



**JURIDICAL ANALYSIS OF CYBER BULLYING CRIMINAL
REGULATIONS (COMPARATIVE STUDY OF INDONESIA AND
SOUTH KOREA)**

UNDERGRADUATE THESIS

Submitted as one of the requirements to obtain

Sarjana Hukum

KEYLIANI PANDAWARNI KURNIASIH

017202100091

FACULTY OF HUMANITIES

LAW STUDIES PROGRAMS

CIKARANG

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ABSTRACT

The development of the current era of digital technology has triggered the impact of communication and lifestyle of people who sometimes do not realize and act outside the norms. By utilizing digital technology and social media, it is easy for people to send statements and upload pictures/videos that undermine the credibility of other people's self-esteem. With the passage of time, various kinds of social media have sprung up and have spread almost all over the world so that people can use them to interact with each other such as Facebook, Instagram and Twitter, TikTok which is an application that is currently being used by the public. In Indonesia itself still does not have clear arrangements for cyberbullying crimes, so it can see from the criminal law arrangements that already have clearer policies, namely South Korea. The crime of cyberbullying cannot be underestimated because it can destroy the victim's mental psychology. The purpose of the research is to find out the advantages and disadvantages of related legal rules so as to obtain legal materials with the intention of renewing criminal law arrangements related to criminal acts of bullying or bullying through the internet and social media (cyberbullying). The research method used is normative research method using secondary data. The problem approach used in this research is the statutory approach and comparative approach as well as the deductive paragraph method. There are 8 indicators of cyberbullying, namely (Flaming, Harassment, Denigration, Outing, Impersonation, Cyberstalking, Trickery, and Exclusion). The regulation in Indonesia has covered 5 indicators while in South Korea it has covered 7 indicators. The regulation of cyberbullying criminal law in South Korea can be used as one of the foundation factors in the reform of criminal law in Indonesia so that the evidence and countermeasures of criminal acts are more orderly and clear so that the handling of cyberbullying is more optimal.

Keywords: *Cyberbullying*, Indonesian Criminal Law, South Korean Criminal Law.

ABSTRAK

Semakin berkembangnya era teknologi digital saat ini, semakin memicu dampak komunikasi dan gaya hidup masyarakat yang terkadang tidak menyadari dan bertindak diluar batas norma. Dengan memanfaatkan teknologi digital dan media sosial masyarakat dengan mudah untuk mengirim statement dan mengunggah gambar/video yang bersifat menjatuhkan kredibilitas harga diri orang lain. Dengan berjalanya waktu berbagai macam media sosial pun bermunculan dan telah menyebar hampir di seluruh dunia sehingga dapat digunakan masyarakat untuk berinteraksi satu dengan yang lainnya seperti facebook, Instagram dan twitter, tiktok yang merupakan aplikasi yang sedang ramai digunakan oleh masyarakat. Di Indonesia sendiri masih belum memiliki pengaturan yang jelas terhadap kejahatan cyberbullying, sehingga dapat melihat dari pengaturan hukum pidana yang sudah mempunyai kebijakan yang lebih jelas yaitu Korea Selatan. Kejahatan cyberbullying tidak dapat dianggap remeh karena dapat menghancurkan mental psikologi korban. Tujuan penelitian adalah untuk mengetahui kelebihan dan kekurangan aturan hukum terkait sehingga dapat memperoleh bahan-bahan hukum dengan maksud pembaharuan pengaturan hukum pidana terkait tindak pidana perudungan atau penindasan melalui internet dan media sosial (cyberbullying). Metode penelitian yang digunakan ialah metode penelitian normatif dengan menggunakan data sekunder. Pendekatan masalah yang digunakan dalam penelitian ini adalah pendekatan undang-undang dan pendekatan komparatif serta metode paragraph deduktif. Terdapat 8 indikator cyberbullying yaitu (Flaming, Harassment, Denigration, Outing, Impersonation, Cyberstalking, Trickery, dan Exclusion). Pengaturan di Indonesia sudah mencakup 5 indikator sedangkan di Korea Selatan sudah mencakup 7 indikator. Pengaturan hukum pidana cyberbullying di Korea Selatan harus dijadikan salah satu faktor landasan dalam pembaharuan hukum pidana di Indonesia sehingga pembuktian dan penanggulangan tindak pidana lebih teratur dan jelas sehingga penanganan cyberbullying lebih optimal.

Kata Kunci: Cyberbullying, Hukum Pidana Indonesia, Hukum Pidana Korea Selatan.

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