

ABSTRACT

LEGAL REVIEW OF CRIMINAL AND CRIMINOLOGY BLASPHEMY CRIME IN INDONESIA

By

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The offenses of blasphemy committed by a group of people in Indonesia to be problematic in religious life in Indonesia. The legal basis used in the attempt offense of blasphemy prosecution in Indonesia is the Book of Criminal Law (Penal Code), as well as the Presidential Determination No. 1/PNPS/1965 on Defamation of Religion. Criminal offense of blasphemy is a serious problem that must be addressed by the government. In addressing the issues and follow up on defamation of religion should be done by all parties, both from government and society. Problems in this study is whether these factors cause kriminologis criminal defamation of religion in Indonesia and how the response to the crime of blasphemy in Indonesia.

The study was conducted by using a normative juridical approach and empirical juridical approach. The sources and types of data in this study is the primary data obtained from field studies with an interview of police investigation Police Bandar Lampung, Bandar Lampung District Attorney Attorney, District Court Judge Tanjung Karang, Lampung University Faculty of Law, and Religious Leaders of Boarding Schools . Secondary data obtained from the literature study. The data obtained are then processed and analyzed in qualitative analysis.

Based on the research and discussion it can be concluded that these factors cause kriminologis crime of blasphemy in Indonesia include internal and external factors. Internal factors derived from each individual in terms of individual different understandings of religion, while external factors derived from the social environment. This fact shows that the internal and external factors have a major influence on kriminologis causes of crime of blasphemy, if it is associated with aspects of the suitability kriminologis it will get and the conclusion that factors kriminologis cause of the crime of blasphemy in Indonesia include: understanding

the different about the religious, the low level of religious education, family environment fostering of religious tolerance among people of faith, a psychological or psychiatric one, age and intelligence, education and school factors, community factors and social interaction. Efforts to control crime of blasphemy in Indonesia namely through a non-penal and penal. In addition the response in the face of criminology criminal defamation of religion, the government with law enforcement can take two attitudes or the way the attitude / way of preventive, such as providing supervision and protection of religious and attitudes / repressive ways, namely the government and enforcement law to participate actively in social activities that aim to tackle the crime of blasphemy.

The advice given author is expected to further increase public understanding of religion in accordance with the teachings of the true good and true in public life so as not to be affected by various belief that lead to a criminal offense of blasphemy in Indonesia. The government is expected to make a new rule regarding the crime of blasphemy with tougher sanctions as a renewal of national criminal law and in order to provide a deterrent effect on criminal defamation of religion.