



Economic Crime Prevention Strategy in the Trade Sector to Create Healthy and Fair Business Competition

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Abstract This study explores the critical role of law in preventing and addressing crimes within the trade sector, focusing on specific economic crimes such as corruption, embezzlement, market manipulation, and smuggling. These crimes are on the rise, primarily driven by social and economic inequality. Unequal wealth distribution, weak regulatory oversight, and legal loopholes create opportunities for individuals and groups to pursue illicit financial gains. Powerful economic entities often exploit these weaknesses to maintain monopolistic control, deepening inequality and obstructing fair competition. Moreover, inadequate law enforcement and a lack of transparency within bureaucratic systems contribute to the widespread practices of bribery and collusion between business actors and government officials. This undermines the effectiveness of existing regulations and diminishes public confidence in the legal framework. The consequences of such economic crimes extend beyond financial losses; they significantly affect the broader society. These include rising poverty and unemployment, the deterioration of public trust in legal institutions, and increased social instability, all of which threaten sustainable economic development. To address these challenges, this study applies criminological and legal perspectives, underlining the necessity of multisectoral collaboration. It advocates for stronger government and legal institutional efforts, along with active community engagement, to enhance oversight mechanisms and promote transparency. Firm and equitable enforcement of laws is essential in ensuring justice and restoring trust. Ultimately, a collective commitment to legal reform and accountability is vital to building a trade environment that is fair, inclusive, and conducive to long-term national growth.

Keywords: Business Competition, Crime Prevention, Economy, Healthy, Trade Sector

1 INTRODUCTION

Economic crime in the trade sector is a form of violation of the law that has an impact on economic stability, business competition, and public trust in the trade system (Novilia, 2025). In general, economic crime is defined as an illegal act committed by individuals or corporations to obtain economic benefits illegally, in a manner that is detrimental to other parties and violates applicable regulations (Iswari, 2022). From a legal perspective, economic crime includes various criminal acts such as corruption, embezzlement, market manipulation, trade fraud, and money laundering (Samara, 2024). Meanwhile, from an economic perspective, this crime can cause market distortion, hinder investment, and reduce industrial competitiveness due to unhealthy business practices.

The main characteristic of economic crime is its organized nature, where perpetrators often work in networks involving various parties, including entrepreneurs, government officials, and financial institutions (Sari, 2023). This crime is also complex because it involves various modes of operation, such as financial statement manipulation, abuse of authority, or exploitation of legal loopholes in trade regulations (Dachi, 2025). The impact is not only economic but also social, such as increasing economic inequality, decreasing public trust in the legal system, and disrupting national economic stability due to monopolistic practices or price

manipulation that harm consumers and small business actors. Therefore, effective prevention and law enforcement efforts are important in dealing with economic crimes in the trade sector (Munajat, 2025).

The phenomenon of increasing economic crimes in the trade sector can be seen from statistical trends that show an increase in cases of corruption, embezzlement, market manipulation, and money laundering in recent years. For example, reports from anti-corruption agencies and financial authorities show that the number of economic crime cases involving the trade sector continues to increase, both nationally and globally (Pohan, 2018). Cases such as commodity price manipulation, smuggling of goods, and the use of fictitious accounts in money laundering are of major concern because of their impact on economic stability. Several main factors driving the increase in economic crime include weak regulation and supervision, low transparency in business transactions, and the development of technology that increasingly facilitates illegal trade practices, such as digital money laundering and dark transactions in online markets (Fhatnur, 2024). The lack of coordination between law enforcement agencies and suboptimal law enforcement also worsens this condition, so regulatory reform and strengthening of the supervision system are needed to reduce the number of economic crimes in the trade sector.

Economic crimes in the trade sector can disrupt market stability through price manipulation practices and illegal monopolies that create economic distortions (Sitompul, 2024). When the price of goods or services is manipulated by irresponsible business actors, people's purchasing power is affected, and small and medium businesses have difficulty competing. In addition, the increasing cases of tax evasion and money laundering have reduced state revenues that should have been used for infrastructure development and public services (Fajar, 2014). Economic crimes also have an impact on decreasing investor confidence, both domestic and foreign, due to the non-transparent business environment and the rampant practice of bribery in the world of trade (Siahaan, 2024). As a result, Indonesia's trade competitiveness in the global market is weakening due to an unhealthy economic system and a lack of legal certainty for business actors.

Socially, economic crimes exacerbate economic inequality, where only a handful of groups gain large profits from illegal practices, while the wider community experiences economic difficulties (Sofar, 2025). These crimes also weaken public trust in the law and government institutions because major cases involving officials or conglomerates often do not receive appropriate punishment. This injustice in law enforcement creates the perception that the law only sides with certain groups, thus reducing public morality in complying with

economic regulations. Furthermore, the economic impact of these crimes, such as company bankruptcy due to unfair competition, also contributes to increasing unemployment and poverty, which ultimately has the potential to trigger other social problems, such as increasing crime and social instability in society.

Regulations in Indonesia regarding the prevention of economic crimes in the trade sector have been regulated in several laws, including Law Number 5 of 1999 concerning the Prohibition of Monopolistic Practices and Unfair Business Competition (hereinafter Law No. 5 of 1999) and Law Number 8 of 1999 concerning Consumer Protection (hereinafter UUPK). Law No. 5 of 1999 aims to create healthy business competition by prohibiting business actors from centralizing economic power that can harm the public interest. Meanwhile, UUPK provides protection to consumers from detrimental trade practices, such as misleading information, goods that do not meet standards, and manipulation of product sizes and doses (Simanjuntak, 2020). These two regulations are important instruments in preventing economic crimes in the trade sector and maintaining a balance between business actors and consumers.

Although there is a legal basis that regulates it, the effectiveness of this regulation still faces various challenges. One of the main obstacles is the existence of legal loopholes that can still be exploited by perpetrators of economic crimes. For example, in monopolistic practices, although Law No. 5 of 1999 has regulated the prohibition of the concentration of economic power by one or several business actors, several large companies can still carry out covert oligopoly practices by forming cartels (Syamsah, 2019). In addition, law enforcement against business actors who violate regulations is still weak, especially in terms of supervision and sanctions. Many cases show that the sanctions given have not been sufficient to provide a deterrent effect for business actors who are proven to have manipulated the market or exploited consumers.

Regulations related to consumer protection also still have challenges in their implementation. Article 8 of the Consumer Protection Law prohibits business actors from producing or trading goods and services that do not comply with established standards (Soemarwi, 2023). However, in practice, many products that do not meet standards are still circulating on the market, both in the form of counterfeit goods, products with substandard quality, and advertisements that mislead consumers. The lack of a strict supervisory mechanism and weak coordination between trade supervisory agencies make many violations undetected or difficult to follow up on (Kennedy, 2024). As a result, the public as consumers are often the most disadvantaged party in unhealthy trade transactions.

In addition to the supervision aspect, another challenge in preventing economic crime is the low level of compliance of business actors with existing regulations. Many companies prioritize profit alone without considering aspects of legal compliance and business ethics. Legal awareness among business actors still needs to be improved through socialization and stricter law enforcement. In addition, it is necessary to revise and harmonize laws and regulations so that there is no overlapping regulation that creates legal uncertainty in the trade sector. Thus, law enforcement in preventing economic crime must be carried out more systematically through a combination of strengthening regulations, increasing supervision, and imposing heavier sanctions on violators of the rules (Tiranda, 2024).

Law enforcement against economic crimes in the trade sector faces various challenges, ranging from weak supervision by relevant authorities to the complexity of evidence in cases that are often large-scale and cross-border (Willyams, 2024). Trade, banking, and financial supervisory institutions still have limitations in detecting and preventing illegal practices, especially because the modus operandi of economic crime perpetrators is increasingly sophisticated (Dachi, 2025). In addition, corruption in the bureaucratic system is a serious obstacle, where certain law enforcement officers or officials can abuse their authority to protect perpetrators of economic crimes for personal gain. The lack of coordination between the police, prosecutors, and supervisory authorities complicates the law enforcement process, causing ineffective and often slow action. In addition, the difficulty of proving in cases of economic crimes involving complex transactions, extensive networks, and the use of sophisticated technology means that many cases cannot be processed optimally so perpetrators often escape the law.

The law has a crucial role in preventing economic crimes because it functions as the main instrument in creating certainty, justice, and protection for the community and business actors with integrity (Naufaldy, 2023). Without strong regulations and effective law enforcement, illegal practices such as corruption, embezzlement, and market manipulation will become more widespread, damaging economic stability and reducing public trust in the trading system (Siahaan, 2024). Unfortunately, weaknesses in the supervision and law enforcement system include a lack of coordination between Supervision institutions and the existence of legal loopholes that can be exploited by perpetrators of economic crimes causing many cases not to be handled properly. In addition, weak legal sanctions and punishments that do not provide a deterrent effect make perpetrators continue to repeat their crimes without fear of legal consequences. Therefore, it is necessary to strengthen regulations, increase the effectiveness of

supervision, and apply stricter punishments to ensure that economic crimes can be prevented and prosecuted optimally.

2. METHOD

This study uses a normative legal method, which focuses on the analysis of legal regulations related to the prevention and handling of economic crimes in the trade sector. The approach used includes a statute to examine the effectiveness of various regulations, such as the Law on the Prohibition of Monopolistic Practices and Unfair Business Competition and the Consumer Protection Law, in preventing economic crimes. In addition, this study also applies a conceptual approach to understanding economic crimes from a legal and criminological perspective, including causal factors, modus operandi, and their impact on the economy and society. With this combination of approaches, the research aims to identify weaknesses in existing regulations and formulate more effective solutions for preventing economic crime.

3. Result and Discussion

Factors Causing the Rise of Economic Crime in the Trade Sector and the Impact of Economic Crime on Economic and Social Stability

Social and economic inequality are the main factors that encourage individuals or certain groups to commit crimes for personal gain. Unequal distribution of wealth creates conditions where some people do not have equal access to economic resources, so they are encouraged to find shortcuts to gain profit. In many cases, groups in weak economic conditions tend to be more vulnerable to illegal practices such as smuggling, fraud, and counterfeiting. Meanwhile, those in strong economic positions often use their financial power to exploit legal loopholes to maintain their dominance in the market.

The dominance of strong economic groups in the trade sector also exacerbates inequality. Large business actors often use monopolistic practices by controlling prices, supply, and distribution of goods or services, thus preventing small business actors from competing healthily. Loopholes in regulations that allow these practices to continue without strict sanctions are a serious problem in creating a fair trade environment. As a result, unfair business competition widens the gap between large and small business actors and hinders inclusive and equitable economic growth.

Weak supervision and law enforcement systems are the main causes of the rampant economic crime in the trade sector. Existing regulations often have weaknesses in their implementation, both because the regulations are not comprehensive and due to the lack of effective supervision. Many business actors take advantage of legal loopholes to carry out

illegal business practices, such as price manipulation, cartels, and smuggling of goods. Without strict sanctions, these practices continue, harming consumers and creating unfair business competition.

The lack of effectiveness of supervisory institutions in supervising trade activities worsens the situation. Institutions such as the Business Competition Supervisory Commission (KPPU) and related agencies often have limitations in carrying out their duties, both due to a lack of human resources and due to external influences from certain interest groups. At the international level, weak cooperation between countries in monitoring trade flows also allows business actors to carry out cross-border economic crime practices more freely, such as smuggling and money laundering.

Corruption in the bureaucratic system is one of the biggest challenges to prevent economic crime. Bribery and collusion practices between business actors and government officials often occur in the granting of business permits and trade supervision. Business actors who want greater profits often bribe officials to facilitate licensing or avoid strict supervision. As a result, the rules that should regulate and limit illegal business practices become ineffective due to corrupt intervention from interested parties.

Weak transparency in the bureaucratic system worsens this condition. Many officials abuse their authority for personal or group interests, so policies carried are not based on the principle of justice, but rather for individual gain. For example, in the import and export sector, data manipulation and violations of regulations can occur due to officials providing convenience to certain business actors in return. If corruption in this bureaucratic system is not immediately addressed, economic crime will become increasingly difficult to control and damage the overall economic structure.

Unstable economic pressures are often the main trigger for business actors to take shortcuts in running their businesses. Conditions such as economic crises, inflation, or market uncertainty encourage business actors to find ways to continue to make a profit, even by breaking the law. Illegal practices such as tax evasion, price manipulation, and illegal trade in goods are instant solutions for those facing economic pressure. This is further exacerbated by the lack of supervision that allows these practices to continue without serious consequences.

Technological developments also open up new opportunities for committing economic crimes. The digitalization of the financial and trade sectors allows criminals to carry out illegal practices such as money laundering, online fraud, and unauthorized trade transactions that are difficult to track. These digital-based crimes are often carried out across national borders, making them increasingly difficult for national authorities to prosecute. Therefore, in addition

to tightening regulations in the conventional sector, prevention efforts must also be carried out by developing a technology-based monitoring system so that economic crimes can be minimized more effectively.

The rampant economic crimes that are not dealt with firmly have a serious impact on public trust in the government and the legal system. When perpetrators of economic crimes, such as tax evasion, money laundering, and corruption in the trade sector, do not receive appropriate punishment, the public begins to doubt the effectiveness of law enforcement. This condition is further exacerbated if law enforcement officers are considered selective in handling economic crime cases, where only small perpetrators are punished, while big perpetrators who have strong connections in government circles can escape the clutches of the law. As a result, public trust in the integrity of the government and legal institutions is eroded, which has the potential to cause social instability and increased non-compliance with the law.

The perception that the law is more biased towards powerful economic groups further widens social inequality and triggers injustice. When large companies or influential individuals can exploit legal loopholes to avoid sanctions, lower-class people feel they are not getting equal protection. This gives rise to a sense of dissatisfaction that can lead to social protests, increased crime rates, or even political instability. If public trust in the legal system continues to decline, the government's legitimacy in implementing economic and social policies will also weaken, which will ultimately impact national stability as a whole.

Economic crimes cause major losses to the state, especially in the form of tax revenue leakage and corruption in the trade system. Practices such as tax evasion, money laundering, and smuggling of illegal goods reduce state revenues that should be used for infrastructure development, public services, and improving public welfare. In addition, the high level of corruption in the trade bureaucracy also worsens this condition, where the budget that should be used for the public interest is instead misused by a handful of economic and political elites. In the long term, the government's inability to control economic crimes will hamper economic growth and increase the country's fiscal deficit.

In addition to state losses, the trade sector is also significantly affected by economic crimes. Market instability caused by monopolistic practices, price manipulation, and illegal trade hampers the investment climate and reduces the competitiveness of business actors who run businesses legally. Investors are reluctant to invest in countries with weak legal systems in dealing with economic crimes because legal uncertainty increases business risks. This results in stagnation in the growth of the trade sector, which ultimately has an impact on the slowdown of the national economy and increasing unemployment due to sluggish business activities.

Economic crimes widen the gap between the powerful economic group and the lower classes who do not have access to a fair trade system. Practices such as monopolies and tax avoidance allow large companies to continue to accumulate wealth, while small business actors have to struggle with limited capital and regulations that are not in their favor. As a result, the powerful economic group increasingly dominates the market, while the lower classes are increasingly marginalized from access to equal economic opportunities. In the long term, this gap creates a structural imbalance in the economy that is difficult to fix without firm and effective regulatory intervention.

Economic crimes also have an impact on increasing poverty and unemployment rates. Unfair business competition, such as cartels and price dumping, has caused many small businesses to go bankrupt, which ultimately leads to mass layoffs. When job opportunities become increasingly limited, people's purchasing power decreases, which has an impact on slowing consumption and overall economic growth. If this condition is allowed to continue, social instability will emerge which could lead to increased crime rates, social conflict, and distrust of the prevailing economic system.

The Role of Law in Preventing and Overcoming Economic Crimes in the Trade Sector and Strategies to Increase the Effectiveness of Economic Crime Prevention

Strong regulation and strict supervision in the trade sector are very important in preventing various forms of economic crimes such as monopolies, cartels, tax evasion, money laundering, and other unhealthy business practices. Comprehensive regulation ensures legal certainty, while an effective supervision system serves as a control to prevent abuse of economic power by certain business actors. In Indonesia, a number of regulations have been implemented to regulate the trade sector and prevent business practices that are detrimental to the community. Law No. 5 of 1999 prohibits excessive market control, cartel agreements, and actions that can limit competition. Articles 4 to 11 of this law regulate the prohibition of unfair market control, price fixing, and division of marketing areas that can harm consumers. Meanwhile, the Consumer Protection Act provides legal protection for consumers against fraudulent business practices, including products that do not meet standards or have misleading information.

The supervision system is a key factor in the successful implementation of regulations. Institutions such as the Financial Services Authority (OJK), the Business Competition Supervisory Commission (KPPU), and law enforcement officers have a central role in ensuring compliance with economic regulations. KPPU, for example, has the authority to impose administrative sanctions for violations of business competition as stated in Article 47 and

Article 48 of Law No. 5 of 1999. In addition, strengthening the role of supervisors in the digital trade sector is also a new challenge, considering the increasing development of online transactions that are difficult to monitor with conventional systems.

Utilizing technology is a modern solution for monitoring the trade sector. Big data and artificial intelligence can help detect suspicious transactions in the financial and trade sectors. For example, an automatic transaction monitoring system can detect unusual patterns in stock trading or suspicious fund movements in money laundering activities. With this technology, supervision can be carried out more quickly, accurately, and transparently. However, the challenge in implementing technology is the readiness of digital infrastructure and regulations that can accommodate this innovation. Therefore, strengthening policies in technology and cybersecurity is also an important aspect of preventing economic crimes through digital-based supervision.

The application of stricter sanctions and the creation of a deterrent effect for perpetrators of economic crimes is a crucial aspect in efforts to enforce the law and create compliance in the business world. Weak existing sanctions are often the main factor in the rampant practice of monopoly, unfair business competition, and violations of consumer rights. Therefore, reform of criminal and administrative sanctions is necessary, especially by comparing the effectiveness of legal systems in other countries to find a more optimal punishment model. In addition to criminal penalties in the form of fines or imprisonment, additional sanctions such as revocation of business licenses and blocking of access to the banking system can be a more effective alternative in providing a deterrent effect.

The effectiveness of financial and social penalties is also an important aspect of reducing the number of violations in the economic sector. For example, administrative sanctions can be in the form of fines of up to IDR 100 billion and imprisonment for business actors confirmed to have practiced monopoly. However, in its implementation, law enforcement is often inconsistent so many business actors still dare to commit violations because they consider the existing sanctions to be relatively light compared to the benefits obtained. Therefore, there needs to be a stricter law enforcement mechanism and strict supervision in the application of sanctions.

Clarity and consistency in the application of the law also play an important role in increasing business compliance. For example, in the Consumer Protection Law, sanctions for violators of provisions can be imprisonment for up to five years or a fine of up to IDR 2 billion. However, if these sanctions are not applied firmly and evenly, consumer protection efforts will be weakened. Therefore, law enforcement officers must have a strong commitment to

providing sanctions that are by the violations committed, so that legal certainty and a deterrent effect are created for business actors who violate statutory provisions.

Increasing legal awareness among business actors and the community is a crucial preventive step in reducing economic crime. Legal education for business actors can be carried out through socialization regarding trade, taxation, and competition regulations efforts so that they understand their rights and obligations and comply with applicable legal provisions. In addition, legal counseling for the community plays an important role in increasing public understanding regarding the negative impacts of economic crimes and the mechanism for reporting suspicious actions. Community organizations, universities, and the government can work together in providing education to build stronger legal awareness. Furthermore, the empowerment of whistleblowers also needs to be considered by providing legal protection and incentives for individuals who report economic crimes. With clear protection, more people will be encouraged to reveal violations, so that the prevention of economic crimes can be carried out more effectively.

Prevention of economic crimes requires synergy between the government, the private sector, and the community in order to run effectively. The government has a responsibility to establish strict regulations and ensure fair supervision and law enforcement to prevent illegal economic practices. On the other hand, the private sector must also play an active role in implementing ethical and transparent business principles, including building a strong internal compliance system and working with legal authorities. The community also has an important role in supervising unhealthy economic practices, both through the mechanism for reporting economic crimes and through the role of the media in exposing cases of violations. With the active involvement of all parties, efforts to eradicate economic crime will be more effective and provide a positive long-term impact on a healthier and more equitable economic system.

4. CONCLUSION

Economic crime is a direct impact of social and economic inequality that widens the gap between the powerful and the lower classes. Weak regulation, ineffective supervision, and bureaucratic corruption create an environment that allows illegal business practices such as monopolies, price manipulation, smuggling, and money laundering to continue without strict sanctions. As a result, unfair business competition worsens the national economic conditions, hinders investment growth, and increases poverty and unemployment rates. In addition to harming the state through tax revenue leaks, economic crime also damages public trust in the government and the legal system, which has the potential to cause social instability and weaken

the legitimacy of economic and trade policies. Therefore, stricter regulations, firm law enforcement, and transparency in the bureaucracy are needed to create a fair and sustainable economic system.

Preventing economic crime requires strong regulations, an effective supervision system, and the application of strict sanctions to create legal certainty and a deterrent effect for business actors who violate the rules. The use of technology in trade supervision is a modern solution for detecting and preventing unhealthy business practices, but it needs to be balanced with the readiness of adequate digital infrastructure and cybersecurity policies. In addition, legal education and socialization to business actors and the community play an important role in increasing legal awareness and encouraging compliance with applicable regulations. Collaboration between the government, private sector, and the community is also a key factor in creating a more transparent, fair, and sustainable economic system. With an integrated strategy and shared commitment, efforts to eradicate economic crime can be more effective in protecting the interests of the community and maintaining the stability of the national economy.

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