



Law Enforcement On The Criminal Acts Of Money Laundering In Corruption Cases From The Perspective Of Criminal Law And Islamic Law In The Jambi Regional Police

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ABSTRACT

This thesis examines the law enforcement of money laundering crimes originating from corruption cases from the perspectives of criminal law and Islamic law at the Regional Police of Jambi Province. Money laundering has become a serious transnational crime that threatens economic stability, weakens public trust in financial institutions, and disrupts national development. The study focuses on the implementation of law enforcement against money laundering offenses, the obstacles encountered in the enforcement process, and the analysis of such crimes from the perspective of Islamic criminal law. The data were collected through library research consisting of primary legal materials, secondary legal materials, and tertiary legal materials. The analysis was conducted qualitatively by examining statutory regulations, legal doctrines, scholarly opinions, and relevant legal theories concerning money laundering and corruption crimes. The findings reveal that law enforcement against money laundering in corruption cases has been implemented through various legal instruments, including Law Number 8 of 2010 concerning the Prevention and Eradication of Money Laundering Crimes. However, several obstacles remain, such as limited coordination among law enforcement agencies, inadequate facilities and infrastructure, weak public participation, and difficulties in tracing illicit financial transactions. From the perspective of Islamic law, money laundering is categorized as a jarimah ta'zir because it constitutes an unlawful act involving the concealment of illicit wealth, which endangers public welfare and violates the principles of justice and honesty in Islam. Therefore, effective law enforcement and moral responsibility are essential to combat money laundering and corruption comprehensively.

Keywords: Law Enforcement, Money Laundering, Corruption Cases
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INTRODUCTION

As is known, entering the millennium, combating money laundering has become a continuously promoted agenda, both internationally, regionally, and nationally, carried out by various countries around the world. This includes the Indonesian government's ongoing efforts to combat money laundering.

Money laundering is simply defined as the process of converting or transforming the proceeds of crime, also known as dirty money, such as from drug trafficking, corruption, tax evasion, gambling, smuggling, and other activities, into a form that appears legitimate for safe use.

The definition of Money Laundering (TPPU) in Law No. 8 of 2010 concerning the Prevention and Eradication of Money Laundering (abbreviated as TPPU Law) is defined as the act of concealing, disguising, or diverting the origin of money or assets derived from criminal activity to make them appear legitimate.

The crime of money laundering and its connection to money laundering, if committed and the proceeds are hidden or disguised, can be included in the predicate of a crime for money laundering.

See the provisions of Article 2 paragraph (1) of Law No. 8 of 2010: Mentioning the types of predicate crimes, including corruption, theft, embezzlement, etc., as the basis for money laundering. The essence of this reads: Money laundering is a crime originating from the proceeds of criminal acts, including theft, embezzlement, fraud, and corruption.

Money laundering crimes are currently on the rise. This is undeniable because money laundering is an activity categorized as organized crime that significantly impacts the stability of a country. Its impact can disrupt market stability, reduce public confidence in the international financial system, and ultimately reduce economic growth. Consequently, every country worldwide is united in its resolve to combat it.

In the financial sector, which exists within the international sphere, criminals now have many options regarding where and how they want to make their criminal proceeds appear "clean" and "legitimate" under the law. Developments in international banking technology, which have paved the way for the growth of local/regional banking networks into global financial institutions, have provided money launderers with the opportunity to utilize these service networks, resulting in the legalization of illegal transactions in the international financial market. Currently, money laundering activities have transcended jurisdictions that offer a high level of secrecy or utilize various financial mechanisms, allowing money to "move" through banks, money transmitters, business activities, and even be sent abroad, thus becoming clean-laundered money. Money laundering is not only a law enforcement issue but also a threat to a country's national and international security. Therefore, efforts to prevent and eradicate money laundering have become an international concern, including through bilateral and multilateral cooperation.

Indonesia is a highly attractive country for money launderers, due to its still-developing financial system and the implementation of bank secrecy regulations for depositors and their savings. Furthermore, Indonesia's payment system, which still emphasizes cash transactions, allows individuals to bring large amounts of foreign currency into Indonesia, exchange it for rupiah, and invest it in legitimate assets (wealth) without fear of investigation into the origin of the money, opening up opportunities for money laundering.

Another factor contributing to money laundering is the adoption of a free foreign exchange system. With this free foreign exchange system, any individual or legal entity is free to bring foreign currency into or out of Indonesia. Under this system, residents who acquire and own foreign exchange are not required to sell it to the state. This policy was adopted in light of the limited funds needed to finance development, leading the government to implement policies aimed at attracting foreign investors to invest in Indonesia.

The free foreign exchange system, while bringing positive impacts such as an influx of foreign capital into Indonesia, also carries negative implications, such as the lack of investigation into the origins of the invested funds. Therefore, it remains unclear whether the funds originate from illegal activities.

On the other hand, the banking secrecy provisions stipulated in the Banking Law are considered inadequate to protect the public interest, which demands transparent prosecution of crimes that harm the state. Instead, they can be used as a means of cover for criminals who use banks to store or transact proceeds of crime.

In several countries, money laundering has been categorized as a crime, carrying severe penalties and accompanied by effective eradication efforts. However, in Indonesia, there are no clear regulations declaring money laundering a crime.

Entering the millennium, money laundering has become a persistent agenda, promoted internationally, regionally, and nationally, by various countries around the world. The Indonesian government is currently intensifying its efforts to combat this crime. It is undeniable that money laundering is an activity categorized as an organized crime that significantly impacts a country's economic stability. Its impact can disrupt market stability, reduce public confidence in the international financial system, and ultimately reduce economic growth. Therefore, every country in the world should unite in combating it.

In practice, the modus operandi for money laundering almost always uses banks as its target. Given the globalization of banking through payment systems and electronic banking, which transcend national jurisdictions, exploiting and protecting bank secrecy, which is generally highly respected by banks, it is a potential target and an instrument to facilitate access to money laundering.

Given the dangers posed by money laundering, which can disrupt the

stability and growth of the domestic and international economy, it is essential to anticipate and address it immediately. The Indonesian government has taken anticipatory measures to minimize the potential for money laundering by promptly creating, establishing, and enacting various laws and regulations.

One such law is the issuance and enactment of Bank Indonesia Regulation Number 3/10/PBI/2001 concerning the Implementation of the Know Your Customer Policy. This principle is implemented by banks to identify customers, monitor customer transaction activities, including reporting suspicious transactions. This principle is also implemented to prevent banks from being used as a modus operandi for money laundering. Furthermore, the government has created, established, and enacted a law, namely Law Number 15 of 2002, which regulates the Crime of Money Laundering.

METHODOLOGY

This research uses a normative juridical legal research approach as the primary framework for analyzing the problem. Normative legal research, often referred to as doctrinal legal research, positions law as a closed and coherent system of norms. The primary focus is an in-depth literature study through the analysis of various primary legal documents, such as court decisions and regulations, so this research does not require field surveys or sociological statistical data.

The normative juridical approach in this research is implemented through a statute approach. This approach involves examining all regulations related to the legal issue under study, from the Medical Practice Law, the Hospital Law, to the Consumer Protection Law. The goal is to examine the extent to which these regulations synchronize and harmonize in guaranteeing patient rights in Indonesia.

RESULT AND DISCUSSION

Law Enforcement Against Money Laundering

Money laundering, more commonly known as money laundering, remains an unresolved issue in Indonesia, and the Jambi Regional Police in particular. Money laundering is a term frequently heard in various media outlets, often referred to as money laundering, money laundering, money panning, or simply cleaning up money from illicit transactions. Economic crimes, particularly corruption, are closely linked to allegations of money laundering. These practices are frequently used to conceal or disguise the proceeds of corruption.

Money laundering is a method of disguising or concealing the proceeds of corruption. Based on data obtained by the Jambi Regional Police, there were approximately 41 cases of money laundering from corruption cases over the past three years, from 2023 to 2026.

Money laundering, or more commonly known as "money laundering," is a term frequently heard in the media, often referred to as "money laundering," "money

laundering," or "money panning," or "cleaning" of money from illicit transactions. Generally speaking,

Money laundering is a continuation of other crimes (follow-up crimes), while the primary or underlying crime is called a "predicate offense" or "core crime," which is the original crime that generates money and is then laundered. This crime is a type of white-collar crime, a fraudulent act committed by an individual or corporation, whether in the government or private sector, who holds a position and authority to influence policy and decisions.

Essentially, all economic crimes (financial crimes) ultimately lead to money laundering. Therefore, the application of money laundering laws should be proportionate to the sheer number of economic crimes, such as corruption, banking crimes, illegal logging, smuggling, fraud, embezzlement, and others. It should be understood that the criminalization of money laundering is a strategy to eradicate various economic crimes. This involves not only enforcing the law against the predicate crime but also blocking the flow of proceeds of crime through anti-money laundering provisions. Therefore, it can be said that the implementation of anti-money laundering aims not only to apprehend the perpetrators but also to trace and confiscate the proceeds of crime.

Economic crimes, particularly corruption, are closely linked to allegations of money laundering, as money laundering is frequently practiced today with proceeds of corruption. Money laundering is a method of disguising or concealing the proceeds of corruption. Money laundering is then used as a shield for the proceeds of corruption.

According to the Director of Special Criminal Investigation of the Jambi Regional Police, there are generally two main reasons why money laundering is combated and declared a crime:

First, the impact of money laundering on the financial and economic system is believed to negatively impact the global economy in general and the national economy in particular. For example, it negatively impacts the effective use of resources and funds, which are often used for illicit activities, leading to suboptimal utilization of funds, thus harming society.

This occurs because proceeds of crime are invested in countries perceived as safe for laundering, even if the returns are lower. These proceeds of crime can also be diverted from countries with less robust economies. The negative impact of money laundering not only hampers global economic growth but also leads to a lack of public trust in the international financial system, sharp fluctuations in interest rates, and can lead to instability in the national and international economy.

Second, by establishing money laundering as a crime, it will make it easier for law enforcement to take action against perpetrators. For example, by confiscating proceeds of crime that are difficult to trace or have already been transferred to third parties. This method can prevent the escape of proceeds of crime. It also provides a basis for law enforcement to prosecute third parties deemed to be obstructing law

enforcement efforts. The low number of disclosures of money laundering crimes is partly due to the fact that money laundering generally involves a group of individuals who profit from the crime, leading the perpetrators to collaborate to cover up their actions. This makes it difficult for law enforcement officials to uncover the evidence.

Furthermore, investigators at the Jambi Regional Police's Special Criminal Investigation Directorate are challenged to handle money laundering cases because the incidents are typically uncovered only after a considerable period of time. This makes it difficult for investigators to gather or reconstruct evidence that has already been removed or destroyed by the perpetrators. Furthermore, witnesses or suspects who have already moved to other locations also play a role in hindering the investigation of money laundering cases. As stated by one of the assistant investigators of Sub Directorate (Subdit) III in the field of money laundering crimes (TPPU) of the Directorate of Special Criminal Investigation of the Regional Police, who explained that one of the obstacles in carrying out the task of investigating money laundering crimes handled by Sub Directorate III in the field of money laundering crimes (TPPU) of the Directorate of Special Criminal Investigation of the Jambi Regional Police is: Because the time of occurrence of money laundering crimes is generally only revealed after a long period of time, considering that before being processed in money laundering crimes, investigators first process the main crime. During the process of examining the main crime, the perpetrators of money laundering have the opportunity to avoid the investigator's trap.

The Crime of Money Laundering in Corruption Cases as Seen from an Islamic Legal Perspective

From an Islamic legal perspective, money laundering from corruption is haram (forbidden) and classified as a serious ta'zir crime because it encompasses ghulul (corruption/embezzlement), akl al-suht (consumption of ill-gotten wealth), and usury (riba). Islam strictly prohibits the concealment of illegal assets and mandates their confiscation and restitution for the public good.

M. Arief Amrullah further explained that in Islam, money laundering from corruption is not defined by a specific term, but its substance is clearly haram (forbidden), as it combines several prohibited acts, namely:

a. Corruption = Ghulul (betrayal/abuse of trust).

Corruption is considered ghulul, which is the taking of property that is not rightfully earned, especially from power or position.

b. Money Laundering = Hiding Illegal Assets

Money laundering is:

1. Hiding the origins of illicit assets

2. Deceiving the law to make it appear lawful In Islam, this includes tadtis (fraud) and gharar (obscurity/disguise).

c. Combining two major sins

Thus, the perpetrator commits:

1. Obtaining assets illicitly (corruption)
2. Disguising/enjoying illicit proceeds (money laundering) In Islamic jurisprudence, this includes "akl al-mal bil batil" (devouring assets unlawfully).

Based on the provisions above, several basic principles of Islamic law are violated in the crime of money laundering and corruption. These main principles include:

1. The prohibition on consuming assets unlawfully
2. The prohibition on betraying a trust
3. The obligation of honesty and transparency
4. The prohibition on fraud and manipulation
5. Justice in the distribution of assets

CONCLUSION

Law enforcement against money laundering crimes stemming from corruption at the Jambi Regional Police has been carried out. Over the past three years, from 2023 to 2025, 41 cases have been handled or successfully uncovered and transferred to the prosecutor's office. However, investigators still encounter several obstacles in law enforcement. Problems encountered in enforcing money laundering crimes stemming from corruption include: 1. Difficulty in establishing proof (Complexity of Proof) 2. Use of sophisticated financial systems 3. Lack of inter-agency coordination 4. Limited human resources and technology 5. Utilization of nominee and beneficial ownership 6. Differences in proof between corruption and money laundering 7. Regulatory and implementation barriers.

Efforts to address the obstacles/problems encountered include: 1. Addressing the Complexity of Proof Efforts undertaken include: a. Implementing a limited reversal burden of proof, particularly regarding the origin of assets. b. Strengthening the use of electronic evidence and financial profiling. c. Increasing the role of experts (forensic accounting, digital forensics) in court. 2. Addressing the Use of Sophisticated Financial Systems.

Efforts: a. Strengthening the anti-money laundering (AML) system in banking and fintech. b. Increasing supervision by the Financial Transaction Reports and Analysis Center (PPATK) and the Financial Services Authority (OJK) of suspicious transactions. c. Utilizing analytical technology (AI, big data) to detect unusual transaction patterns. 3. Addressing the Lack of Inter-Agency Coordination Efforts: a. Building data integration between institutions (the Corruption Eradication Commission, PPATK, the Police, and the Prosecutor's Office). b. Establishing a task force or integrated team to handle money laundering crimes. c. Preparation of joint SOPs in handling cases.

Addressing Human Resource and Technology Limitations Efforts: a. Increasing human resource capacity through specialized training in money

laundering (TPPU) (financial investigation and cybercrime). b. Procurement and development of modern investigative technology. c. International cooperation for knowledge transfer.

Addressing Nominee and Beneficial Ownership Utilization Efforts: a. Implementing transparency requirements for beneficial ownership (the actual beneficial owner). b. Strengthening reporting regulations by corporations. c. Tracing assets using a "follow the money" approach. Addressing Discrepancies in Evidence between Corruption and Money Laundering Efforts: a. Encouraging a parallel investigation approach (investigating corruption and money laundering simultaneously). b. Harmonizing the understanding of law enforcement officials through joint guidelines. c. Strengthening the legal basis that money laundering is a follow-up crime.

Addressing Regulatory and Implementation Barriers Efforts: a. Revising and harmonizing laws and regulations related to money laundering and corruption. b. Clarifying norms that are open to multiple interpretations. c. Strengthening oversight of legal implementation. d. Consistent and impartial law enforcement.

Money laundering in corruption cases, viewed from an Islamic legal perspective, is forbidden and classified as a serious ta'zir crime because it includes *ghulul* (corruption/embezzlement), *akl al-suht* (eating unlawful assets), and usury. Islam strictly prohibits the concealment of illegal assets and mandates the confiscation and return of such assets for the public good.

REFERENCE

- Al Munawir Alamsyah, *Tindak Pidana Pencucian Uang (TPPU), Dalam Perspektif Hukum Pidana Islam*, Sinar Grafika, Jakarta, 2022.
- Abdurrahman Aneka *Masalah Hukum Dan Pembangunan Di Indonesia Bandung: Alumnio*, 2019.
- Andi Hamzah, *Upaya Penanggulangan Tindak Pidana Melalui Sarana Hukum*, PT. Gramedia: Jakarta, 2014.
- Arief Gosita, *Victimologi dan KUHAP*, Jakarta: Akademika, 2017.
- Adami Chazawi, *Hukum Pidana*, Jakarta, PT. Radja Grafindo Persada, 2002.
- Baharuddin Lopa, *Permasalahan Pembinaan dan Penegakan Hukum di Inonesia*, Jakarta: Bulan Bintang, 2017.
- Bambang Waluyo, *Membahas Konsep Reverse Burden of proof Dalam TPPU*. CV. .Mandar Maju, Jakarta, 2021.
- Bambang Poernomo, *Azas-Azas Hukum Pidana*, Ghalia Indonesia: Yogyakarta, 2020.
- Esmi Warassih, *Pranata Hukum Sebuah Telaah Sosiologis*, Semarang: PT. Suryandaru Utama, 2023.
- Edy Yunara, *Tindak Pidana Pencurian dan Pertanggungjawaban Pidananya*, Bandung: PT. Citra Aditya Bakti, 2005.
- Harkristuti Harkrisnowo, *Hukum TPPU dari perspektif akademik dan praktik penegakan hukum*, Sinar Grafika, Jakarta, 2020,
- Hadely Hasibuan, *Andi Andoyo, Pasti Ada Kolusi di Mahkamah Agung*, Liga Pro

Adi, Tanpa Tahun.

- H. Heri Tahir, *Proses Hukum Yang Adil Dalam Sistem Peradilan Pidana Di Indonesia*, Yogyakarta:LaksBang PRESSindo, 2010.
- H. Mastra Lira., *14 Kendala Penegakan Hukum*, Jakarta: Yayasan Annisa, 2022,
- J.E. Sahetapy, *Teori Kriminologi, Suatu Pengantar*, Bandung : Eresco, 2022,
- Jur. Andi Hamzah, *Sinar Grafika, Penegakan Hukum Lingkungan*, Sinar Grafika, Cet. Pertama, 2005.
- Jimly Asshiddiqie, *Penegakan Hukum*, Jakarta, Prenada Persada, 20012.
- Laica Marzuki, *Siri "bagian Kesadaran Hukum Rakyat Bugis Makassar Sebuah Telaah Filsafat Hukum ,Ujung Pandang: Hasanuddin University Press, 2025,*
- Martiman Prodjohamidjojo, *Penerapan Pembuktian Terbalik Dalam Delik Korupsi*, Mandar Maju: 2001.
- Mardjono Reksodiputro, *Kemajuan Pembangunan Ekonomi Dan Kejahatan, Kumpulan Karangan Buku Kesatu*, Jakarta: Pusat Pelayanan Dan Pengabdian Hukum (d/h Lembaga Kriminologi Universitas Indonesia, 2020.
- _____ *Kemajuan Pembangunan Ekonomi Dan Kejahatan, Kumpulan Karangan Buku Kesatu*, Jakarta: Pusat Pelayanan Dan Pengabdian Hukum (d/h Lembaga Kriminologi Universitas Indonesia, 2020.
- M. Arief Amrullah, *Tindak Pidana Pencucian Uang Perspektif Hukum Islam*, Bayu Media Publishing, Malang, 2013.
- Mastra Lira, *14 Kendala Penegakan Hukum*, Jakarta, Yayasan Annisa, 2002.
- Muhammad Djumhana, *Hukum Perbankan Di Indonesia*, Citra Adytia: Bandung, 2003.
- Mohammad Munir, *Penegakan Hukum PidaJ*, Jakarta: Ghalia Indonesia, 2020.
- Musa Perdanakusuma, *Carka Adhyaksa, Tinjauan Filosofis Mengenai Masalah Kebenaran dan Keadilan Dalam Hukum*, Jakarta: Yayasan Tridaya Pusat, 2019.
- Muladi, *Analisis Yuridis TPPU dan Keterkaitannya dengan Tindak Pidana Asal. Kencana*, Surabaya, 2010.
- _____ *Hak Asasi Manusia, Politik dan Sistem, peradilan Pidana* ,Semarang: Badan Penerbit Universitas Diponegoro, 2017.
- Munir Fuady, *Hukum Perbankan Modern*, Citra Adytia: Bandung, 2004.
- Moh. Hatta, *Menyongsong Penegakan Hukum Responsif Sistem Peradilan Pidana Terpadu (dalam Konsepsi dan Implementasi Kapita Selekt)*, Yogyakarta: Galang Press, 2008) .
- _____ *Kemajuan Pembangunan Ekonomi Dan Kejahatan, Kumpulan Karangan Buku Kesatu*, Jakarta: Pusat Pelayanan Dan Pengabdian Hukum (d/h Lembaga Kriminologi Universitas Indonesia, 2020.
- M. Sudrajat Bassar, *Tindak – Tindak Pidana Tertentu Di Dalam KUHP*, Remaja Karya: Bandung, 2006,
- M. Yahya Harahap, *Pebahasan dan Penerapan KUHP*, Jakarta: Pustaka Kartini, 2023.
- Nyoman Tjager, "Pointer Money Laundering" *Makalah Seminar Money Laundering*, Jakarta 29 Juli 2009.
- Ronny Hanitijo, *Metodologi Penelitian Hukum dan Jurimetri*, Jakarta: Ghalia Indonesia 2005.
- Ramelan , *Haariyadi , Kajian Awal Tentang Money Laundering serta implikasinya*

- Dalam Pasar Keuangan Internasional, Buletin Ekonomi Moneter dan Perbankan, Vol 1 Nomor 4 Maret 2009.
- Romli Atmasmita, Sistem Peradilan Pidana Perspektif Eksistensialisme dan Abolisionisme, Bandung: Bina Cipta, 2016.
- _____, Globalisasi dan Kejahatan Bisnis Kencana, Jakarta, 2010,
- Satochid Karta Negara, Hukum Pidana Kumpulan Kuliah dan Pendapat –Pendapat Para Ahli Hukum Terkemuka, Balai Lektor Mahasiswa, 2020.
- Soedikno Mertokusumo, Mengenal Hukum, Suatu Pengantar, Yogyakarta: Liberty, 2020.
- Siswanto Sunarso., Penegakan Hukum Psicotropika Dalam Kajian Sosiologi Hukum, PT. Raja Grafindo Persada Jakarta, 2004.
- S. Sundari Arie, Pencegahan Terhadap Tindak Pidana Money Laundering, Sinar Grafika: Jakarta, 2002.
- Soehino, Hukum Tata Negara Teknik Perundang-Undangan, Jakarta: Liberty Yogyakarta, 2016.
- Sentosa Sembiring, Hukum Perbankan, Mandar Maju: Bandung, 2004
- Sidik Sunaryo, Sistem Peradilan Pidana, Penerbit Universitas Muhammadiyah Malang, 2004.
- Soerjono Soekanto, Faktor-Faktor Yang Mempengaruhi Penegakan Hukum, PT. Radja Grafindo Persada Jakarta, 2023.
- _____, Beberapa Permasalahan Dalam Kerangka Pembangunan Hukum Di Indonesia, Jakarta: UI Press, 2023,
- Wiryo Prodjodikoro, Azas-azas Hukum Pidana Di Indonesia, Eresco Bandung, 2008.
- W, Friedman, Teori dan Filsafat Hukum, Filosofis dan Problema Keadilan, Jakarta: Rajawali Pers, 2020.
- Yenti Garnasih, Kriminalisasi Pencucian Uang (Money Laundering), Jakarta, Universitas Indonesia Fakultas Hukum Pascasarjana, 2009.