



**THE JURIDICAL ANALYSIS ON HATE SPEECH THROUGH
SOCIAL MEDIA THAT CAUSING POLEMICS IN SOCIETY
(CASE STUDY OF EDY MULYADI)**

UNDERGRADUATE THESIS

Submitted as one of the requirements to obtain sarjana hukum (S.H)

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ABSTRACT

Name : Katarina Rika

Title of Thesis : The Juridical Analysis On Hate Speech Through Social Media That Causing Polemics In Society (Case Study Edy Mulyadi)

Cases of hate speech on social media still occur frequently in Indonesia, even by mass activists, as was done by Edy Mulyadi who called the new National Capital a place where genies throw away children. The process of sentencing Edy Mulyadi has caused turmoil in society regarding imposing sentences based on applicable laws and regulations and analysis based on the principles of justice. Therefore, the aim of this research is to determine the accuracy of the sentence against Edy Mulyadi based on applicable laws and regulations and analysis based on the principles of justice. This research uses a normative juridical approach by taking a legal approach, legal theory and other legal sources. The results of the research show that Edy Mulyadi has violated Article 15 of Law Number 1 of 1946 concerning criminal law regulations because Edy Mulyadi should have known that his words were incomplete news and had caused controversy in society. There was injustice in the judge's sentence regarding Edy Mulyadi's prison sentence, which was only given a light sentence, namely 7 months and 15 days in prison. Meanwhile, the context of the speech expressed in the Edy Mulyadi case is very serious and should receive a punishment appropriate to the violation.

Keywords: Hate Speech, Social Media, Where Jin Throws Away Children, Edy Mulyadi, Mother New State City.

ABSTRAK

Nama : Katarina Rika
Judul : Analisis Yuridis Terhadap Ujaran Kebencian Melalui Media Sosial Yang Menyebabkan Polemik Di Masyarakat (Studi Kasus Edy Mulyadi)

Kasus ujaran kebencian di media sosial masih sering terjadi di Indonesia, bahkan dilakukan oleh seorang aktivis Massa, sebagaimana yang dilakukan oleh Edy Mulyadi yang menyebut Ibu Kota Negara baru sebagai tempat jin buang anak. Proses penjatuhan hukuman terhadap Edy Mulyadi telah menimbulkan gejolak di masyarakat yang berkaitan dengan ketepatan penjatuhan hukuman berdasarkan peraturan perundang-undangan yang berlaku dan analisis berdasarkan asas keadilan. Oleh karena itu, tujuan penelitian ini adalah untuk mengetahui ketepatan penjatuhan hukuman terhadap Edy Mulyadi berdasarkan peraturan perundang-undangan yang berlaku dan analisis berdasarkan asas keadilan. Penelitian ini menggunakan metode pendekatan yuridis normatif dengan mengambil pendekatan hukum, teori hukum, dan sumber hukum lainnya. Hasil penelitian menunjukkan bahwa Edy Mulyadi telah melanggar pasal 15 Undang-Undang Nomor 1 Tahun 1946 tentang peraturan hukum pidana karena Edy Mulyadi seharusnya mengetahui perkataannya merupakan sutau berita yang tidak lengkap serta telah menimbulkan kontra dimasyarakat. Terdapat ketidakadilan dalam putusan hakim terhadap penjatuhan hukuman penjara kepada Edy Mulyadi yang hanya di vonis ringan yaitu 7 bulan 15 hari penjara. Sementara konteks ujaran yang dibuktikan pada kasus Edy Mulyadi tersebut sangat berat dan seharusnya mendapatkan pidana yang sesuai dengan pelanggaran tersebut.

Kata kunci : Ujaran Kebencian, Media sosial, Tempat Jin Buang Anak, Edy Mulyadi, Ibu Kota Negara Baru.

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