

# Criminal Responsibility for Perpetrators of Destruction of Rupiah Banknotes in the Perspective of Law Number 7 of 2011 concerning Currency

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## ABSTRACT

*As an independent and sovereign country, the Unitary State of the Republic of Indonesia has a symbol of sovereignty that must be respected by all its people, one of which is the Rupiah currency, which is often damaged, especially small denominations and is often carried out by minors, thus giving rise to problems that require a more in-depth study of the legal regulations related to the damage to banknotes, forms of damage according to Law Number 7 of 2011 concerning Currency, and criminal liability for the perpetrators of these acts, which in this study were analyzed using library research methods through various sources, both printed and electronic, so that it was concluded that the regulations regarding the damage to banknotes have been regulated in laws and regulations that provide the threat of sanctions in the form of imprisonment or fines in accordance with applicable laws, where the form of damage to banknotes according to Law Number 7 of 2011 includes changes in the original physical shape or size such as burning, making holes, tearing, cutting, destroying, and changing the value of the Rupiah with the intention of degrading the country's currency, and that criminal liability for perpetrators of damage to Rupiah banknotes still refers to the provisions of the applicable laws in The Unitary State of the Republic of Indonesia.*

**Keywords:** Destruction of Banknotes, Criminal Liability, Law Number 7 of 2011 concerning Currency.

## 1. INTRODUCTION

The rupiah is the official currency of Indonesia and serves as a symbol of national sovereignty. However, in recent years, cases of rupiah banknote damage, such as burning, tearing, and defacing, have been increasing, whether done intentionally or negligently. These acts are often carried out as a form of protest, artwork, or even an expression of frustration, but they have legal consequences. The act of damaging rupiah banknotes is not only a social issue but also a legal

violation that can undermine public trust in the national currency. According to Bank Indonesia, such actions can lead to a reduction in the quality and circulation of money, disrupting economic stability and financial transactions (Jameaba, 2020; Kasri et al., 2022). Furthermore, the rise of social media platforms has amplified these activities, as perpetrators often document and disseminate their actions, triggering widespread concern regarding the enforcement of legal consequences (Dragiewicz et al., 2018; Mugari, 2020).

In legal doctrine, the protection of national currency is a fundamental aspect of state sovereignty. Law Number 7 of 2011 on Currency explicitly prohibits the destruction of rupiah banknotes, with criminal sanctions imposed on violators. Article 35 of the law stipulates that individuals who intentionally damage, destroy, or alter rupiah banknotes can face imprisonment of up to five years or fines of up to IDR 1 billion (Law No. 7/2011). This regulation aligns with the state's responsibility to maintain public confidence in the rupiah as a legal tender and to ensure that its physical integrity is preserved for smooth financial transactions. Prior research has shown that criminal sanctions against currency destruction are also present in various countries, such as the United States, where similar laws prohibit the mutilation or defacement of banknotes under Title 18, Section 333 of the U.S. Code (Lusiyani, 2019). This reflects the universal principle that currency destruction is a serious offense that requires strict legal measures to prevent economic disruptions (Posner & Sykes, 2012).

This study aims to analyze the criminal liability of individuals who engage in the destruction of rupiah banknotes based on Law Number 7 of 2011. The research seeks to examine the legal framework governing such offenses, the effectiveness of law enforcement in addressing cases of rupiah destruction, and the implications for public awareness regarding currency protection. Through a normative legal approach, this study will evaluate court rulings, legal interpretations, and comparisons with international practices to determine the extent to which current regulations effectively deter such acts. Additionally, the study aims to assess the role of Bank Indonesia and law enforcement agencies in enforcing these laws and ensuring compliance among the public (Sutanto, 2021). By addressing these issues, the study contributes to a better understanding of legal accountability in safeguarding the integrity of the national currency.

Based on preliminary findings, it can be hypothesized that the enforcement of criminal sanctions for rupiah banknote destruction under Law Number 7 of 2011 remains inconsistent, with limited cases being prosecuted despite the legal provisions in place. The lack of widespread enforcement may stem from public ignorance of the law, lenient judicial interpretations, or challenges in proving intent behind such acts. Moreover, the existence of digital platforms that allow users to share controversial content raises concerns about the effectiveness of preventive measures. Thus, this study argues that a stricter legal approach, combined with public education campaigns, is necessary to reinforce the criminal

liability of individuals involved in rupiah destruction. Strengthening regulatory oversight and ensuring that legal consequences are widely known can serve as a deterrent, ultimately preserving the sanctity of Indonesia's currency and economic stability (Nofriza et al., 2024).

## **2. RESEARCH METHOD**

Research methods are a fundamental aspect in the preparation of scientific papers to ensure the validity and accountability of research results. In research that focuses on social sciences, a library research approach is often used to analyze relevant laws and regulations, including laws governing the crime of destroying rupiah banknotes. This study examines various legal sources, such as Law Number 7 of 2011 concerning Currency, its implementing regulations, and related academic literature in order to understand the legal basis, sanctions, and social impacts of the act of destroying banknotes as a symbol of the sovereignty of the Unitary State of the Republic of Indonesia (NKRI) (Bank Indonesia, 2022). With a normative legal approach, this study analyzes how the implementation of regulations in practice and the role of law enforcement officers in providing protection for the rupiah as a legal tender (Sutanto, 2021). In addition, this study also aims to increase public awareness of the importance of maintaining rupiah banknotes, both in small and large denominations, as part of economic integrity and a symbol of state sovereignty (Hidayat, 2022).

## **3. RESULT AND ANALYSIS**

### **The Position of the Rupiah as a Symbol of State Sovereignty**

The Unitary State of the Republic of Indonesia as a sovereign state has the rupiah as a symbol of sovereignty that must be respected and its existence maintained. As a legal tender, the rupiah plays an important role in the national economic system in order to realize social welfare for all Indonesian people (Maulana et al, 2023). The 1945 Constitution of the Republic of Indonesia, in Article 23B, emphasizes that the type and price of currency are determined through laws and regulations in order to provide legal certainty and protection of national economic stability (Ruslina, 2023).

In its development, the management of the rupiah has changed along with economic needs. Law Number 7 of 2011 concerning Currency regulates the use of the rupiah in every transaction in Indonesia and requires integrated protection and management from planning to the withdrawal of money that is not fit for circulation. One aspect emphasized in this law is the legal sanctions for the destruction of the rupiah, as part of an effort to maintain the dignity and public trust in the national currency (Bayuaji & Hidayat, 2017).

### **Criminal Act of Destruction of Rupiah Banknotes**

The destruction of rupiah banknotes is regulated in Article 35 paragraph (1) of Law Number 7 of 2011, which states that any individual who intentionally damages, cuts, destroys, or changes the rupiah with the intention of degrading its honor as a symbol of the state can be subject to a maximum imprisonment of five years and a fine of up to IDR 1,000,000,000 (one billion rupiah) (Law Number 7 of 2011).

In the context of criminal law, perpetrators of crimes who damage rupiah can be categorized as the main perpetrators or accomplices in criminal acts based on Article 55 paragraph (1) of the Criminal Code, which states that those who commit, order to commit, or participate in committing a crime can be held criminally responsible (Herring, 2021; Orlovskiy et al., 2022). In addition, Article 56 of the Criminal Code also stipulates that individuals who assist in committing crimes or provide facilities for criminal acts of destroying rupiah can also be punished.

Damage to rupiah banknotes can occur due to various factors, both intentional and unintentional. Some types of money damage that often occur in Indonesia, based on the Explanation of Article 22 of Law Number 7 of 2011, include:

1. Money with holes - money with large tears or rips.
2. Money with insulation - money that has been split and glued back together using tape.
3. Worn or folded money - money that has been folded repeatedly so that its texture changes.
4. Money with writing - money that is scribbled on with ink or handwritten.

Money used as a medium for expressing oneself - some individuals use money to write personal messages or certain notes, which damages the authenticity of the rupiah. In some cases, damage to money is done unintentionally, such as due to long circulation in the economic system or careless handling. However, in certain cases, damage is done intentionally, especially in the context of acts of destroying state symbols or crimes related to counterfeiting, money laundering, and financing terrorism (Pokharel, 2024).

To prevent damage to rupiah currency, the government needs to take the following steps:

1. Education and socialization to the public about the importance of keeping rupiah currency in good condition.
2. Implementation of strict sanctions for perpetrators who are proven to have intentionally damaged money.
3. Strengthening the monitoring and supervision system by monetary authorities regarding the circulation and physical condition of rupiah.
4. Improving the quality of raw materials and design of rupiah currency to ensure resistance to damaging factors.

The destruction of the rupiah has serious implications for the national economy, because it can reduce public confidence in the country's currency. Damaged and unfit rupiah can cause instability in the payment system and increase the government's burden in the process of reprinting money (Bank Indonesia, 2023). From a legal perspective, Law Number 7 of 2011 stipulates that the use of the rupiah in every transaction is a legal obligation, and deliberate destruction of the rupiah is a criminal act that can be subject to severe sanctions. The deterrent effect must be the main goal in implementing this law, because crimes against currency can have a wide impact, including on the stability of the monetary system and the credibility of the national economy in the eyes of the international community (Hidayat, 2022). In conclusion, the destruction of rupiah banknotes is a violation of the law that must be handled seriously. The government, Bank Indonesia, and the community must play an active role in maintaining the sustainability of the national currency as a symbol of state sovereignty.

### **Destruction of Banknotes in Criminology and Legal Perspectives**

The destruction of banknotes is a form of crime occurring in society and can be categorized as a criminal offense that harms the state and disrupts the economic system. From a criminological perspective, crime is not an inherited phenomenon but arises due to environmental and socio-economic factors influencing individuals (Barnes et al., 2022). Crime is not limited to a specific demographic group but can be committed by anyone, regardless of gender or educational background (Onyeneke & Karam, 2022).

According to Kartini Kartono, crime from a juridical-formal perspective is a socially deviant behavior that contradicts the law. From a sociological perspective, crime includes actions that harm society in economic, political, or socio-psychological aspects (Tretyakov, 2022). Therefore, the destruction of banknotes can be categorized as a criminal act as it harms society and disrupts national economic stability.

Money plays a crucial role in a country's economy as a legal means of payment and a driver of economic growth. In Indonesia, Rupiah is not only a transaction tool but also a symbol of national sovereignty that must be protected and respected (Law Number 7 of 2011).

One of the most common offenses related to currency includes:

1. Defacing banknotes with writings unrelated to financial transactions.
2. Tearing or cutting banknotes, altering their original form.
3. Perforating banknotes with the intent of modifying their structure.
4. Using coin materials for jewelry production, often due to the higher intrinsic value of the metal compared to the nominal value of the currency.
5. Such actions violate Article 25 of Law Number 7 of 2011, which explicitly prohibits any form of destruction of Rupiah that degrades its dignity as a national symbol (Hidayat, 2023).

According to Article 35, paragraph (1) of Law Number 7 of 2011, individuals who intentionally destroy, cut, burn, or alter Rupiah with the intention of degrading its honor as a national symbol can face up to five years of imprisonment and a fine of up to IDR 1,000,000,000 (one billion Rupiah) (Law Number 7 of 2011). Additionally, Article 25, paragraphs (2) and (3) of Law Number 7 of 2011 prohibit the import and export of damaged Rupiah, with even harsher penalties, including up to ten years of imprisonment and fines of up to IDR 10,000,000,000 (ten billion Rupiah) (Bank Indonesia, 2022). From a criminal law perspective, perpetrators of banknote destruction can be categorized as primary offenders or accomplices under Article 55, paragraph (1) of the Indonesian Penal Code (KUHP), which states that those who commit, order, or assist in a crime can be held criminally responsible (Susilowati et al., 2024).

Beyond its legal implications, the destruction of banknotes also has significant economic consequences for both the public and the government. Bank Indonesia, as the country's monetary authority, must allocate substantial funds to print new banknotes to replace those that are damaged and unfit for circulation.

The primary causes of widespread banknote deterioration in Indonesia include

1. Lack of public awareness regarding proper handling and storage of banknotes.
2. Vulnerability of banknotes to environmental conditions, such as humidity and excessive friction.
3. Limited public knowledge regarding laws prohibiting currency destruction.

This negligence leads to an increase in unfit banknotes, prompting higher withdrawal and destruction rates by Bank Indonesia. If not addressed, this issue could cause monetary imbalance and higher inflation rates.

To mitigate this problem, the government should implement strategic measures, including:

1. Increasing public awareness campaigns on the importance of preserving banknotes.
2. Enforcing stricter penalties for currency destruction to serve as a deterrent.
3. Enhancing monitoring and oversight mechanisms for cash circulation.
4. Encouraging digital transactions to reduce dependency on physical cash.

With strong law enforcement and public awareness, it is expected that the stability of the Rupiah will be maintained, and public confidence in the national currency will continue to grow.

### **Legal Review of Rupiah Banknote Destruction**

The destruction of Rupiah banknotes is a criminal act that not only harms individuals but also has a broad impact on national economic stability and public trust in the country's currency. Based on Article 35 of Law Number 7 of 2011 on Currency, any person who intentionally damages, cuts, destroys, or alters Rupiah with the intent to degrade its honor as a national symbol may be subject to

imprisonment for up to five years and a maximum fine of IDR 1,000,000,000 (one billion Rupiah).

In the context of criminal law, every criminal act must meet the elements of fault and be legally accountable. According to Moeljanto (2009), criminal law aims to determine which acts are prohibited and to impose sanctions on those who violate these rules. The destruction of currency falls under the category of financial crimes, which directly impact the national monetary system, and its violations can damage the country's credibility at the international level (Basaran, 2021).

From a criminological perspective, currency destruction can be categorized as an economic crime, intended to harm the country's financial system. Kartini Kartono (2017) states that crime is a form of deviant behavior that violates legal norms and has negative consequences for society. The factors contributing to the high rate of banknote destruction in Indonesia include:

1. Lack of public awareness regarding the importance of preserving banknote quality.
2. Inadequate socialization by relevant authorities regarding legal sanctions for currency destruction.
3. Economic motives or ignorance of monetary circulation regulations.
4. Reckless or vandalistic acts without understanding their legal consequences.

Furthermore, formal criminal law divides the factors influencing the effectiveness of law enforcement in preventing currency destruction into five main aspects:

1. The legal framework itself, where regulations have not been optimally enforced.
2. Law enforcement agencies, where authorities lack the capacity to handle monetary crimes effectively.
3. Infrastructure and resources, including forensic technology for detecting financial crimes.
4. Societal factors, where low legal compliance is prevalent.
5. Cultural influences, which shape how people treat money as a national asset.

Under Article 35 Paragraph (1) of Law Number 7 of 2011 on Currency, offenders proven guilty may be sentenced to up to five years in prison and a maximum fine of one billion Rupiah. Additionally, Articles 38 and 39 of the Currency Law outline additional penalties for individuals or corporations involved in large-scale currency destruction (Bank Indonesia, 2022). According to Sudarto (2020), the concept of criminal liability in modern criminal law emphasizes the element of fault (*mens rea*) as the basis for imposing penalties. This means that a person can only be punished if they are proven to have had intent or deliberate wrongdoing in committing the criminal act. In the case of currency destruction, if the act is

committed intentionally and proves to harm national economic stability, stricter criminal sanctions may be imposed. However, there is a distinction between the level of liability for perpetrators who deliberately destroy currency and those who do so unknowingly. Therefore, it is crucial for the public to understand that even seemingly trivial acts, such as writing on or tearing banknotes, have serious legal consequences (Sutanto, 2021).

Efforts to combat currency destruction crimes can be undertaken through two primary approaches, namely penal (criminal law enforcement) and non-penal (preventive and educational measures).

#### 1) Penal Approach (Criminal Law Enforcement)

This approach emphasizes criminal sanctions against individuals proven to have illegally damaged banknotes. Measures include:

- Enforcement by law enforcement authorities (police, prosecutors, and judges) against individuals or groups involved in currency destruction.
- Implementation of stricter sanctions, including confiscation of evidence and additional penalties for corporations involved in large-scale currency destruction.
- Enhancing the capacity of law enforcement agencies in handling financial crimes through training and stricter regulatory enforcement.

#### 2) Non-Penal Approach (Prevention and Legal Awareness)

The non-penal approach focuses on crime prevention before it occurs, through the following measures:

- Public awareness campaigns led by Bank Indonesia to emphasize the importance of preserving banknotes in circulation.
- Legal education in schools and universities to ensure that the public understands the legal sanctions related to currency destruction.
- Public engagement through mass media and digital campaigns, particularly on social media platforms widely accessed by the public.
- Implementation of cashless transaction policies to reduce reliance on physical currency and prevent inadvertent destruction.

By integrating both penal and non-penal strategies, it is expected that cases of Rupiah banknote destruction can be significantly minimized, thereby preserving Rupiah's integrity as a national symbol and maintaining its trustworthiness at both national and international levels.

## 4. CONCLUSION

Regulations regarding the destruction of Rupiah banknotes are regulated in Law Number 7 of 2011 concerning Currency, where the punishment and fines for individuals who intentionally damage money refer to Article 35 paragraph (1) of the Law, which states that anyone who intentionally damages, cuts, destroys,



and/or changes the Rupiah with the intention of degrading the honor of the Rupiah as a symbol of the state as referred to in Article 25 paragraph (1), can be punished with a maximum imprisonment of five years and a maximum fine of IDR 1,000,000,000.00 (one billion rupiah), where the form of destruction of banknotes according to this regulation includes changing the shape, changing the physical size from the original, burning, making holes, removing part of, tearing, cutting, destroying, and changing the value of the Rupiah which is included in criminal acts and can be subject to sanctions in accordance with applicable legal provisions..

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