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ANALYSIS OF THE CRIMINAL ACTION OF DISTRIBUTION OF COUNTERFEIT MONEY

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Abstract

The circulation of counterfeit money is a crime that can harm society and disrupt the country's economic stability. Normatively (das sollen), Law Number 7 of 2011 concerning Currency prohibits any act of counterfeiting or circulating counterfeit money in order to protect the rupiah as a symbol of state sovereignty and legal tender. However, in reality (das sein), the crime of circulating counterfeit money still frequently occurs in society, even exploiting developments in information technology and social media as a means of obtaining and distributing counterfeit money. This situation presents challenges in the application of criminal law and the process of proving evidence against perpetrators of counterfeit money circulation. Therefore, a legal analysis of the application of criminal law and the judge's considerations in Decision Number 656/Pid.B/2025/PN Bks is necessary. This study aims to determine the application of criminal law to the crime of distributing counterfeit money based on Law Number 7 of 2011 concerning Currency in Decision Number 656/Pid.B/2025/PN Bks and to determine the judge's legal considerations in sentencing the perpetrator of the crime of distributing counterfeit money. The research method used is normative legal research with a regulatory and case-based approach. The legal materials used consist of primary, secondary, and tertiary legal materials obtained through literature review and then analyzed qualitatively. The results of the study indicate that the application of criminal law in Decision Number 656/Pid.B/2025/PN Bks complies with the provisions of Law Number 7 of 2011 concerning Currency and applicable criminal law provisions. The judge declared the perpetrator legally proven guilty and committed the crime of distributing counterfeit money based on valid evidence, witness statements, physical evidence, and laboratory examination results of the counterfeit money. The judge's considerations in handing down the verdict also took into account the elements of guilt, the legal facts revealed during the trial, and the aggravating and mitigating circumstances of the defendant. Therefore, the verdict reflects the application of the principles of legal certainty, justice, and legal expediency in enforcing criminal law against the crime of distributing counterfeit money.

Keywords: Circulation of Counterfeit Money, Application of Criminal Law, Judges' Considerations, Currency, Court Decisions.

INTRODUCTION

Indonesia, as a nation governed by law, places law as the primary foundation for regulating all aspects of social, national, and state life. The principle of the rule of law, as expressly stated in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia, implies an imperative that all aspects of social life must operate within the framework of applicable legal provisions. In its implementation, the law serves a fundamental function of creating order, providing comprehensive protection to the public, and guaranteeing legal certainty for every action taken by citizens. One form of this legal protection is actualized through the enforcement of criminal law against various crimes that could disrupt security stability, public order, and the country's macroeconomic interests (Saputro, *et al*., 2026).

The development of criminal acts in the modern era demonstrates a dynamic shift in increasingly complex crime patterns and methods. Crime is no longer limited to conventional and traditional forms. The accelerated development of digital technology and ease of access to information have also influenced the emergence of various new forms of crime as well as radical modifications to existing criminal modus operandi. One classic crime that has transformed and persisted with widespread destructive impacts on society is the circulation of counterfeit money. This crime not only harms individuals as direct victims but also has the potential to systematically disrupt national economic stability, reduce public trust in the Rupiah, and undermine the state's authority in upholding the dignity of the monetary system (Dinti, Kadir & Ismail, 2025).

Money holds a vital position and function in the structure of modern economic society (Rochma, 2020). In addition to its technical function as legal tender, money also serves as a symbol of state sovereignty, whose authority, authenticity, and existence must be safeguarded. In Indonesia's domestic context, the Rupiah is the sole legal tender in national economic activities, as stipulated in Law Number 7 of 2011 concerning Currency. The existence of a legal and stable currency is an absolute prerequisite for maintaining the resilience of the economic system. Therefore, any unlawful act related to counterfeiting or the circulation of counterfeit money is considered a serious crime (crime against the state) that endangers the public interest and must be dealt with firmly through both material and formal criminal law instruments (Shalihah, Arafat & Abbas, 2025).

In essence, the crime of circulating counterfeit money is a crime against public confidence. The use of counterfeit money in real economic transactions causes immediate material losses for ordinary people. Furthermore, the circulation of illegal money, at a significant scale, has the potential to destabilize the state's financial system due to non-fundamental inflationary distortions. This crime also reduces the public's sense of security in daily civil transactions due to concerns about receiving inauthentic money. Therefore, the crime of circulating counterfeit money can no longer be viewed as a conventional crime but is instead categorized as an economic crime with massive negative social externalities.

From a criminal law perspective, the crime of distributing counterfeit money falls into the category of crimes that require a very thorough level of proof. This is primarily because the formulation of the article is closely related to the subjective element of fault (mens rea) and the perpetrator's knowledge of the counterfeit money in circulation. The element of "knowing that the money is counterfeit" is the primary determinant that must be rigorously proven by the Public Prosecutor in the trial process. This characteristic arises because not everyone who holds or uses counterfeit money can automatically be convicted without conclusive proof that they were aware of the currency's counterfeit nature. Judges are required to comprehensively assess the causal relationship between the defendant's material actions, the method of physical acquisition of the money, sociological behavior before and after the transaction, and the alignment of other evidence supporting the indication of intent (Tasi, Sinurat & Medan, 2024). Although the normative regulations regarding counterfeit money have been legally

strengthened through Article 245 of the old Criminal Code, which was transformed into Article 312 of Law Number 1 of 2023 concerning the National Criminal Code, and specifically regulated (lex specialis) in Law Number 7 of 2011 concerning Currency, there are clear gaps between the desired laws.

First, there is a lack of synchronization in regulations regarding the transformation of the modus operandi of crime. Existing positive legal regulations are largely formulated with the assumption that counterfeit money is distributed conventionally face-to-face or through physical criminal networks. Meanwhile, in contemporary judicial realities, as reflected in Decision Number 656/Pid.B/2025/PN Bks, counterfeit money acquisition transactions have shifted to utilizing digital marketplaces and social media (Sihombing, *et al*., 2026). Indonesian criminal law currently faces a technical gap in digitally identifying the limits of platform provider liability and proving the digital footprint of counterfeit money transactions. Second, the problematic burden of proof for the element of intent (mens rea) in the courtroom. To date, the legal reference for proving the element of "knowing or reasonably suspected" has tended to be abstract and heavily dependent on subjective interpretation by judges (Batam *et al*., 2023). There is legal uncertainty regarding the logical boundaries of when a transaction to obtain money can be categorized as "rationally unreasonable" and capable of binding the defendant's legal consciousness as a form of intent, especially when the perpetrator seeks to hide behind the pretext of technological ignorance.

The novelty of this research lies in its critical legal analysis, which goes beyond simply examining the text of statutory norms or decisions in a doctrinal-monolithic manner, but also examines the shifting legal parameters in proving the element of intent through indicators of unreasonable economic transactions in the digital era, based on Decision Number 656/Pid.B/2025/PN Bks. This research focuses its academic innovation on the legal reasoning of the Bekasi District Court Panel of Judges, who determined that the defendant's purchase of Rp700,000 notes for Rp200,000 on the Facebook marketplace constituted the objective standard for mens rea. This research specifically formulates a conceptual formula regarding the limits of economic irrationality as the basis for proving the element of intent in cyber-based monetary crimes. This is an important novelty because it bridges substantive criminal law with the dynamics of e-commerce transactions, a topic that has not been widely explored in previous legal studies, which generally focused on the role of conventional police or solely on the physical aspects of counterfeiting.

This paradigm shift is clearly evident in Decision Number 656/Pid.B/2025/PN Bks, which tried the counterfeit money distribution case involving defendant Muhammad Hafiz Siregar. Legal facts at trial revealed that the defendant exploited digital surveillance loopholes by purchasing counterfeit money online through Facebook for Rp200,000.00 to obtain seven counterfeit Rp100,000.00 bills. The money was then circulated conventionally at a small grocery store in Jatibening, Bekasi City. Scientific evidence (scientific crime investigation through the Bank Indonesia Counterfeit Analysis Center) confirmed laboratory evidence that the money was not genuine. The judge sentenced him to two years and six months in prison, linking the defendant's suspicious behavior in running away and the unreasonable purchase price ratio as valid evidence of mental intent.

Based on all the urgency, weaknesses in current digital regulations, and the dynamics of judicial evidence mentioned above, an in-depth study of the application of substantive criminal law to the circulation of counterfeit money in the cyber era is absolutely necessary. Therefore, this research was conducted with the title: "Juridical Analysis of the Criminal Act of Circulating Counterfeit Money Based on Law Number 7 of 2011 concerning Currency (Study of Decision Number 656/Pid.B/2025/PN Bks)".

RESEARCH METHODS

This research is a type of normative legal research or doctrinal legal research, which is a research process carried out by reviewing library materials or secondary data as the main material. The main focus of this research is to study and analyze in depth the applicable positive legal norms, both those contained in the order of statutory regulations, the ratio decidendi in court decisions, and legal doctrines that develop in jurisprudence (Rosidi, Zainuddin & Arifiana, 2024). The internal objective of choosing this method is to analyze the application of material law to the crime of distributing counterfeit money based on the legal provisions in force in Indonesia, specifically to dissect the juridical correlation between Law Number 7 of 2011 concerning Currency and the dynamics of its application by judicial sociology in the Bekasi District Court Decision Number 656/Pid.B/2025/PN Bks. In examining the legal issues raised, this research combines two main approaches, namely the statute approach and the case approach. The legal approach was conducted by examining regulations and legislation related to the legal issue under study, including the Criminal Code (old Criminal Code), Law Number 1 of 2023 concerning the Criminal Code (National Criminal Code), and specifically Law Number 7 of 2011 concerning Currency. Meanwhile, the case approach was implemented through a critical analysis of Decision Number 656/Pid.B/2025/PN Bks to determine the legal concreteness, the perpetrator's criminal liability, and the judge's interpretation of the legal facts regarding the circulation of counterfeit money revealed throughout the trial.

The legal sources used in this normative research are classified into three levels: primary, secondary, and tertiary legal materials. Primary legal materials, which have formal legal binding force, consist of laws and regulations directly related to currency crimes and the Bekasi District Court Decision Number 656/Pid.B/2025/PN Bks. Furthermore, to provide an explanation of the primary legal material, secondary legal material was used, sourced from scientific literature, including criminal law textbooks, reputable legal journals, scholarly articles, and legal opinions and doctrines from leading legal experts on currency crimes. This writing was also supported by tertiary legal material in the form of legal dictionaries and encyclopedias to provide guidance and explanations of the legal terms inherent in the primary and secondary legal material. The legal material collection technique in this research was conducted through library research, which was conducted by systematically searching for, collecting, reading, recording, and reviewing various literature relevant to the subject matter. All collected legal material was then processed and analyzed using qualitative legal material analysis techniques. This qualitative approach means that the legal material is meaningfully elaborated, interpreted, and described without the use of numbers or statistical formulas.

The concrete data analysis process was carried out through three theoretical stages. The first stage is to comparatively and synchronically review the provisions of material criminal law regarding the crime of distributing counterfeit money based on the Old Criminal Code, the National Criminal Code (Law 1/2023), and the Currency Law (Law 7/2011). The second stage is focused on rigidly analyzing the fulfillment of the elements of the crime of distributing counterfeit money, especially the elements of fault and knowledge charged to the defendant in Decision Number 656/Pid.B/2025/PN Bks. The final stage is realized by critically dissecting the legal reasoning of the Panel of Judges in assessing the construction of evidence in court as well as the philosophical, sociological, and juridical bases of the judge in handing down a criminal sentence against the defendant.

RESULT AND DISCUSSION

The dynamics of the application of substantive criminal law to the crime of distributing counterfeit money. As an economic crime that attacks the public interest (a crime against public confidence), the circulation of illegal currency directly undermines national monetary stability and degrades public trust in the Rupiah as legal tender. Crucial issues arise with the

transformation of the modus operandi of crime in the modern era. Thanks to the acceleration of digital printing technology and the internet, criminals no longer operate through conventional face-to-face networks, but instead exploit digital surveillance gaps such as marketplaces on social media to conduct counterfeit money procurement transactions quickly, anonymously, and with difficulty being detected. This phenomenon creates complex evidentiary challenges for law enforcement officials in court, particularly in linking formal offenses to digital evidence.

From a legal dogmatic perspective, law enforcement in this case is based on the principle of lex specialis derogat legi generali, where specific provisions in Law Number 7 of 2011 concerning Currency override the general counterfeiting articles stipulated in the Criminal Code. However, the main problem in implementing this law lies in proving the subjective element of the perpetrator's intent (mens rea), namely proving the "knowingly counterfeit" clause. Given the abstract nature of conscious awareness, defendants often use the defense of ignorance of the counterfeit status of the currency. Therefore, criminal law demands that judges be astute in constructing objective legal reasoning through sociological and economic evidence, such as analyzing the rational reasonableness of the currency's acquisition price and the defendant's mental state of attempting to flee during the transaction. Scientific crime investigation through laboratory testing at the Bank Indonesia Counterfeit Analysis Center plays an essential role as expert evidence to establish the judge's conviction that the material object of the case is counterfeit Rupiah (Djatmiko, Sanjaya & Hidayati, 2023).

Regarding the judge's ratio of interpretation and rationale (ratio decidendi) in issuing a sentencing decision, the focus of the problem is how judges construct a balance between legal certainty based on the principle of formal legality and substantive justice in the courtroom. Judges bear the legal responsibility to comprehensively assess all evidence, from witness testimony and expert testimony to physical evidence, to the defendant's testimony before determining criminal responsibility. Complexity arises when judges must formulate the severity of the criminal sanctions imposed to align with the integrative goals of modern criminal justice, which are not merely retributive but oriented toward deterrence, community protection, and rehabilitation. Judges are required to be astute in calculating aggravating circumstances, such as the scale of the economic impact and the defendant's involvement in cyber networks, as well as mitigating circumstances such as the defendant's cooperative attitude and remorse, in order to produce an accountable verdict (Yanuar, 2023).

The crime of distributing counterfeit money is an extraordinary crime against the national economy (a crime against public confidence) that directly undermines national monetary stability and degrades public trust in the Rupiah as legal tender. Money, from both a legal and economic perspective, is not merely an instrument of commercial exchange, but rather a representation of a nation's sovereignty that must be protected from all forms of material distortion. The recent development of counterfeit money distribution has shown a very worrying dynamic, where the crime no longer operates conventionally but has transformed with the rapid development of information technology, the digitalization of printing, and the penetration of social media. Modern criminals cleverly utilize digital platforms, encrypted internet networks, and social media marketplaces as operational means to obtain, promote, and even distribute counterfeit money to consumers anonymously. The convergence of traditional economic crimes with the sophistication of cyberspace (cyber-assisted crime) has created new complexities and significant legal challenges for law enforcement officials, particularly in mapping the boundaries of evidentiary jurisdiction, tracing the digital footprints of perpetrators, and linking physical evidence to material acts of distribution in the field (Irawan, Bakry & Hardian, 2022).

In the context of criminal justice enforcement in Indonesia, Decision Number 656/Pid.B/2025/PN Bks provides a clear illustration of how positive legal instruments are applied to respond to the threat of illegal currency circulation. The application of substantive

criminal law to the defendant in this case is based strictly on specific provisions stipulated in Law Number 7 of 2011 concerning Currency. The legal choice to apply this law confirms the paradigm that the circulation of counterfeit money is a very serious offense because the spectrum of its impacts is no longer limited to individual victims but extends to threaten national financial security and disrupt the smooth management of banking and public payment transactions. Doctrinally, the implementation of this law shifts the use of general counterfeiting articles in the Criminal Code (KUHP). The affirmation of sanctions stipulated in Law Number 7 of 2011 is designed to provide a more optimal deterrent effect through the formulation of high cumulative prison sentences with massive fines, reflecting the state's commitment to protecting the exclusivity of the authenticity of the Rupiah in domestic and global economic relations (Aksah & Nugraha, 2025).

The application of substantive criminal law to perpetrators of counterfeit money distribution in Decision Number 656/Pid.B/2025/PN Bks is substantially closely related to the basic doctrine of criminal liability (strafbaarheid). Within Indonesian criminal law, the universally applicable fundamental principle is geen straf zonder schuld or actus non facit reum nisi mens sit rea, which stipulates that there is no crime without fault on the part of the perpetrator. This doctrine of criminal responsibility clearly separates the objective criminal act (actus reus) from the subjective mental attitude of the perpetrator (mens rea). Based on this legal construction, a person cannot be immediately given a criminal sanction simply because he physically controls or hands over counterfeit banknotes, but must first be proven whether the physical act was born of a free will tainted by an element of error (schuld). This characteristic of error became the cornerstone for the Panel of Judges of the Bekasi District Court in this case to conduct an in-depth legal analysis, in order to ensure that the sentencing is truly based on an objective and rational foundation of justice, not merely punishment for the outward consequences of a concrete event.

In the crime of distributing counterfeit money as prohibited by Law Number 7 of 2011, the element of guilt is matched with the element of intent (dolus) inherent in the defendant when using or distributing money that he knows is counterfeit. The existence of the phrase "knowingly counterfeit" in the formulation of the crime indicates that the type of intent required is at least intentional intent as a matter of awareness (dolus directus) or at least intention as a matter of possibility (dolus eventualis). This subjective element plays a crucial role considering that criminal law must protect citizens in good faith, who may accidentally receive counterfeit money from a legitimate transaction and then spend it again without realizing the material defects in the money. Therefore, in order to avoid erroneous sentencing (error in persona), the judge is required to conduct a careful inner reconstruction by relying on the legal facts that are revealed legally and logically throughout the trial process. Judges must be able to interpret a series of external objective indicators that reflect the defendant's psychological state and actual knowledge of the counterfeit nature of the currency in their possession.

Theoretically, the act of distributing counterfeit currency is defined as the act of handing over, spending, or distributing notes resembling genuine currency to another party with the intention of having the money accepted and treated as if it were legitimate and genuine payment. This conceptualization of distribution positions the offense as both a formal and material offense across a broad spectrum due to the potential for immediate and multiplicative economic losses for the victim. However, in practice, proving the perpetrator's knowledge (mens rea) often presents a complex and challenging challenge for prosecutors. The majority of defendants in counterfeit currency distribution cases develop a defense strategy using the classic excuse of ignorance of fact, lacking the expertise to detect the currency's authenticity. To address this deterrent phenomenon, criminal procedure law provides a solution through the sharpening of valid evidence. Law enforcement officials should not be trapped by the defendant's unilateral confession, but must proactively establish a logical correlation between the pieces of evidence

to undermine the denial through a scientific and comprehensive evidentiary mechanism (Maharani, Hutagalung & Syahputra, 2022).

Examining the formal legal aspect, the theory of evidence asserts that judges are bound by a negative statutory evidentiary system (negatief wettelijk stelsel), as mandated by the Criminal Procedure Code (KUHAP). This system stipulates that judges can only issue a criminal verdict if they have a strong conviction based on at least two legally valid pieces of evidence. In examining Decision Number 656/Pid.B/2025/PN Bks, the evidence presented included testimony from witnesses at the scene, testimony from the defendant, physical evidence in the form of counterfeit rupiah banknotes, and expert testimony from the Bank Indonesia Counterfeit Analysis Center (BI-CAC). Among all these pieces of evidence, expert testimony holds a highly strategic and decisive position. Through specific scientific capacity and the use of monetary forensic technology, experts are able to describe in detail the physical deviations of the material, starting from the type of paper, the quality of the ink print, the wrong print on the security thread, to the absence of a precise watermark, so that the authenticity status of the object in question can be defined scientifically without the slightest doubt.

The application of the law in Decision Number 656/Pid.B/2025/PN Bks clearly places the results of the forensic laboratory examination as the primary pillar for validating the fulfillment of the objective elements of the crime. The written report, qualified as documentary evidence and supported by expert testimony at trial, provides mathematical-empirical certainty that dispels the judge's doubts regarding the counterfeit nature of the money in circulation. Furthermore, the judge conducted a legal synthesis process by linking this scientific evidence with other indicative evidence, such as how the defendant obtained the counterfeit money—for example, purchasing it through a social media platform at an extremely low and unreasonable price (e.g., Rp1,000,000 of genuine money exchanged for Rp3,000,000 of counterfeit money). This reasonable economic rationality serves as the basis for the judge's reasoning in concluding that the defendant could not have been unaware that the money he obtained and circulated was counterfeit. Through this consistent reasoning and interconnectedness of evidence, the interconnection between actus reus and mens rea was successfully integrated, giving the judge a solid conviction in finding the defendant guilty. From the perspective of legal sociology and law enforcement theory, the effectiveness of the operationalization of criminal law in this case reflects the law's function as a social defense mechanism. Ideal law enforcement must harmoniously integrate three main pillars: legal substance in the form of firm regulations; legal structure in the form of the integrity of law enforcement officers; and legal culture in the form of public legal awareness. The firm application of criminal sanctions in Decision Number 656/Pid.B/2025/PN Bks demonstrates that the criminal justice system operates interactively to mitigate the systemic risks of street and cybercrime that target the real economic system of society. Failure to take firm action against counterfeit money dealers will have far-reaching implications, including a fall in the exchange rate, triggering local inflation in the micro-commerce sector, and destroying the sense of security of small businesses, which are the primary victims of counterfeit money circulation due to their limited early detection tools (Zulkarnaen, 2022). The law enforcement process in this case was carried out in a hierarchical and systematic manner, reflecting the principle of due process of law, starting from the economic intelligence investigation phase, through evidence-based investigations, and thorough prosecutions, culminating in an impartial examination in court. Bank Indonesia's active involvement as the central bank in providing technical assistance throughout the investigation process confirms that handling currency cases requires multidisciplinary institutional collaboration. The transformation of the perpetrators' modus operandi, which has utilized information encryption technology, requires law enforcement officials to continuously update their digital forensic technical capabilities to keep up with the legal escape tactics often employed by large-scale counterfeit money producers and distributors in Indonesia.

The urgency of implementing Law Number 7 of 2011 as lex specialis in this case also carries fundamental doctrinal implications related to the principle of legal preference. Although the crime of currency counterfeiting has historically been accommodated in the Criminal Code as a codification of general criminal law, the existence of the Currency Law presents a more adaptive, comprehensive, and specific legislative response. The principle of lex specialis derogat legi generali automatically overrides the articles in the Criminal Code because this special law regulates the elements of the crime in greater detail, encompassing not only the aspects of counterfeiting and distribution, but also the prohibition on carrying, storing, importing, or exporting counterfeit currency into or out of the country's jurisdiction. This demonstrates a commitment to holistic legal protection to safeguard the Rupiah not merely as a means of payment, but as an attribute of state sovereignty that must be fully respected and protected from any potential material abuse by irresponsible parties. Theoretically, the sentencing philosophy applied by judges in their decisions must reflect a shift from a purely absolute/retributive theory to a relative/objective and integrative theory. Criminal sanctions imposed on defendants who distribute counterfeit money should not be interpreted simply as state revenge for crimes committed, but rather must serve a balanced dual purpose: to provide an individual deterrent to the defendant to prevent them from repeating their actions (special deterrence), while simultaneously sending a clear warning to the wider community to discourage involvement in counterfeit money distribution networks (general deterrence). Furthermore, the sentences imposed should also have educational and restorative aspects for economic stability, ensuring that substantial justice is enjoyed by all levels of society harmed by the existence of counterfeit money.

In determining the proportionality of sentencing, the Panel of Judges in Decision Number 656/Pid.B/2025/PN Bks carefully considered aggravating and mitigating circumstances. Aggravating circumstances are based on objective parameters such as the nominal value of counterfeit money successfully circulated, the potential damage to the local economy caused, and the defendant's deliberate nature, indicated by careful planning before carrying out his actions. Conversely, mitigating circumstances are based on humanitarian and cooperative dimensions, such as the defendant's frank and straightforward confession, which facilitated a smooth trial, a clean record of recidivism, and the defendant's deep remorse. Balancing these two poles of circumstances is key for the judge to deliver a decision that is not only legally certain, but also just, humane, and morally accountable to God Almighty and society.

Analysis of the dynamics of the judge's legal reasoning (ratio decidendi), which serves as the spirit and intellectual basis behind the sentencing of the perpetrator of the crime of distributing counterfeit money in Decision Number 656/Pid.B/2025/PN Bks. A judge's legal reasoning is the most essential part of a court decision, as it is here that a judge's rational, moral, and legal responsibility for the case entrusted to him or her lies. The process of drafting the ratio decidendi requires the judge to construct a structured, objective, and comprehensive thinking by correlating the abstract legal rules contained in the law with the concrete facts successfully distilled throughout the evidentiary process in court. The judge acts as a living interpreter of the law, who must not merely be a mouthpiece for the law (bouche de la loi), but must also be able to explore the values of substantial justice in order to produce a decision that is high-quality, accountable, and has the power to translate real justice for society.

In handing down a criminal sentence against a counterfeit money distributor, the Panel of Judges begins by rigorously examining the validity of the Public Prosecutor's charges through the lens of the trial facts. The judge is required to carefully examine whether the defendant's actions materially me*et al*l the essential elements of the articles charged under Law Number 7 of 2011 concerning Currency. This examination involves logically synchronizing the testimony of witnesses who witnessed or interacted directly with the defendant during the

transaction, expert testimony validating the physical falsity of the evidence, and the defendant's own confessions or denials. All of this evidence is not assessed in isolation or fragmented, but rather analyzed holistically to identify a common thread of consistency that can eliminate all reasonable doubt. This is crucial because in criminal law, a judge's conviction must be rooted in valid evidence, and the absence of sufficient evidence must result in the defendant's acquittal (in dubio pro reo) (Winata, Lasmadi & Erwin, 2026). Theoretically, a judge's legal reasoning is always based on the three main pillars of legal objectives proposed by Gustav Radbruch: legal certainty (rechtssicherheit), expediency (zweckmassigkeit), and justice (gerechtigkeit). In this counterfeit money circulation case, the judge is faced with the challenge of harmonizing these three pillars proportionally. Legal certainty is achieved through the consistent application of the normative text of Law Number 7 of 2011 as the formal legal basis for sentencing. Expediency is projected through the decision's impact on monetary stability and the protection of the business world from illegal money circulation, while justice is achieved by measuring the severity of the sentence to match the actual level of culpability of the defendant. Judges in this case must not fall into the trap of rigid legal positivism, which could harm the sense of justice, but they must also not overly disregard written legal certainty to avoid judicial arbitrariness. More deeply, the ratio decidendi established by the judge in Decision Number 656/Pid.B/2025/PN Bks reflects the implementation of the theory of criminal responsibility based on the perpetrator's inner fault. The judge astutely interpreted the defendant's actions in spending counterfeit large-denomination bills on inexpensive items with the intention of obtaining genuine change as a strong indicator of deliberate malice (mens rea). The judge assessed this pattern of transaction behavior as a consciously designed act by the defendant to gain unlawful financial gain at the expense of the common people. Therefore, the judge rejected the defense argument of the defendant's client, who claimed his client acted without knowledge, because sociological facts demonstrated the defendant's unusual behavior, which was hasty and tended to avoid manual inspection by cashiers or vendors at the scene of the crime.

The judge also gave significant consideration to the scientific evidence presented by the Public Prosecutor. The judge presented laboratory test results from Bank Indonesia as an objective instrument that overrides subjective debates regarding the shape and appearance of the bills. For the judge, the existence of an official document from the monetary authority stating that the evidence is 100% counterfeit is an absolute legal fact that cannot be disputed. This legal consideration, which includes scientific analysis, provides a very strong foundation for the judge's decision in potential lawsuits or appeals to higher courts, while also providing legal education to the public regarding the reliability of the country's financial forensics system in detecting and eradicating currency counterfeiting crimes.

Next, in the sanction determination phase, the judge's considerations shifted to moral and humanitarian calculations by weighing the aggravating and mitigating circumstances of the defendant's personality. The judge observed that the defendant's act of distributing counterfeit money during a period of economic recovery was a dominant aggravating factor, exacerbating the financial vulnerability of the small traders who were his victims. On the other hand, the judge also took into account mitigating factors, such as the defendant being the breadwinner of the family, having no prior criminal record, and demonstrating a real commitment to repentance during the trial. This balanced assessment of the objective aspects of the crime and the subjective aspects of the perpetrator (criminal individualization) led the judge to formulate the most just and proportional prison sentence and fine.

Conceptually, the judge viewed the imposition of cumulative sanctions (prison and fine) in this decision as a strategic move to stifle the economic motives of perpetrators of white-collar crime and organized street crime. Counterfeit money is produced and circulated for material gain, so the imposition of significant fines is intended to impoverish or reduce the financial incentives derived from these illegal activities. The judge recognized that physical punishment

in the form of imprisonment alone would be ineffective if the economic benefits of the crime remained intact. Therefore, through comprehensive legal considerations, financial sanctions were applied as a structural means of recovery and prevention against the economic crime ecosystem within the jurisdiction of the Bekasi District Court.

Furthermore, the judge's legal considerations also addressed the macro-level aspect of the importance of upholding the dignity and prestige of the Rupiah currency as a symbol of the sovereignty of the Unitary State of the Republic of Indonesia. The judge emphasized in his considerations that each Rupiah banknote embodies the nation's national identity, history, and economic sovereignty. Allowing the circulation of counterfeit money, regardless of the denomination, constitutes a violation of state sovereignty. Through the strong legal message in his ratio decidendi, the judge positioned the judiciary as the last bastion, which will not tolerate destructive actions that attempt to undermine public trust in official financial instruments protected by law.

When linked to the conceptual foundation approach outlined in Chapter II, the judge's entire legal reasoning in Decision Number 656/Pid.B/2025/PN Bks demonstrates strong adherence to the principles of criminal procedure and substantive criminal law. The conceptualization of criminal acts, counterfeit money, evidence, and punishment is successfully and systematically embodied in the decision text. The judge evidently does not make logical leaps in drawing conclusions, but rather builds a step-by-step, inductive argument from the trial facts to a final legal conclusion. This demonstrates that the judicial decision was formed through a process of mature intellectual reflection and is grounded in a commitment to upholding justice based on material truth (materiele waarheid).

Overall, an analysis of the judge's legal reasoning in this second point confirms that the decision in Case Number 656/Pid.B/2025/PN Bks is not merely a formal ritual in the exercise of judicial power, but rather a manifestation of responsive and visionary criminal policy. The judge successfully fulfilled his role as guardian of justice by formulating a solid, scientific, and humanistic ratio decidendi. This decision not only successfully resolved the criminal dispute between the state and the defendant, but also established a valuable legal precedent for the development of jurisprudence on special economic crimes in Indonesia, while affirming that the law will always be firmly present to protect society and the nation's economic sovereignty from all forms of modern criminal threats.

CONCLUSIONS

The application of criminal law in Decision Number 656/Pid.B/2025/PN Bks is in accordance with the provisions of Law No. 7 of 2011 concerning Currency and the Criminal Code. Through a valid line of evidence (witness testimony, defendant's testimony, evidence, and Bank Indonesia forensic laboratory tests), the defendant was legally and convincingly proven to have fulfilled the elements of the crime of distributing counterfeit money, namely knowingly (mens rea) using counterfeit currency in transactions as if it were legal tender. This law enforcement confirms the state's commitment to mitigating economic crimes (including those utilizing social media) in order to protect the public, maintain national economic stability, and maintain public trust in the Rupiah. The judge's considerations in handing down the decision have proportionally fulfilled three legal objectives, namely legal certainty, justice, and expediency. The judge not only relied on the juridical-scientific aspects (fulfillment of the elements of intent and falsity of the object of the case), but also considered the socio-economic impacts that are detrimental to the community and undermine the Rupiah as a symbol of state sovereignty. In addition, the imposition of sanctions is based on the individualization of the crime by weighing in a balanced way the aggravating circumstances (disturbing the community and disrupting economic order) and the mitigating circumstances (the defendant is polite, admits to the act, and has never been convicted).

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