



**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:

RIBKA HIDAYATI MUNTHER

017202000011

FACULTY OF HUMANITIES

LAW STUDY PROGRAM

CIKARANG

AUGUST, 2023

PLAGIARISM REPORT

Turnitin

ORIGINALITY REPORT

13%

SIMILARITY INDEX

13%

INTERNET SOURCES

7%

PUBLICATIONS

5%

STUDENT PAPERS

PRIMARY SOURCES

1

mail.jptam.org

Internet Source

3%

2

internationaljournalcorner.com

Internet Source

1%

3

Submitted to Universitas Atma Jaya
Yogyakarta

Student Paper

1%

4

www.ijbel.com

Internet Source

<1%

5

jurnal.unissula.ac.id

Internet Source

<1%

6

lawatlas.org

Internet Source

<1%

7

Submitted to Universitas Jenderal Soedirman

Student Paper

<1%

8

repository.uki.ac.id

Internet Source

<1%

9

journal3.um.ac.id

Internet Source

<1%

GPT ZERO REPORT

Stats

Average Perplexity Score: 2170.986

A document's perplexity is a measurement of the randomness of the text

Burstiness Score: 8158.140

A document's burstiness is a measurement of the variation in perplexity

Your sentence with the highest perplexity, "*Examiner*", has a perplexity of:
59200

Name : Ribka Hidayati Munthe

Title : Legal Responsibility for Abortion Actions and Misues of Drugs in Illegal Abortions

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.

TABLE OF CONTENT

PANEL OF EXAMINER APPROVAL	i
STATEMENT OF ORIGINALITY	ii
SCIENTIFIC PUBLICATION APPROVAL FOR ACADEMIC INTEREST	iii
ADVISOR'S APPROVAL FOR PUBLICATION.....	iv
PLAGIARISM REPORT	v
GPT ZERO REPORT	vi
ABSTRACT	vii
ABSTRAK	viii
ACKNOWLEDGEMENT.....	ix
TABLE OF CONTENT.....	xi
CHAPTER I INTRODUCTION	1
1.1 Background	1
1.2 Research Question	3
1.3 Research Purposes	3
1.4 Theoretical Framework	4
1.5 Research Methode	5
CHAPTER II THEORETICAL APPROACH.....	6
2.1 Theory of Responsibility	6
2.2 Theory of Abortion	7
2.3 Theory of Drugs in Abortion Practices	17
2.4 Theory of Justice	19
CHAPTER III ANALYSIS OF JUSTICE IN COURT DECISION REGARDING A MOTHER AND ASSISTANT INVOLVED IN AN ABORTION CASE.....	21
3.1. Analysis of Justice based on the Law	21
3.2. Analysis of Justice based on Legal Theory	22
CHAPTER IV ANALYSIS OF LEGAL RESPONSIBILITY FOR DRUG ABUSE IN A COURT DECISION THAT ACQUITS A MOTHER FOR ABORTION ACTION	24
4.1. Analysis of Responsibility based on the Law	24
4.2. Analysis of Responsibility based on Legal Theory	25
CHAPTER V CLOSING.....	27
A. Conclusion	27
B. Suggestion	27