Malang, East Java, which was selected for its critical role in overseeing local currency circulation. Data collection included interviews with officials from Bank Indonesia, supplemented by documentation and a literature review. A purposive sampling technique was employed to identify informants directly involved in addressing crimes against the rupiah. The data were analyzed using qualitative methods, yielding a comprehensive understanding of how formal regulations and Islamic legal thought can guide practical interventions against currency mutilation and counterfeiting.

Result And Discussion

Law Enforcement Efforts of the Bank Indonesia Representative Office Malang Against the Practice of Paper Rupiah Mutilation

The Republic of Indonesia uses the "Rupiah" as its currency, which is printed by Bank Indonesia through a State-Owned Enterprise (BUMN).⁷ Only Bank Indonesia has the authority to release currency to the general public. The Rupiah is vital for financial exchanges and has to be utilized for payments and other monetary responsibilities.⁸ Efforts are underway to address counterfeiting and the circulation of counterfeit currency. The government has established the Counterfeit Money Eradication Coordination Agency (Botasupal) to supervise these initiatives.⁹ This study examines the involvement of several agencies, including the National Intelligence Agency, the Indonesian National Police, the Attorney General's Office, the Ministry of Finance, and Bank Indonesia, in addressing the issue of counterfeit currency in Indonesia. The focus of this research is on the contributions of Bank Indonesia in the fight against fake money in the country.¹⁰

To address the issue of counterfeit Indonesian currency (rupiah), Bank Indonesia may partner with the agency tasked with eliminating counterfeit rupiah, along with other authorized bodies. As part of its responsibilities within Botasupal, Bank Indonesia has distinct functions, which include: 1) Issuing, distributing, cancelling, and retrieving rupiah currency. 2) Authenticating the legitimacy of the rupiah currency. 3) Offering information and education about

⁷ Eric Alexander Sugandi, "Indonesia's Financial Markets and Monetary Policy Dynamics Amid the COVID-19 Pandemic," *Asia-Pacific Financial Markets* 29, no. 3 (September 19, 2022): 411–47, <https://doi.org/10.1007/s10690-021-09354-4>; Wijaya, Nurjanana, and A, "The Flow of Money Demand in Indonesia: What Drives It?"

⁸ Mansor H. Ibrahim and Raditya Sukmana, "Monetary Policy and Exchange Rate in a Large Emerging Economy," *Global Business Review*, October 29, 2023, <https://doi.org/10.1177/09721509231198659>; Wijaya, Nurjanana, and A, "The Flow of Money Demand in Indonesia: What Drives It?"

⁹ Garg and Aggarwal, "Is the Counterfeit Currency Mechanism Strictly Enforced by Banks and Regulatory Authorities?"; Bejjani et al., "Enhancing Counterfeit Banknote Analysis: Case Studies Using TOF-SIMS"; Tomar et al., "An Overview of Security Materials in Banknotes and Analytical Techniques in Detecting Counterfeits"; Remigiusz Lewandowski, "Banknote Counterfeiting Phenomenon in Poland," *European Journal of Crime, Criminal Law and Criminal Justice* 28, no. 3 (September 29, 2020): 252–79, <https://doi.org/10.1163/15718174-bja10008>.

¹⁰ Garg and Aggarwal, "Is the Counterfeit Currency Mechanism Strictly Enforced by Banks and Regulatory Authorities?"; Panji Achmad, Adi Sulistiyono, and I Gusti Ayu Ketut Rh, "Permit Obligations and Threat of Criminal Sanction for Non-Bank or Unlicensed Money Changer Business Activities Before Effectiveness of Law on Financial Sector Development and Strengthening Of 2023," *Russian Law Journal* 11, no. 1 (February 28, 2023): 95–104, <https://doi.org/10.52783/rlj.v11i1.353>.



the authenticity of the rupiah currency. 4) Creating a database system related to fake rupiah notes. 5) Providing expert testimony in instances involving counterfeit rupiah.¹¹

The advancement of technology has enabled counterfeiters and money tampering groups to become increasingly adept at devising innovative methods for perpetrating their crimes. Recently, a significant case emerged involving damaged paper rupiah notes. In response to these currency-related offenses, the government established the Counterfeit Money Eradication Coordination Agency (Botasupal), which comprises members from various organizations, including Bank Indonesia. This institution collaborates with law enforcement and other authorized entities to combat issues of counterfeit currency. Additionally, Bank Indonesia maintains representative offices in several cities to ensure continuous oversight and service delivery.¹² The Bank Indonesia Representative Office in Malang City is directly coordinated within the working area of the Bank Indonesia Representative Office in East Java Province. It covers Malang City and Regency, Batu City, Pasuruan City and Regency, and Probolinggo City and Regency.¹³ The organizational structure of the Bank Indonesia Representative Office in Malang includes:

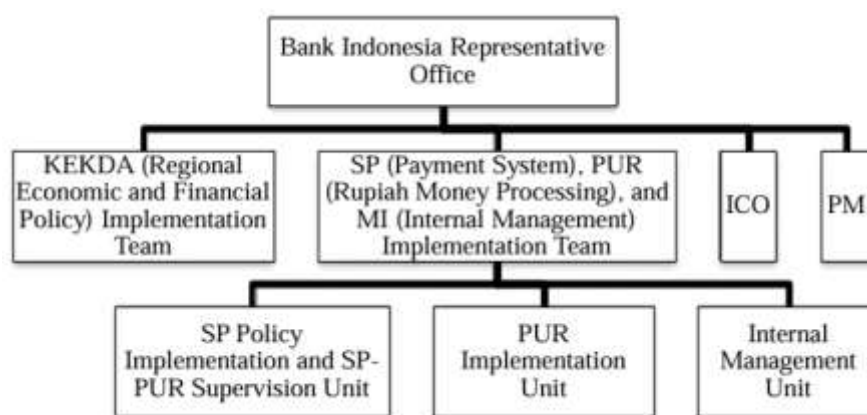


Chart 1. Organizational Structure

¹¹ Charleen Charleen and Gede Putra Kusuma, "Evaluation of Deep Learning Models for Detection of Indonesian Rupiah," *International Journal of Computing and Digital Systems* 15, no. 1 (July 1, 2024): 315–27, <https://doi.org/10.12785/ijcds/160125>; Garg and Aggarwal, "Is the Counterfeit Currency Mechanism Strictly Enforced by Banks and Regulatory Authorities?"

¹² Tomar et al., "An Overview of Security Materials in Banknotes and Analytical Techniques in Detecting Counterfeits"; Lewandowski, "Banknote Counterfeiting Phenomenon in Poland"; Hartanto Hartanto and Subakir Syafiqurrohman, "THE PROBLEMS OF INVESTIGATING PERPETRATORS OF COUNTERFEIT MONEY DEALERS," *Economics & Law* 4, no. 2 (December 30, 2022): 56–66, <https://doi.org/10.37708/el.swu.v4i2.5>; Syamsu Faqran, "Analysing The Authority Of Bank Indonesia in Conterng The Circulation Of Conterfeit Money," *Journal Evidence Of Law* 3, no. 2 (May 24, 2024): 9–18, <https://doi.org/10.59066/jel.v3i2.280>.

¹³ Publishermp2, "Kepala Kantor Perwakilan Bank Indonesia Malang, Dikukuhkan Deputy Gubernur Senior Bank Indonesia," *Malang-Post.Com* (blog), March 6, 2024, accessed April 15 <https://malang-post.com/2024/03/06/kepala-kantor-perwakilan-bank-indonesia-malang-dikukuhkan-deputi-gubernur-senior-bank-indonesia/>.



Picture 1. Mutilation Money



Picture 2. Rp. 20.000 paper money connected or patched with Rp 2.000 paper money and vice versa¹⁴



Picture 3. Example of mutilated money that has different serial numbers¹⁵

According to Mr. Rizky Oktavia Privana, S.E., Assistant Supervisor at the Representative Office of Bank Indonesia in Malang, the issue of mutilating rupiah bills has been ongoing and has evolved. Originally discovered in bank lockers, the practice involves cutting and splicing together bills of different denominations with similar colors. This criminal act is now portrayed in a viral video as the latest style of practice, posing a risk to the currency itself and to those unfamiliar with the rupiah.¹⁶

To avoid being fooled by damaged money, carefully check the serial number. Perpetrators mutilate money for economic gain, often targeting higher-value notes. Counterfeiters are adept at exploiting loopholes and targeting money that cannot be exchanged for new currency. This type of damaged money cannot be exchanged for legitimate currency and is considered illegal. Banks

¹⁴ Kompas Cyber Media, "Viral, Foto Uang Robek Rp 20.000 Disambung dengan Sobekan Rp 1.000, Ini Kata Bank Indonesia," KOMPAS.com, December 25, 2022, <https://www.kompas.com/tren/read/2022/12/25/150300865/viral-foto-uang-robek-rp-20.000-disambung-dengan-sobekan-rp-1.000-ini-kata>.

¹⁵ Dede Imran, "Waspada Beredar Uang Mutilasi: Setengah Asli Setengah Palsu, Kenali Cirinya - Sukabumi Update," Waspada Beredar Uang Mutilasi: Setengah Asli Setengah Palsu, Kenali Cirinya - Sukabumi Update, accessed April 13, 2024, <https://www.sukabumiupdate.com/keuangan/126331/waspada-beredar-uang-mutilasi-setengahasli-setengah-palsu-kenali-cirinya>.

¹⁶ Rizky Privana, Interview 1, (Malang, February 13, 2024).



and financial institutions follow strict procedures to ensure the legitimacy of exchanged money. When replacing damaged paper rupiah notes, consider the following: 1. Notes larger than 2/3 of the original size and with authentic characteristics will be replaced under certain conditions. 2. Notes equal to or less than 2/3 of the original size will not be replaced.¹⁷

The perpetrators are not ordinary individuals but organized white-collar criminals, experts in their field. They may operate within corporations, including Bank Indonesia and government offices. Sanctions for these crimes include severe penalties such as imprisonment, fines, and termination of employment. Court decisions consider various factors, including the economic situation of the perpetrators, and leniency may be granted to poor offenders, reducing fines based on the severity of the crime. To maintain currency integrity, strict law enforcement is necessary. Bank Indonesia, including its Malang Representative Office, is actively involved in law enforcement efforts against currency counterfeiting and tampering, particularly mutilation of rupiah bills.¹⁸

The Representative Office of Bank Indonesia in Malang is responsible for enforcing Bank Indonesia's policies regarding the prevention of paper rupiah mutilation in the Malang area. This includes: 1. Verifying the authenticity of suspected counterfeit or mutilated rupiah to prevent its circulation in the area. 2. Educating the public about the authenticity of rupiah and ways to recognize counterfeit or mutilated currency through the "Love, Proud, and Understand Rupiah" campaign. 3. Establishing a database to record cases of counterfeit rupiah from various sources, including public reports, financial institutions, and internal research. 4. Disseminating information through various platforms such as radio, Instagram, YouTube, and Facebook to raise awareness about recognizing counterfeit rupiah. 5. Assisting law enforcement authorities and courts by offering detailed explanations related to rupiah when needed.¹⁹

In order to combat the mutilation of paper rupiah bills, Bank Indonesia's Representative Office in Malang employs both preventive and repressive measures. Preventive measures include disseminating information about the characteristics of mutilated rupiah bills through socialization and public service advertisements in mass media and on the official websites of Bank Indonesia Malang. Repressive measures involve law enforcement officials such as the Police and the Attorney General's Office.

The Practice of Paper Rupiah Mutilation According to Law No. 7/2011 on Currency and Jarimah ta'zīr

In today's globalized and technologically advanced world, the rupiah currency plays a crucial role in a country's economic system. However, the act of mutilating rupiah notes poses a significant challenge to the stability of the currency's value and public trust in the financial system. As a result, Law No. 7/2011 on Currency and the principles of Islamic law, specifically *jarimah ta'zīr*, are essential in enforcing laws to combat this practice.²⁰

The principle of protection (passive national) states that national interests must be

¹⁷ Article 24 Paragraph 3 Letter a of Regulation Bank Indonesia Number 21/10/PBI/2019 concerning Management Money Rupiah.

¹⁸ Rizky Privana, Interview 1, (Malang, February 13, 2024).

¹⁹ Rizky Privana, Interview 2, (Malang, March 27, 2024).

²⁰ Muhammad Mawardi Djalaluddin et al., "The Implementation of Ta'zīr Punishment as an Educational Reinforcement in Islamic Law," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 31, 2023): 399, <https://doi.org/10.22373/sjhk.v7i1.15101>; Garg and Aggarwal, "Is the Counterfeit Currency Mechanism Strictly Enforced by Banks and Regulatory Authorities?"; Harahap, "Reconstruction of Online Gambling Sanctions in Indonesia: A Comparative Analysis of Ta'zīr Sanctions and Penalties of the Electronic Information and Transaction Law."



safeguarded, allowing criminal laws to be applied to individuals engaged in activities that threaten the security and integrity of the state.²¹ This applies to the currency issued by the Indonesian government, making the mutilation of rupiah notes a deliberate act (*dolus*) carried out for personal gain. *Dolus* refers to the intentional will to act, meaning that the action is premeditated and intended before it is executed.²²

The main law governing the enforcement against the mutilation of rupiah notes is Law No. 7/2011 on Currency. This law empowers authorities, including Bank Indonesia and law enforcement officials, to take action against those who mutilate rupiah currency. The practice of mutilation involves combining fake money with half of an original banknote. This is not only an attempt to counterfeit money, but it also damages the rupiah, which goes against Article 25 Paragraph 1 of Law No. 7/2011 on Currency. This article prohibits damaging, cutting, destroying, and/or changing the rupiah to degrade its honor as a symbol of the state. Mutilating the rupiah not only violates the law but also disrupts the economic balance of the country. Violations of Article 25, Paragraph 1 will be punished by Article 35, Paragraph 1 of Law No. 7/2011 on Currency, which stipulates a maximum imprisonment of 5 years and a maximum fine of Rp. 1 billion.

The prohibition of tampering with rupiah bills is mandatory for everyone, and violations will result in sanctions or penalties as stated in Article 35, Paragraph 1. Actions considered damaging to the rupiah currency include scribbling, tearing, folding, burning, wetting, intentionally tearing or cutting, changing the color, attaching additional materials, and making physical modifications to the banknotes. All of these actions constitute mutilation of rupiah banknotes, which damages the authenticity and integrity of the currency.

Worse still, the practice of mutilating rupiah banknotes not only violates the articles that ensnare the destruction of rupiah currency, but this counterfeits the Indonesian rupiah currency, and mutilating rupiah notes are serious crimes under Law Number 7 of 2011 concerning Currency. Violators can face a maximum imprisonment of 10 years and a maximum fine of Rp 10 billion. These laws aim to deter counterfeiting and mutilation of rupiah notes.²³

If someone cannot pay the fine for destroying or counterfeiting Indonesian rupiah notes, they could face imprisonment according to Law Number 7 of 2011 Concerning Currency. This practice is often carried out with the help of intermediaries and specific goals. If individuals involved are connected to law enforcement officials, they will face strict consequences. Additionally, if this practice leads to terrorism, money laundering, or economic disruption, the perpetrator will face a maximum of life imprisonment and a maximum fine of Rp. 100,000,000,000.

²¹ Citranu, "Asas Legalitas Sebagai Pondasi Hukum Pidana Perspektif Filsafat Hukum," *Belom Bahadat* 8, no. 1 (June 30, 2019): 5, <https://doi.org/10.33363/bb.v8i1.343>.

²² Panca Gunawan Harefa, Idham, and Erniyanti, "Analisis Teori Hukum Terhadap Penegakan Tindak Pidana Pemalsuan Uang: Analisis Teori Hukum Positif dan Teori Hukum Responsif," *Scientific Journal of Law and Human Rights* 2, no. 2 (March 1, 2023): 115, <https://doi.org/10.35912/jihham.v2i2.1923>.

²³ Tomar et al., "An Overview of Security Materials in Banknotes and Analytical Techniques in Detecting Counterfeits"; Garg and Aggarwal, "Is the Counterfeit Currency Mechanism Strictly Enforced by Banks and Regulatory Authorities?"; Unggul Heriqbaldi, Wahyu Widodo, and Dian Ekowati, "Real Exchange Rate Misalignment and Currency Crises," *Bulletin of Indonesian Economic Studies* 56, no. 3 (September 1, 2020): 345–62, <https://doi.org/10.1080/00074918.2019.1662885>.



Here is a table summarizing the key legal provisions related to the practice of mutilating rupiah banknotes as per Law Number 7 of 2011:

Article	Provision	Details
Article 25, Paragraph 1	Prohibition on Damaging Currency	Prohibits damaging, cutting, destroying, or altering the rupiah to degrade its honor as a state symbol.
Article 26, Paragraph 1	Prohibition on Counterfeiting	Prohibits counterfeiting the rupiah.
Article 35 Paragraph 1	Penalties for Damaging Currency	Maximum imprisonment of 5 years and a fine up to Rp. 1.000.000.000 for damaging currency as per Article 25.
Article 36, Paragraph 1	Penalties for Counterfeiting	Maximum imprisonment of 10 years and a fine up to Rp. 10.000.000.000 for counterfeiting as per Article 26.
Article 38, Paragraph 1	Penalties for State Officials	State officials involved in currency crimes face imprisonment plus an additional 1/3 of the fine.
Article 38, Paragraph 2	Organized Crime Penalties	Maximum imprisonment of life and a fine up to Rp 100.000.000.000 for organized crimes affecting the economy or linked to terrorism.
Article 40 Paragraph 1	Replacement of Fine with Imprisonment	If unable to pay fines, imprisonment is applied: each Rp 100.000.000 fine equates to 2 months of imprisonment.
Article 41 Paragraph 2	Classification of Currency Crimes	Crimes under Articles 35, 36, and 37 are classified as crimes.

This document highlights the legal framework and penalties for mutilating and counterfeiting rupiah banknotes, emphasizing the seriousness of these offenses and the comprehensive approach to enforcement. The provisions in Law No. 7/2011 on Currency aim to protect the integrity of the rupiah as the legal tender in Indonesia, reflecting the values of security, justice, and order in society. These rules are intended to help maintain the security and authenticity of the rupiah, reducing the risk of crimes and violations against the currency. From an Islamic perspective, mutilating rupiah notes is considered a form of crime, going against the laws set by Allah according to the Quran. The Quran often uses the term "*jarimah*" to indicate criminality, referring to the person who has committed a crime.²⁴

According to Islamic criminal law (*fiqh jināyah*), the specific punishment for the crime of mutilating rupiah notes has not been clearly outlined in terms of whether it falls under had or *jarimah hudud* or *jarimah qisās*.²⁵ As a result, this crime is considered *jarimah ta'zīr*, as it is prohibited by shara' but not explicitly addressed in the Quran in terms of punishment. The punishment for this offense falls under the jurisdiction of the ruler (judge) and is determined by the laws established by the ruler. In Islamic law, the purpose of this punishment is to serve as retribution for wrongful deeds and to prevent and protect the rights of the victims, both generally

²⁴ Rizanizarli Rizanizarli et al., "The Application of Restorative Justice for Children as Criminal Offenders in the Perspective of National Law and Qanun Jināyat," *Samarah: Jurnal Hukum Keluarga Dan Hukum Islam* 7, no. 1 (March 31, 2023): 21, <https://doi.org/10.22373/sjhk.v7i1.15633>.

²⁵ Rizanizarli et al.



and specifically.²⁶

Ta'zīr, derived from the word *'āzara-ya'zīru*, which etymologically means to reproach, reprimand, or prevent, is defined by Al-Mawardi as imposing sanctions on sins for which there are no hudud.²⁷ According to Wahbah Az-Zuhaili, *ta'zīr* is a punishment for acts not subject to hadd or kafarah punishment.²⁸

Based on this description, it is evident that the act of defacing rupiah notes is considered a *jarīmah*, a crime for which the punishment has not been specifically outlined in shari'. Therefore, this act falls under the category of *ta'zīr*, where the punishment is left to the discretion of the judge, *qādi'*, leader, or ulil amri at the time the offense is committed. This practice emerged in later times, as it did not occur during the time of the prophet. It can be compared to counterfeiting and destroying currency.²⁹

In the case of *jarīmah ta'zīr*, the Al-Quran and hadith do not provide detailed stipulations regarding the form of the *jarīmah* or its punishment. The legal basis for the sentencing of those who commit *jarīmah ta'zīr* is that *al-ta'zīr yadūru ma'a al-maṣlaḥah* (*ta'zīr* sanctions are based on considerations of benefit) while still upholding the principle of justice in society. According to Syarbini al-Khatib, the Quranic verse used as the foundation for *jarīmah ta'zīr* is from Quran Surah al-Fath (48): 8-9, which states, "Indeed, we sent you (Muhammad) as a witness, a bearer of glad tidings and a warner, so that you all believe in Allah and His Messenger, strengthen religion, magnify Him, and praise Him morning and evening." The hadith supporting the existence of *jarīmah ta'zīr* is a Prophetic Hadith narrated by Bahz Ibn Hakim, indicating that the Prophet detained a person suspected of this offense. *of committing a crime.*" (H.R. Abu Dawud, Turmudzi, Nasa'i, and Baihaqi, and authenticated by Hakim).³⁰

In general, *jarīmah ta'zīr* is divided into 3 parts, namely: (1) *Ta'zīr* for committing immoral acts; (2) *Ta'zīr* for committing acts that endanger the public interest; (3) *Ta'zīr* for committing an offense (*mukhālafah*). In this case, the practice of mutilating rupiah notes can be classified as number 2. The practice of mutilating rupiah notes is a practice that can endanger the public interest. Not only is it a crime to damage the rupiah currency, but this practice also leads to efforts to counterfeit rupiah.³¹

²⁶ Abdulmuid Aykul, "İslâm Ceza Hukukunda Cezaların Umumiliği," *Trabzon İlahiyat Dergisi* 9, no. 1 (June 30, 2022): 103–26, <https://doi.org/10.33718/tid.1096264>; Mahir Amin, Marli Candra, and Helga Nurmila Sari, "Punishment in Islamic Criminal Law: Between Facts and Ideals of Punishment," *Al-Jinayah : Jurnal Hukum Pidana Islam* 10, no. 1 (June 11, 2024): 48–71, <https://doi.org/10.15642/aj.2024.10.1.48-71>.

²⁷ Imam Al-Mawardi, *Al-Ahkam al-Sulthaniyah* (Jakarta: Darul Falah, 2006), 390.

²⁸ Wahbah Az-Zuhaili, *Fiqh Islam Wa Adillatuhu Volume 7* (Gema Insani Press, 2011), 245.

²⁹ Sesha Kethineni and Ying Cao, "The Rise in Popularity of Cryptocurrency and Associated Criminal Activity," *International Criminal Justice Review* 30, no. 3 (September 6, 2020): 325–44, <https://doi.org/10.1177/1057567719827051>; Amartya Lahiri, "The Great Indian Demonetization," *Journal of Economic Perspectives* 34, no. 1 (February 1, 2020): 55–74, <https://doi.org/10.1257/jep.34.1.55>; Xiaowei Yu, Hongyue Zhang, and Jihong Yu, "Luminescence Anti-counterfeiting: From Elementary to Advanced," *Aggregate* 2, no. 1 (February 15, 2021): 20–34, <https://doi.org/10.1002/agt2.15>; Huang et al., "Recent Advances in Counterfeit Art, Document, Photo, Hologram, and Currency Detection Using Hyperspectral Imaging."

³⁰ Djalaluddin et al., "The Implementation of Ta'zīr Punishment as an Educational Reinforcement in Islamic Law"; Danial Danial, "Criminalization in Islamic Penal Code: A Study of Principles, Criminalization Methods, and Declining Variations," *Jurnal Ilmiah Peuradeun* 11, no. 3 (September 30, 2023): 1005–26, <https://doi.org/10.26811/peuradeun.v11i3.1058>; Risdianto, "Hukuman Terhadap Tindak Pidana Kekerasan Dalam Rumah Tangga Menurut Hukum Islam."

³¹ Ahsan Yunus Muhammad Wahyu Rizky Zainal, Nur Azisa, Muhammad Arfin Hamid, "Beneficial Ownership in the Perspective of Islamic Criminal Law," *Pakistan Journal of Criminology* 17, no. 1 (January



In *jarimah ta'zīr*, law enforcers are given the discretion to determine sanctions by the level of offense, taking into account various factors such as the purpose of punishment, social impact, and public benefit. The Indonesian government authorities in this case provide *ta'zīr* to the perpetrators of the practice of mutilation of paper rupiah bills, not only to provide sanctions or punishment, but also adjusted to the form of crime against the object. The form of crime committed by the perpetrators of the practice of mutilation of rupiah notes is the closest and can be attributed to the practice of fraud.³²

The Quran rejects fraudulent practices in any form. Although there are no Quranic verses that specifically mention mutilated money or its approaches, such as counterfeit money and damaged money, concepts such as honesty, justice, and the prohibition against fraud can be found in the Quran and Hadith, such as in QS. Hud (11): 85, which reads: "*And O my people, measure and weigh justly, and do not wrong people in their rights, and do not cause evil in the earth by doing corruption.*" The Hadith narrated by Muslim also explains the punishment for cheaters, which means: "*Abu Hurairah reported that the Prophet said: 'He who deceives will not enter Paradise.'*"³³

There are various types of punishments in *ta'zīr*, but broadly speaking, they can be classified into four groups, as follows: (1) *Ta'zīr* punishments that affect the body, such as the death penalty and flogging (*dera*). The Hanafi school allows *ta'zīr* sanctions with the death penalty on the condition that the act is committed repeatedly and will bring benefit to the community. The Maliki school and some Hanbali scholars also allow the death penalty as the highest *ta'zīr* sanction. Meanwhile, some Shafi'iyah jurists allow the death penalty as *ta'zīr* in the case of spreading heretical sects that deviate from the teachings of the Quran and Sunnah. Similarly, the death penalty can be applied to homosexual offenders by not distinguishing between *muhsan* and *ghairu muhsan*. (2) Punishments related to one's freedom, such as imprisonment and exile. (3) *Ta'zīr* punishments relating to property, such as fines, confiscation/seizure of property, and destruction of property. (3) Other punishments determined by the judge or *qadhi*, or leader or *ulil amri*, for the sake of public interest.³⁴

Based on the explanation above, it can be classified as *ta'zīr* penalties applied by the government in Indonesia in dealing with the practice of mutilation of rupiah notes are penalties related to one's freedom, namely imprisonment, and also penalties related to property, namely fines. The Indonesian government also applies other sanctions in the form of additional punishment the form as revocation of business license or confiscation of certain goods.³⁵

The purpose of these sanctions is to uphold justice, recover losses arising from violations, prevent the recurrence of similar acts in the future, and are expected to have a deterrent effect on the perpetrators. Thus, in law enforcement against the practice of mutilation of paper rupiah bills, *jarimah ta'zīr* can provide an appropriate framework based on Islamic views for law enforcers to determine sanctions by the level of offense and the needs of justice in society.

17, 2025): 139–52, <https://doi.org/10.62271/pjc.171.139.152>; Danial, "Criminalization in Islamic Penal Code: A Study of Principles, Criminalization Methods, and Declining Variations," September 30, 2023.

³² Risdianto, "Hukuman Terhadap Tindak Pidana Kekerasan Dalam Rumah Tangga Menurut Hukum Islam"; Muhammad Wahyu Rizky Zainal, Nur Azisa, Muhammad Arfin Hamid, "Beneficial Ownership in the Perspective of Islamic Criminal Law."

³³ S Suherlan, "Buying and Selling Online from an Islamic Legal Poin of View," *Apollo: Journal of Tourism and Business* 1, no. 1 (January 11, 2023): 29–35, <https://doi.org/10.58905/apollo.v1i1.10>.

³⁴ Catherine Molho et al., "Direct and Indirect Punishment of Norm Violations in Daily Life," *Nature Communications* 11, no. 1 (July 9, 2020): 3432, <https://doi.org/10.1038/s41467-020-17286-2>.

³⁵ Muhammad Ridha Haykal Amal and Fauzan Muhammadi, "Reposition of Ta'zir and Ta'wid on Moral Hazard Behavior in Islamic Banking in Indonesia," *Jurnal Hukum Novelty* 13, no. 1 (July 22, 2022): 38, <https://doi.org/10.26555/novelty.v13i1.a21505>; Simon Butt, "Indonesia's New Criminal Code: Indigenising and Democratising Indonesian Criminal Law?," *Griffith Law Review* 32, no. 2 (April 3, 2023): 190–214, <https://doi.org/10.1080/10383441.2023.2243772>.



Conclusion

Bank Indonesia's Representative Office in Malang employs a comprehensive strategy to combat the mutilation of rupiah banknotes through five key approaches: authenticity verification, public education, robust database development, widespread awareness campaigns, and legal collaboration. The "Love, Proud, and Understand Rupiah" campaign is centered on educating the public about currency authenticity, equipping citizens to identify counterfeit and mutilated banknotes. By utilizing various communication platforms such as radio, social media, and strategic outreach initiatives, the office ensures the broad dissemination of information regarding rupiah security features. The legal framework established under Law Number 7 of 2011 imposes stringent measures against currency destruction. Violations of Articles 25 and 26, which pertain to currency damage and counterfeiting, can lead to severe penalties, including imprisonment for up to five years and fines reaching Rp1 billion. Special provisions apply to state officials and organized criminal activities, with escalating levels of punishment.

From an Islamic legal standpoint (*Jarīmah Ta'zīr*), currency mutilation is categorized as a discretionary offense. The government applies flexible punitive measures, which may include imprisonment, fines, and additional sanctions such as the revocation of business licenses. Effective currency protection necessitates a collaborative approach involving both government institutions and community engagement. Public awareness, vigilance, and the prompt reporting of suspicious currency are essential preventive measures. Citizens are encouraged to report any counterfeit or damaged rupiah to the authorities rather than circulate them. The ultimate objective extends beyond mere punishment; it seeks to cultivate a culture of respect for currency, economic protection, and collective responsibility in upholding the integrity of the national currency through integrated legal, institutional, and social strategies.

CRedit Authorship Contribution Statement

Faishal Agil Al Munawar: Project Administration, Conceptualization, Methodology, Writing -original Draft, **Yuanggi Nur Wiria Tarita:** Supervision, Methodology, Writing - review & editing

Declaration of Competing Interest

The authors declare that they have no competing financial interests or personal relationships that could influence the work reported in this paper.

Data Availability

Data will be made available on request.

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