

Makna unsur menerbitkan keonaran dalam tindak pidana ketertiban umum di Indonesia = The Meaning of causing riot element under criminal act of public order in Indonesia

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Abstrak

Skripsi ini membahas mengenai makna unsur menerbitkan keonaran dalam Tindak Pidana Ketertiban Umum di Indonesia yang diatur di dalam Kitab Undang-Undang Hukum Pidana (“KUHP”) dan peraturan perundang-undangan lainnya. Menimbulkan keonaran atau dalam bahasa Belanda nya “Onrust Verwekken” artinya mengakibatkan keresahan atau kegelisahan di dalam masyarakat. Namun, mengenai batasan dari makna keonaran belum diatur secara jelas oleh peraturan perundang-undangan. Metode penelitian yang digunakan adalah metode penelitian yuridis. Seiring dengan adanya kemajuan teknologi dan perkembangan masyarakat di Indonesia, keonaran tidak dapat dimaknai secara sempit. Keonaran yang timbul dalam masyarakat tidak hanya dapat ditandai dengan perbuatan masyarakat secara fisik, seperti unjuk rasa, kekerasan terhadap barang atau orang, dan perbuatan fisik lainnya, melainkan juga perbuatan masyarakat secara non-fisik seperti di media sosial. Oleh karenanya diperlukan pengaturan atau penjelasan yang lebih jelas mengenai makna dari keonaran, sehingga tidak menimbulkan kesalahan penafsiran hukum.

.....This thesis mainly discusses the meaning of causing riot element under criminal act of public order in Indonesia which is regulated in Indonesia Criminal Code (Kitab-Undang-Undang Hukum Pidana “KUHP”) and other relevant laws and regulations. Causing riot or in Dutch, "Onrust Verwekken" means to cause anxiety or discomfort in the community. However, the clear boundaries for the meaning of riot has not been clearly regulated by the laws and regulations. The research method used in this thesis is a juridical-empirical research method. Along with the advance of technology and the development of society in Indonesia, riot shall not be narrowly interpreted. Causing riot in the community could not only be limitedly defined as physical actions of the community, such as demonstrations, violence against goods or people, and/or other physical actions, but also the actions of the community in a non-physical way such as on their expressions in social media. Therefore a clearer explanation or deeper meaning is urgently needed to elaborate the meaning of the riot in order to avoid misinterpretation of the law.