

ABSTRACT

THE PRACTICE OF LAW ENFORCEMENT TO MILITARY MEMBERS ENGAGED IN PUBLIC CRIME

By:

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Criminal law is public law binding for anyone. The enforcement of public criminal law showed its authority applies to any person who violates the provisions that are in the book of criminal law. Criminal law applies in general, is different from criminal law in particular but the provisions stipulated specifically deviates from the Criminal Code (KUHP) but should not be contrary to the Criminal Code (KUHP). The problems in this thesis are how the law enforcement against military members who commit the public criminal acts and the prospective of law enforcement against military members who commit the public crime.

The approach used in this writing is the normative and empirical juridical approach. Data collecting technique was conducted with the literature study and interviews with the Chief of Dilmil II-08 Jakarta and experts associated both with academics and legal observers. Data collection was done with the literature study and interviews with Chief Dilmil II-08 Jakarta and experts associated both with academics and legal observers. Furthermore, the data obtained were analyzed qualitatively to get the conclusion according to the subject matter covered.

The research results and discussion indicated that the military criminal law enforcement in Indonesia is still not reached the level of perfection, or in other words the military criminal law has not been enforced in practice as a whole, which is one of the reasons was because the society were still not concerned with the military law itself. But the next, lot of changes that must be done, among others: a. Legislative Process; b. jurisdiction; c. Organization and Structure of Military Justice; d. Transition, and e. Technical Military Justice.

In the end, recommended that the implementation of the military criminal law in the Indonesian itself should get special attention, as well as it's needed for revision to the Code of Military Criminal law, which was inherited from the Dutch East Indies and is still valid today in Indonesia.

Keywords: Practice, Law Enforcement, Military Members, Public Crime.