



**LEGAL RESPONSIBILITY FOR ABORTION ACTIONS AND
MISUSE OF DRUGS IN ILLEGAL ABORTIONS**

UNDERGRADUATE THESIS

**Submitted as one of the requirements to obtain
Sarjana Hukum (S.H.)**

By:

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Name : Ribka Hidayati Munthe

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ABSTRACT

The imposition of sanctions against abortion perpetrators, both the mother and those who assist, has not yet reached the desired standard of justice. This can be seen in the case of Ismawati Lakadjo Als. Ima, who performed an abortion using illegal drugs with the assistance of an abortion aide named Rahima S. Borahima. The purpose of this research is to explain and describe the justice in the verdict that acquitted the mother who underwent the abortion. Additionally, this research aims to explain and describe the legal responsibilities related to drug misuse in the execution of abortion. The research methodology employed in this study is normative legal research, which analyzes legal regulations concerning the imposition of sanctions against abortion perpetrators and drug misuse in the context of abortion. The research findings indicate that abortion perpetrators, both the mother and the accomplice, receive different punishments that do not reflect the principles of justice, despite both having equal contributions to the death of a fetus that would have grown into a human being. Furthermore, this research also concludes that both abortion perpetrators and abortion aides have legal responsibilities that must be fulfilled, namely a prison sentence of 4 years in accordance with Article 346 of the Criminal Code.

Keywords: Legal Justice; Abortion Abuse; Drugs.

Nama : Ribka Hidayati Munthe

Judul : Tanggung Jawab Hukum atas Tindakan Aborsi dan Penyalahgunaan Obat-Obatan dalam Aborsi Ilegal

ABSTRAK

Penjatuhan sanksi terhadap pelaku aborsi, baik ibu maupun mereka yang membantu, masih belum mencapai standar nilai keadilan yang diharapkan. Hal ini terlihat dari kasus Ismawati Lakadjo Als. Ima yang melakukan aborsi dengan menggunakan obat-obatan terlarang dan dibantu oleh seorang pembantu aborsi bernama Rahima S. Borahima. Tujuan dari penelitian ini adalah untuk menjelaskan dan mendeskripsikan keadilan dalam putusan yang membebaskan ibu yang melakukan aborsi. Selain itu, penelitian ini juga bertujuan untuk menjelaskan dan mendeskripsikan tanggung jawab hukum terkait penyalahgunaan obat-obatan yang dilakukan dalam melaksanakan aborsi. Metode penelitian yang digunakan dalam penelitian ini adalah metode penelitian hukum normatif yang menganalisis peraturan-peraturan hukum yang berkaitan dengan penjatuhan sanksi terhadap pelaku aborsi dan penyalahgunaan obat-obatan dalam konteks aborsi. Hasil penelitian menunjukkan bahwa pelaku aborsi, baik ibu maupun yang membantu, menerima hukuman yang berbeda-beda yang tidak mencerminkan prinsip-prinsip keadilan, padahal keduanya memiliki kontribusi yang sama dalam menyebabkan kematian janin yang akan hidup menjadi seorang manusia. Selain itu, penelitian ini juga menyimpulkan bahwa pelaku aborsi maupun pembantu aborsi memiliki tanggung jawab hukum yang harus dipenuhi, yaitu pidana penjara selama 4 tahun sesuai dengan Pasal 346 Kitab Undang-Undang Hukum Pidana.

Kata kunci: Keadilan hukum; Penyalahgunaan aborsi; Obat terlarang.

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I humbly recognize that there remains space for refinement within this thesis. As such, I wholeheartedly welcome any critique and recommendations that could contribute to elevating the caliber of this endeavor. My aspiration is that this thesis may yield advantages for both the writer and the broader readership. To God be the glory, great things He hath done!

Cikarang, August 4, 2023

A handwritten signature in black ink, consisting of several loops and flourishes, representing the name Ribka Hidayati Munthe.

Ribka Hidayati Munthe

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