

## ABSTRAK

Tujuan penelitian dalam penelitian ini ialah untuk mengetahui dan menganalisa kebijakan hukum Undang-Undang Informasi dan Transaksi Elektronik (ITE) terhadap penanganan tindak pidana penghinaan nama baik melalui internet di Indonesia, mengetahui kendala-kendala kebijakan hukum Undang-Undang Informasi dan Transaksi Elektronik (ITE) terhadap penanganan tindak pidana penghinaan nama baik melalui internet di Indonesia dan mengetahui kebijakan hukum Undang-Undang Informasi dan Transaksi Elektronik (ITE) terhadap penanganan tindak pidana penghinaan nama baik melalui internet di Indonesia di masa yang akan datang.

Penelitian ini menggunakan pendekatan *juridis sosiologis*, dengan metode penelitian deskriptif analitis. Data yang digunakan yaitu data primer dan sekunder yang akan dianalisis secara kualitatif. Permasalahan penelitian dianalisis menggunakan teori keadilan.

Hasil penelitian menyimpulkan bahwa Upaya penanggulangan kejahatan perlu ditempuh dengan pendekatan kebijakan, dalam arti ada keterpaduan antara politik kriminal dan politik sosial serta ada keterpaduan antara upaya penanggulangan kejahatan dengan *penal* dan *non penal*. Kendala yang dihadapi oleh aparat penegak hukum saat ini adalah bagaimana menjaring pelaku *cybercrime* dikaitkan dengan ketentuan hukum pidana yang berlaku. Aparat penegak hukum dihadapkan pada kesulitan untuk menentukan kualifikasi kejahatan mengingat sulitnya menemukan alat bukti. Serta solusi penyelesaian perkara pidana pencemaran nama baik melalui media sosial elektronik di Kepolisian Indonesia dengan dua cara, yaitu melalui sarana *penal* (kegiatan represif sesudah terjadinya Tindak Pidana) dan sarana *non penal*, berupa penyuluhan untuk tindakan preventif

**Kata Kunci : Tindak pidana, Pencemaran nama baik, UU ITE**

## **ABSTRACT**

*The research objectives in this study are to know and analyze the legal policy of the Information and Electronic Transactions Act (ITE) on the handling of criminal acts of defamation via the internet in Indonesia, knowing the legal policy constraints of the Information and Electronic Transactions (ITE) Law on handling criminal acts of defamation via the internet in Indonesia and know and analyze the legal policy of the Information and Electronic Transactions Act (ITE) on handling criminal acts of defamation via the internet in Indonesia in the future.*

*This study uses a sociological juridical approach, with a descriptive analytical research method. The data used are primary and secondary data which will be analyzed qualitatively. The research problem was analyzed using the theory of justice.*

*The results of the study conclude that crime prevention efforts need to be pursued with a policy approach, in the sense that there is an integration between criminal politics and social politics and there is an integration between penal and non-penal crime prevention efforts. The obstacle faced by law enforcement officers today is how to capture cybercrime perpetrators in relation to the provisions of the applicable criminal law. Law enforcement officers are faced with difficulties in determining the qualifications of crimes given the difficulty of finding evidence. As well as solutions for resolving criminal defamation cases through electronic social media at the Indonesian Police in two ways, namely through penal facilities (repressive activities after the occurrence of a crime) and non-penal means, in the form of counseling for preventive actions.*

**Keywords: Crime, Defamation, UU ITE**

