

**Tinjauan Yuridis Tindak Pidana Penghinaan Citra Tubuh (*Body Shaming*)
Berdasarkan Hukum Pidana Dan Undang-Undang ITE (Informasi Dan
Transaksi Elektronik) Di Indonesia**

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ABSTRAK

Penelitian ini bertujuan untuk mengetahui: (1) Bagaimana pengaturan *body shaming* ditinjau dari Kitab Undang-undang Hukum Pidana dan Undang-undang ITE (Informasi dan Transaksi Elektronik). (2) Bagaimana penegakan hukum *body shaming* ditinjau dari Kitab Undang-undang Hukum Pidana dan Undang-undang ITE (Informasi dan Transaksi Elektronik) Jenis penelitian yang digunakan adalah penelitian hukum normatif, dengan jenis pendekatan peraturan perundang-undangan, pendekatan konseptual, dan pendekatan kasus. Sumber bahan hukum yang digunakan tidak terlepas dari aturan yang ada seperti Undang-undang Dasar Tahun 1995, Kitab Undang-undang Hukum Pidana dan Undang-undang ITE (Informasi dan Transaksi Elektronik). Teknik pengumpulan bahan hukum adalah studi kepustakaan dan studi dokumen yakni dengan cara mengumpulkan dan menginventarisasi bahan hukum Primer dan Sekunder serta pendapat para ahli yang telah didapat. Dan teknik analisis bahan hukum menggunakan hermeneutika hukum. Hasil penelitian menunjukkan bahwa: (1) Pengaturan Tindakan *body shaming* terdapat pada Pasal 315 KUHP dan Pasal 27 ayat (3) Undang-undang ITE (2) Penegakan hukum yang bisa dilaksanakan menggunakan dua metode yakni didalam peradilan dan diluar peradilan seperti mediasi, negosiasi, fasilitasi, dan adjudikasi.

Kata Kunci: Pengaturan, Penegakan, *Body Shaming*.

Judicial Review of the Crime of Body Image Insult (Body Shaming) Based on Criminal Law and the ITE Law (Information and Electronic Transactions) in Indonesia

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ABSTRACT

This study aims to determine: (1) How the regulation of body shaming is reviewed from the Criminal Code and the ITE Law on (Information and Electronic Transactions) (2) How to enforce the law on body shaming in terms of the Criminal Code and the ITE Law (Information and Electronic Transactions) The type of research used is normative legal research, with the types of statutory, conceptual, and case approaches . The sources of legal materials used are inseparable from existing regulations such as the 1995 Basic Law, the Criminal Code and the ITE Law (Electronic Information and Transactions). The technique of collecting legal materials is literature study and document study, namely by collecting and taking an inventory of Primary and Secondary legal materials and the opinions of experts that have been obtained. And the technique of analyzing legal materials uses legal hermeneutics. The results of the study show that: (1) The regulation of body shaming actions is contained in Article 315 of the Criminal Code and Article 27 paragraph (3) of the ITE Law (2) Law enforcement that can be carried out using two methods, namely inside the court and outside the court such as mediation, negotiation, facilitation, and adjudication.

Keywords : Regulation, Enforcement, Body Shaming.