

Utilitarianism Perspective on The Use of E-Stamps in Business Practices in Indonesia

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Abstract

The implementation of e-stamps in Indonesia as a replacement for conventional stamps has the potential to increase efficiency and effectiveness in administrative and business processes, but also raises ethical challenges related to data security, technology accessibility, and fairness in its implementation, which need to be evaluated from a utilitarian perspective to ensure the greatest benefit to the wider community. The purpose of this study is to analyze the implementation of e-stamps in business practices in Indonesia from a utilitarian perspective, by evaluating the increased efficiency and benefits for business actors and comparing the overall impact on society with the conventional stamp system. This study uses a normative legal research method with a legislative and conceptual approach, analyzing primary, secondary, and tertiary legal materials through literature studies, and applying descriptive-analytical qualitative analysis to examine the utilitarian perspective in the use of e-stamps in business practices in Indonesia. The results of the study indicate that the use of e-stamps in business practices in Indonesia, viewed from a utilitarian perspective, provides greater benefits to society as a whole compared to the conventional stamp system. E-stamps increase efficiency, transparency, and legal certainty, as well as reduce administrative costs, which are beneficial to various parties including large business actors, SMEs, and the government. Despite challenges such as limited digital infrastructure in some areas, the benefits of e-stamps are considered significant in driving productivity, economic welfare, and creating a more conducive business environment. With the support of a clear legal framework, e-stamps have the potential to become an efficient and beneficial instrument for all levels of Indonesian society, driving economic inclusion and more sustainable growth..

Keyword: *E-Materai; Utilitarianisme; Efisiensi; Bisnis; Indonesia.*

1. INTRODUCTION

In the rapidly developing digital era, the transformation of various aspects of life, including in the business and legal world, has become a necessity. One innovation that has attracted attention in the Indonesian context is the application of e-stamps or electronic stamps as a replacement for conventional stamps in transactions and legal documents. This change not only reflects technological developments, but also reflects the government's efforts to optimize efficiency and effectiveness in administrative and business processes.¹ However, like any innovation, the implementation of e-stamps brings with it various implications

1 Gema Bangsawan, "Kebijakan Akselerasi Transformasi Digital Di Indonesia: Peluang Dan Tantangan Untuk Pengembangan Ekonomi Kreatif," *Jurnal Studi Kebijakan Publik* 2, no. 1 (May 2023): 27-40, <https://doi.org/10.21787/jskp.2.2023.27-40>.

that need to be studied in depth, especially from the perspective of ethics and moral philosophy. Utilitarianism, as one of the most influential schools of ethical thought, offers an interesting analytical framework for evaluating the impacts and consequences of the implementation of e-stamps. The basic principle of utilitarianism which emphasizes the achievement of the greatest happiness or welfare for the greatest number of people (the greatest good for the greatest number) is an important benchmark in assessing public policy and technological innovation.²

Stamps, in their conventional form, have long been an integral part of the legal and administrative system in Indonesia. Their function is not only as proof of tax payment on documents, but also as an element that provides legality and legal force to various types of letters and agreements. The transition to e-stamps, which is regulated in the Minister of Finance Regulation Number 134/PMK.03/2021 concerning Stamp Duty, reflects the government's response to the demands of modernization and digitalization. This policy aims to increase efficiency, reduce the potential for forgery, and simplify the document verification process.³ However, the implementation of e-stamps is not free from various challenges and ethical considerations. On the one hand, digitalization of stamps promises significant convenience and efficiency for business actors and the general public. Faster processes, reduced operational costs, and increased accuracy in document verification are some of the expected benefits. This is in line with the principle of utilitarianism which emphasizes maximizing the good for the wider community. Increased efficiency can accelerate economic growth, facilitate business transactions, and ultimately contribute to improving public welfare..

On the other hand, the transition to a digital system also brings with it a series of new issues that need to be addressed. Data security and privacy issues are a major concern in the digital era.⁴ How can the government and related parties ensure that data related to e-stamps is not misused or falls into the wrong hands? This question is crucial considering that documents that use stamps are often sensitive and have significant legal implications. In addition, technological accessibility is an important factor that needs to be considered. In the context of Indonesia, which has geographical diversity and a fairly wide digital divide, the implementation of e-stamps has the potential to create new inequalities. Communities in remote areas or those who do not have adequate access to digital technology may have difficulty adopting this new system. This can raise ethical questions about fairness and inclusivity in the implementation of public policies.⁵

The utilitarian perspective requires us to weigh the benefits and disadvantages comprehensively. If the implementation of e-stamps can produce significant efficiency and provide benefits to the majority of society, then from a utilitarian perspective, this

² Yandi Ugang, "ANALISIS UTILITARIANISME DALAM PENILAIAN KEADILAN DAN EFEKTIVITAS HUKUM," *Jurnal Transparansi Hukum*, 2022.

³ Feiti Kalesaran, "ANALISIS YURIDIS TERHADAP METERAI ELEKTRONIK DITINJAU DARI UNDANG-UNDANG NOMOR 10 TAHUN 2020," *Lex Privatum* 10, no. 4 (2022).

⁴ Sinta Dewi Rosadi and Garry Gumelar Pratama, "URGENSI PERLINDUNGAN DATA PRIVASIDALAM ERA EKONOMI DIGITAL DI INDONESIA," *Veritas et Justitia* 4, no. 1 (June 2018): 88–110, <https://doi.org/10.25123/vej.2916>.

⁵ San Mikael Sinambela et al., "Kesenjangan Digital Dalam Dunia Pendidikan Masa Kini Dan Masa Yang Akan Datang," *Jurnal Bintang Pendidikan Indonesia* 2, no. 3 (May 2024): 15–24, <https://doi.org/10.55606/jubpi.v2i3.3003>.

policy can be considered ethical. However, it is important to ensure that these benefits are not limited to a handful of groups or only benefit big business actors, while harming or ignoring the interests of broader community groups. The utilitarian perspective requires considering how the development of this local technological capacity can contribute to Indonesia's long-term economic well-being and position in the global economy.⁶ Based on the background explanation above, the author is interested in conducting a study entitled "Utilitarianism Perspective Regarding the Use of E-Stamps in Business Practices in Indonesia". The formulation of the problem in this study is as follows: *first*, How does the principle of utilitarianism view the use of e-stamps in increasing efficiency and benefits for business actors in Indonesia?. *Second*, Does the use of e-stamps in business practices in Indonesia provide greater benefits to society as a whole compared to the conventional stamp system?.

This study uses a normative legal research method, which focuses on the study of applicable legal norms and rules. This method was chosen because it is appropriate for analyzing the utilitarian perspective in the context of the use of e-stamps in Indonesia, which involves a review of relevant laws and legal concepts. The approaches used in this study are the statute approach and the conceptual approach. The statutory approach is carried out by reviewing all regulations and laws and regulations related to the use of e-stamps in business practices in Indonesia. Meanwhile, the conceptual approach is used to understand the concept of utilitarianism and how the concept can be applied in the context of the use of e-stamps. The sources of legal materials used in this study consist of primary, secondary, and tertiary legal materials. Primary legal materials include laws and regulations related to e-stamps and business practices in Indonesia. Secondary legal materials include textbooks, legal journals, scientific articles, and research results relevant to the research topic. Tertiary legal materials used include legal dictionaries and encyclopedias that can help provide further understanding of the legal terms used in the study. The data collection technique used in this study is library research. The researcher will collect and review various literature, legal documents, and other written sources related to the research topic. This process involves searching, identifying, and analyzing legal materials relevant to the use of e-stamps and the concept of utilitarianism in the context of business practices in Indonesia. The data analysis technique used is qualitative analysis with a descriptive-analytical approach. The researcher will describe and analyze the data that has been collected systematically and comprehensively. This analysis will involve interpretation of laws and regulations related to e-stamps, as well as examining how the utilitarianism perspective can be applied in the context of the use of e-stamps in business practices in Indonesia. The results of the analysis will be presented in the form of a logical and systematic description to answer the formulation of the research problem. Through this research method, it is hoped that the research can provide a deep understanding of the utilitarian perspective related to the use of e-stamps in business practices in Indonesia, as well as provide a significant contribution to the development of legal science and business practices in Indonesia..

⁶ Ugang, "ANALISIS UTILITARIANISME DALAM PENILAIAN KEADILAN DAN EFEKTIVITAS HUKUM."

2. ANALYSIS AND DISCUSSION

2.1. The Principle of Utilitarianism Views the Use of E-Stamps in Increasing Efficiency and Benefits for Business Actors in Indonesia: What is it Like?

The principle of utilitarianism is an ethical theory that emphasizes that the right action is the action that produces the greatest good for the greatest number of people. This theory was introduced by Jeremy Bentham and further developed by John Stuart Mill, who argued that happiness or well-being is the primary basis for all moral decisions.⁷

The principle of utilitarianism, which focuses on achieving the greatest benefit for the greatest number of people, provides a strong framework for analyzing the use of e-stamps in increasing efficiency and benefits for business actors in Indonesia. According to this view, the use of e-stamps is expected to maximize benefits for business actors, society, and the government by creating more efficient processes, reducing operational costs, and increasing transparency and legal security. The use of e-stamps can be seen as an important step in modernizing business practices in Indonesia, especially with the shift in document validation processes from physical to digital. This offers significant time and cost efficiencies for business actors, as the process of document verification and legalization can be done quickly and without complicated procedures. For example, large business actors and SMEs (Small and Medium Enterprises) can save resources and allocate them to more strategic activities, increasing productivity and overall economic benefits. In addition, from a government perspective, the use of e-stamps allows for more transparent and accurate tax management. Every document validated with an e-stamp will be recorded automatically, thus minimizing the risk of tax irregularities. This has the potential to increase state revenues, which in turn can be used for various social development programs that benefit the wider community.

However, the implementation of e-stamps also brings challenges that must be faced, especially related to digital infrastructure and technological literacy that are not evenly distributed throughout Indonesia. Communities in remote areas, which are less accessible to technology, may have difficulty accessing the full benefits of this system. Therefore, in order to comply with the principle of utilitarianism, there needs to be an effort from the government to improve technological infrastructure and provide adequate education and training for all levels of society. When viewed from a utilitarian perspective, e-stamps offer greater benefits compared to conventional stamp systems. With the support of clear regulations and adequate infrastructure development, e-stamps can provide benefits that are evenly distributed to all levels of society, increase economic inclusiveness, and contribute to more sustainable economic growth.

In the context of business and regulation in Indonesia, the principle of utilitarianism can be used as an approach to assess new policies that affect various parties, one of which is the use of e-stamps. E-stamps are electronic stamps that are applied as an

⁷ Andi DarmaTaufik, Fitri Wahyuni, and Hendra Gunawan, "ANALISIS SEJARAH DAN PERKEMBANGAN TEORI UTILITARIANISME TERHADAP HUKUM INDONESIA," *Yurisprudencia: Jurnal Hukum Ekonomi* 10, no. 1 (2024), <https://doi.org/https://doi.org/10.24952/yurisprudencia.v10i1.11107>.

instrument for validating digital documents, which are expected to increase efficiency and reduce administrative complexity in business in Indonesia.⁸

2.1.1. Utilization of Technology and Efficiency in Business

From a utilitarian perspective, the use of e-stamps is seen as an effort that generates great benefits for business actors and society in general. With the rapid development of technology, many businesses in Indonesia have begun to shift from physical documents to digital documents, including in terms of ratifying agreements or business transactions. The use of e-stamps, which is regulated in the Regulation of the Minister of Finance of the Republic of Indonesia No. 133/PMK.03/2021 concerning the Mapping of the Use of Electronic Stamps, provides an efficient, fast, and transparent solution in the process of verifying and legalizing electronic documents.⁹

One of the main benefits of e-stamps is their ability to save time and money. The process of legalizing physical documents often takes a lot of time and money, especially if it involves various parties and documents that must be verified. With e-stamps, this process can be done instantly through a digital platform, without the need for complicated or time-consuming procedures. This efficiency certainly increases the productivity of business people, allowing them to focus on more strategic activities rather than spending time on administrative matters.¹⁰ In this context, utilitarianism will support the implementation of e-stamps because their use provides significant benefits to most business actors in Indonesia. Reducing time and costs in document verification is an advantage felt by many parties, which ultimately contributes to increased productivity and overall economic welfare.¹¹

2.1.2. Benefits for the Government and Tax Management

Not only business actors benefit from the use of e-stamps, but the government also feels the benefits of this system. E-stamps enable the government to be more effective in managing and monitoring tax revenues from business transactions carried out digitally. Based on Law No. 10 of 2020 concerning Stamp Duty, every document that has legal and economic implications must be subject to stamp duty. The use of e-stamps makes it easier to track and record income from this tax, thereby reducing the risk of tax deviations or avoidance that often occurs in conventional systems.¹²

From a utilitarian perspective, these benefits are very clear. With better tax management, the government can collect more funds to be allocated to various development programs that have a broad impact on society. This increase in state revenue will help improve infrastructure, provide better public services, and create a

⁸ Hanum Nisa Kinanti and Heni, "TEORI ETIKA BISNIS UTILITARIANISME DAN PENERAPANNYA DALAM PRAKTIK BISNIS," *Gunung Djati Conference Series* 42 (2024).

⁹ Kalesaran, "ANALISIS YURIDIS TERHADAP METERAI ELEKTRONIK DITINJAU DARI UNDANG-UNDANG NOMOR 10 TAHUN 2020."

¹⁰ Febia Salwa Pandora and Edmon Makarim, "IMPLICATIONS USING ELECTRONIC STAMP DUTY AUTHENTIC AS PROOF OF ELECTRONIC DOCUMENTS IN INDONESIA," *Cepalo* 6, no. 2 (November 2022): 115–24, <https://doi.org/10.25041/cepalo.v6no2.2722>.

¹¹ Hassanain Haykal Pratiwi, Endang, Theo Negoro, "Teori Utilitarianisme Jeremy Bentham: Tujuan Hukum Atau Metode Pengujian Produk Hukum?," *Konstitusi* 19, no. 2 (2022): 272.

¹² Mega Sari Tanjung, "KEGUNAAN E-METERAI DALAM DOKUMEN ELEKTRONIK DAN IMPLEMENTASINYA," *NUSANTARA: Jurnal Ilmu Pengetahuan Sosial* 10, no. 2 (2023), <https://doi.org/http://dx.doi.org/10.31604/jips.v10i2.2023.1036-1043>.

conducive business environment for all parties. In addition, the use of e-stamps also reduces the use of paper and other physical resources, thus supporting the principles of environmental sustainability, which is part of the general welfare from a utilitarian perspective.¹³

2.1.3. Legal Certainty and Transparency

Another important aspect in the use of e-stamps is increasing legal certainty and transparency in business transactions. With e-stamps, legal and legally recognized documents can be validated digitally, reducing the risk of document forgery or manipulation. In business, legal certainty is an important factor in creating trust among business actors, which in turn encourages more investment and economic growth.¹⁴

In the ITE Law (Law on Information and Electronic Transactions), specifically in Articles 5 and 11 of Law No. 19 of 2016 concerning Amendments to Law No. 11 of 2008, it is explained that electronic documents that are authorized with a digital signature or electronic stamp have the same legal force as physical documents. The use of e-stamps thus provides legal assurance for business actors that the agreements or contracts they make have the same validity as conventional contracts. This creates a greater sense of security and certainty in transactions, which in the context of utilitarianism, contributes to the general welfare because there are fewer legal conflicts.¹⁵

Transparency is also an important element that is enhanced through the use of e-stamps. This system allows the government and authorities to track all documents that have been stamped, thereby reducing the chances of corruption or fraudulent practices. In the context of utilitarianism, this is a significant advantage because reducing such illegal acts will bring great benefits to the wider community.¹⁶

2.1.4. Use of e-Stamps in Small and Medium Enterprises (SMEs)

In addition to large businesses, the implementation of e-stamps also brings benefits to small and medium enterprises (SMEs), which are the backbone of the Indonesian economy. With lower costs and easier processes, SMEs can quickly validate their agreements or contracts digitally without having to spend additional costs on administration.¹⁷ This helps SMEs compete in an increasingly competitive market, where efficiency and speed in transactions are key factors for success.

From a utilitarian perspective, this benefit is very important because SMEs are the majority of business actors in Indonesia. Improving the welfare of SMEs means improving the welfare of the majority of Indonesian people, considering that many people work in this sector. Thus, the use of e-stamps provides broader and more equitable

¹³ Manuel Prieto, "Equity vs. Efficiency and the Human Right to Water," *Water* 13, no. 3 (January 2021): 278, <https://doi.org/10.3390/w13030278>.

¹⁴ Khalisha Adela Morris and Rasji Rasji, "TINJAUAN YURIDIS E-METERAI UNTUK MENDUKUNG POTENSI PAJAK ATAS DOKUMEN ELEKTRONIK DALAM PERSPEKTIF KEPASTIAN HUKUM," *Jurnal Serina Sosial Humaniora* 1, no. 3 (2023), <https://doi.org/https://doi.org/10.24912/jssh.v1i3.28350>.

¹⁵ Anak Agung Sagung Istri Ratu Agung Pratiwi Ningrat and I Gede Agus Kurniawan, "Digital Business Problems and Regulations in an Integrative Legal Perspective," *Syah Kuala Law Journal* 7, no. 2 (2023): 141–56.

¹⁶ Pandora and Makarim, "IMPLICATIONS USING ELECTRONIC STAMP DUTY AUTHENTIC AS PROOF OF ELECTRONIC DOCUMENTS IN INDONESIA."

¹⁷ I Gede Agus Kurniawan, Lourenco de Deus Mau Lulo, and Fradhana Putra Disantara, "IUS Constituentum of Expert Advisor in Commodity Futures Trading: A Legal Certainty," *Jurnal IUS Kajian Hukum dan Keadilan* 11, no. 1 (2023): 31–45, <https://doi.org/https://doi.org/10.29303/ius.v11i1.1170>.

benefits for society, in line with the principle of utilitarianism which prioritizes the greatest benefit for as many people as possible.¹⁸

Although the use of e-stamps brings many benefits, there are several challenges that must be faced in its implementation. One of them is the lack of digital literacy among business actors, especially in remote areas or among the older generation. Many business actors are not yet familiar with digital technology and find it difficult to adapt to this new system. In addition, the digital infrastructure in several regions of Indonesia is still inadequate, thus hampering the implementation of e-stamps evenly.¹⁹ In the context of utilitarianism, this challenge must be overcome so that the benefits of using e-stamps can be felt by all groups.²⁰ The government needs to conduct more intensive socialization and training for business actors, especially in areas that do not yet have adequate access to technology. In addition, the government must also continue to improve digital infrastructure, so that all business actors, both in cities and villages, can enjoy the benefits of this system.²¹

Overall, it can be understood that from a utilitarian perspective, the use of e-stamps in business practices in Indonesia provides many significant benefits for various parties, including business actors, the government, and the wider community. Efficiency, cost savings, increased legal certainty, and transparency are some of the main benefits that can be felt by e-stamp users. Although there are some challenges in its implementation, with the right approach, these benefits can be felt evenly by all levels of society. With regulations that have supported the use of e-stamps, such as the Stamp Duty Law and the ITE Law, as well as infrastructure support that continues to be improved, it is hoped that this system can be increasingly adopted by business actors in Indonesia. Thus, in accordance with the principle of utilitarianism, the use of e-stamps will produce the greatest benefits for as many people as possible, which ultimately contributes to improving economic and social welfare in Indonesia

2.2. The Use of E-Stamps in Business Practices in Indonesia: Is It Beneficial?

The use of e-stamps in business practices in Indonesia has become one of the important innovations presented by the government in order to digitize the tax administration system, especially in terms of stamp duty collection. E-stamps or electronic stamps are a new form of stamps issued digitally, as a replacement for conventional stamps in physical form. With the issuance of Law Number 10 of 2020 concerning Stamp Duty, the use of e-stamps is regulated more clearly in order to support technological developments and the demands of modern businesses that prioritize efficiency and speed.²²

18 Satriaaji Vinatra, "Peran Usaha Mikro, Kecil, Dan Menengah (UMKM) Dalam Kesejahteraan Perekonomian Negara Dan Masyarakat," *Jurnal Akuntan Publik* 1, no. 3 (2023), <https://doi.org/https://doi.org/10.59581/jap-widya-karya.v1i1.832>.

19 Tony Mirwanto and Sri Kuncoro Bawono, "DEVELOPMENT OF AUDIO VISUAL LEARNING MEDIA AS A STRENGTHENING OF DIGITAL LITERACY," *Jurnal Abdimas Imigrasi* 3, no. 2 (September 2022): 9–17, <https://doi.org/10.52617/jaim.v3i2.434>.

20 Ayang Ayu Taufittra and I Gede Agus Kurniawan, "Hak Kepemilikan Komunal Dalam Indikasi Geografis," *JUSTISI* 9, no. 2 (April 12, 2023): 175–89, <https://doi.org/10.33506/jurnaljustisi.v9i2.2307>.

21 Pratiwi, Endang, Theo Negoro, "Teori Utilitarianisme Jeremy Bentham: Tujuan Hukum Atau Metode Pengujian Produk Hukum?"

22 Kalesaran, "ANALISIS YURIDIS TERHADAP METERAI ELEKTRONIK DITINJAU DARI UNDANG-UNDANG NOMOR 10 TAHUN 2020."

The use of e-stamps in business practices in Indonesia provides greater benefits compared to conventional stamp systems. E-stamps, which are regulated in regulations such as Law No. 10 of 2020 concerning Stamp Duty, offer various advantages, especially in terms of time and cost efficiency. In a business context, the speed and ease of use of e-stamps are significant added value. The stamp affixing process can be done digitally, without having to go through time-consuming physical steps as in the use of conventional stamps. In addition, e-stamps increase the security and transparency of transactions. The digital encryption system used in e-stamps makes them more difficult to counterfeit, thereby reducing the risk of fraud and document manipulation. This provides better legal certainty for business actors, which can increase trust in the business world and minimize legal conflicts. From a utilitarian perspective, the use of e-stamps supports the principle of “the greatest good for the greatest number”. The benefits are not only felt by large business actors, but also by small and medium enterprises (SMEs). SMEs get easier access and lower administrative costs, which support their competition in a wider market. However, challenges remain, especially related to digital infrastructure and technological literacy which are not evenly distributed throughout Indonesia. The government needs to increase socialization and expand digital access so that the benefits of e-stamps can be felt by all groups.

Regarding the implementation of E-Stamps in Business Systems in Indonesia; the e-stamp system is officially regulated through Law Number 10 of 2020 concerning Stamp Duty. The law explains that stamp duty is imposed on documents that have a certain economic value and are used as evidence in court. Documents subject to stamp duty include contract agreements, powers of attorney, notary deeds, and various other forms of documents that include business transactions. E-stamps are presented as a way to avoid counterfeiting of physical stamps and to support the digital era where many business transactions are carried out online..²³

Government Regulation Number 86 of 2021 concerning the Use of Electronic Stamps and Management of Stamp Duty also strengthens the legality of e-stamps as a legitimate instrument in business transactions in Indonesia. The use of e-stamps is considered a solution to overcome various problems that often occur with conventional stamps, such as the risk of counterfeiting, uneven distribution, and logistical constraints that often hinder the use of physical stamps.

2.2.1. Benefits of E-Stamps from a Utilitarianism Perspective

From a utilitarian perspective, which emphasizes the principle of the greatest benefit for the greatest number of people, the application of e-stamps can provide broader benefits compared to conventional stamps. One of the main advantages of e-stamps is time and cost efficiency. In business practice, time is a very valuable factor. With e-stamps, the process of affixing stamps to documents can be done instantly without

²³ Triasita Nur Azizah, Rahmadi Indra Tektona, and Ermanto Fahamsyah, “PENGATURAN BEA METE-RAI DALAM KEGIATAN PERDAGANGAN ELEKTRONIK DI INDONESIA MENURUT TEORI TUJUAN HUKUM,” *PALAR (Pakuan Law Review)* 7, no. 1 (2021).

having to visit the post office or stamp sales agent. This is certainly very helpful for business people who often need speed in making transactions.²⁴

In addition, e-stamps also offer a higher level of security compared to physical stamps. Physical stamps are vulnerable to counterfeiting, while e-stamps have sophisticated digital security mechanisms, including encryption that is difficult to counterfeit. Thus, e-stamps are able to provide a better sense of security in every business transaction involving important documents. This security not only benefits business people, but also the wider community who use various contract-based services and agreements.²⁵

In terms of the environment, the use of e-stamps also brings benefits because it reduces the use of paper and ink needed to print physical stamps. In the long term, this has the potential to reduce the environmental impact caused by conventional stamp production. Therefore, from a utilitarian perspective, the benefits of e-stamps to the environment can be categorized as one of the benefits that contribute to the welfare of society as a whole.²⁶

2.2.2. Ease of Access and Equality

One of the biggest challenges in using conventional stamps is their uneven distribution, especially in remote areas. Business actors in the regions often have difficulty obtaining physical stamps due to limited infrastructure and access to stamp sales agents.²⁷ This can be an obstacle in carrying out business transactions that require stamps as a valid requirement for a document.²⁸

E-stamps provide a solution to this problem because they can be accessed online anytime and anywhere as long as the user has an internet connection. Thus, e-stamps create equal access for all people, both in big cities and in remote areas. This is in line with the principle of utilitarianism which emphasizes the benefits for society at large.²⁹ With this ease of access, the use of e-stamps can encourage economic inclusion and strengthen small and medium business actors who may have previously been hampered by the difficulty of obtaining physical stamps.

2.2.3. Tax Compliance and State Revenue

One of the main objectives of the implementation of stamp duty is to increase state revenue from the taxation sector. In this context, the use of e-stamps can increase tax compliance, because every transaction that uses e-stamps is automatically recorded in

24 Pratiwi, Endang, Theo Negoro, "Teori Utilitarianisme Jeremy Bentham: Tujuan Hukum Atau Metode Pengujian Produk Hukum?"

25 Pandora and Makarim, "IMPLICATIONS USING ELECTRONIC STAMP DUTY AUTHENTIC AS PROOF OF ELECTRONIC DOCUMENTS IN INDONESIA."

26 Kalesaran, "ANALISIS YURIDIS TERHADAP METERAI ELEKTRONIK DITINJAU DARI UNDANG-UNDANG NOMOR 10 TAHUN 2020."

27 I Gede Agus Kurniawan and Lourenco de Deus Mau Lulo, "Legal Protection Orientation And Formulation For Traditional Musical Instruments As Patents: An Inclusive Legal Paradigm," *Jurnal Dinamika Hukum* 23, no. 2 (2023): 325–39.

28 Solange Durao et al., "Community-Level Interventions for Improving Access to Food in Low- and Middle-Income Countries," *Cochrane Database of Systematic Reviews* 2020, no. 8 (August 2020), <https://doi.org/10.1002/14651858.CD011504.pub3>.

29 Pandora and Makarim, "IMPLICATIONS USING ELECTRONIC STAMP DUTY AUTHENTIC AS PROOF OF ELECTRONIC DOCUMENTS IN INDONESIA."

the digital system. This minimizes the opportunity for transactions without stamps or using fake stamps that can harm the state.³⁰

In this case, e-stamps can be considered as a more transparent and accountable instrument, both for business actors and the government. Every time an electronic stamp is used, the system will automatically record the transaction, making it easier for tax authorities to conduct supervision and audits. This certainly has the potential to increase state revenue from the stamp duty sector, which will ultimately be used for the welfare of society at large.³¹

From a utilitarian perspective, this increase in state revenue is one of the significant benefits felt by society as a whole. Funds collected from stamp duty can be allocated to various development and community welfare programs, such as education, health, infrastructure, and so on.³² Therefore, the implementation of e-stamps can contribute to the creation of more equitable welfare for the people of Indonesia.

2.2.3. Challenges in the Implementation of E-Stamps

Although the use of e-stamps offers various benefits, there are several challenges that need to be overcome so that its implementation is truly optimal and can be enjoyed by all levels of society. One of the main challenges is the limited internet access in several regions in Indonesia. Although e-stamps can be accessed online, if the internet infrastructure in a region is inadequate, this can hinder business actors from using e-stamps.³³ In addition, another challenge is the uneven socialization of the use of e-stamps. Some people, especially small and medium business actors, may not be familiar with how to use e-stamps and are still more comfortable using physical stamps. Therefore, the government needs to make more massive efforts to socialize the use of e-stamps and provide clear training or guidance for the community.³⁴

Overall, it can be understood that from a utilitarian perspective, the use of e-stamps in business practices in Indonesia provides greater benefits compared to conventional stamp systems. E-stamps offer various advantages, such as time and cost efficiency, increased security, ease of access, and contributions to tax compliance and state revenue. Although there are several challenges that need to be overcome, such as limited internet access and lack of socialization, overall the use of e-stamps is in line with the principle of utilitarianism because it provides greater benefits to society at large. The government, through laws and regulations such as Law Number 10 of 2020 and Government Regulation Number 86 of 2021, has provided a clear legal framework to support the use of e-stamps. By continuing to increase socialization and improve digital infrastructure throughout Indonesia, e-stamps have the potential to become

30 D. Mustaqiem, *Perpajakan Dalam Konteks Teori Dan Hukum Pajak Di Indonesia* (Yogyakarta: Litera Yogyakarta, 2014).

31 Dachmar Wiyan Dwi Prakoso, "KEKUATAN HUKUM E-METERAI PADA DOKUMEN ELEKTRONIK," *Jurnal Education and Development* 9, no. 1 (2021), <https://doi.org/https://doi.org/10.37081/ed.v9i1.2322>.

32 Kalesaran, "ANALISIS YURIDIS TERHADAP METERAI ELEKTRONIK DITINJAU DARI UNDANG-UNDANG NOMOR 10 TAHUN 2020."

33 Tanjung, "KEGUNAAN E-METERAI DALAM DOKUMEN ELEKTRONIK DAN IMPLEMENTASINYA."

34 Maya Puspita Dewi et al., "Sosialisasi Dan Pendampingan Penggunaan Online Single Submission Pada Pelaku Usaha Kecil Dan Menengah Di Kota Depok," *Jurnal Komunitas : Jurnal Pengabdian Kepada Masyarakat* 3, no. 1 (August 2020): 34–39, <https://doi.org/10.31334/jks.v3i1.967>.

a more efficient and beneficial instrument for all levels of society, while supporting more inclusive and sustainable economic growth..

3. CONCLUSION

According to the principle of utilitarianism, the use of e-stamps is seen as very positive because it provides great benefits for many parties in business in Indonesia. E-stamps increase efficiency by saving time and costs in the document validation process, allowing business actors to focus more on strategic activities. This system also increases transparency, legal certainty, and facilitates tax management for the government. For SMEs, e-stamps provide an opportunity to compete better with lower administrative costs. Although there are challenges in implementation, such as the lack of digital literacy in some areas, the benefits of e-stamps are considered significant because they contribute to increased productivity, economic welfare, and create a more conducive business environment for most business actors in Indonesia..

Based on the utilitarian perspective, the use of e-stamps in business practices in Indonesia does provide greater benefits to society as a whole compared to conventional stamp systems. E-stamps offer a number of significant advantages, including: time and cost efficiency in business transactions, increased security through digital encryption that is difficult to counterfeit, ease of access for all business actors including in remote areas, reduced environmental impact, increased tax compliance, and the potential for increased state revenue that can be allocated for community welfare. Although there are challenges in its implementation, such as limited internet infrastructure in some areas and the need for broader socialization, the benefits of e-stamps are still considered greater because they create equal access, encourage economic inclusion, and contribute to more inclusive and sustainable economic growth. With the support of a clear legal framework through Law No. 10 of 2020 and PP No. 86 of 2021, e-stamps have the potential to become a more efficient and beneficial instrument for all levels of Indonesian society..

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