

PENULISAN HUKUM / SKRIPSI
DISPARITAS PIDANA TERHADAP PELAKU TINDAK
PIDANA PENYALAHGUNAAN NARKOTIKA DI
PENGADILAN NEGERI YOGYAKARTA



Disusun oleh:

BERNADINUS REALINO LEONA DION CHARERA

NPM : 06 05 09376
Program Studi : Ilmu Hukum
Program Kekhususan : Peradilan dan Penyelesaian Sengketa
Hukum

UNIVERSITAS ATMA JAYA YOGYAKARTA

Fakultas Hukum

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HALAMAN PERSETUJUAN

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Diajukan oleh
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| NPM | : | 06 05 09376 |
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Oleh Dosen Pembimbing pada tanggal 28 Maret 2011

Dosen Pembimbing,



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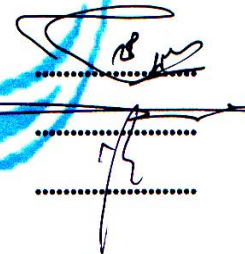
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Drs. Sari Murti Widiyastuti, S.H., M. Hum.

MOTTO

Kata "sekarang" dalam melakukan sesuatu adalah awal dari

KEBERHASILAN...

Dan kata "nanti, besok, atau lusa" adalah awal dari

KEGAGALAN...

"ONLY GOD CAN JUDGE ME..."

KATA PENGANTAR

Puji syukur penulis panjatkan kepada Tuhan Yesus Kristus dan Bunda Maria atas doa, kekuatan, berkat dan kasih-Nya sehingga penulis dapat menyusun skripsi ini dengan baik.

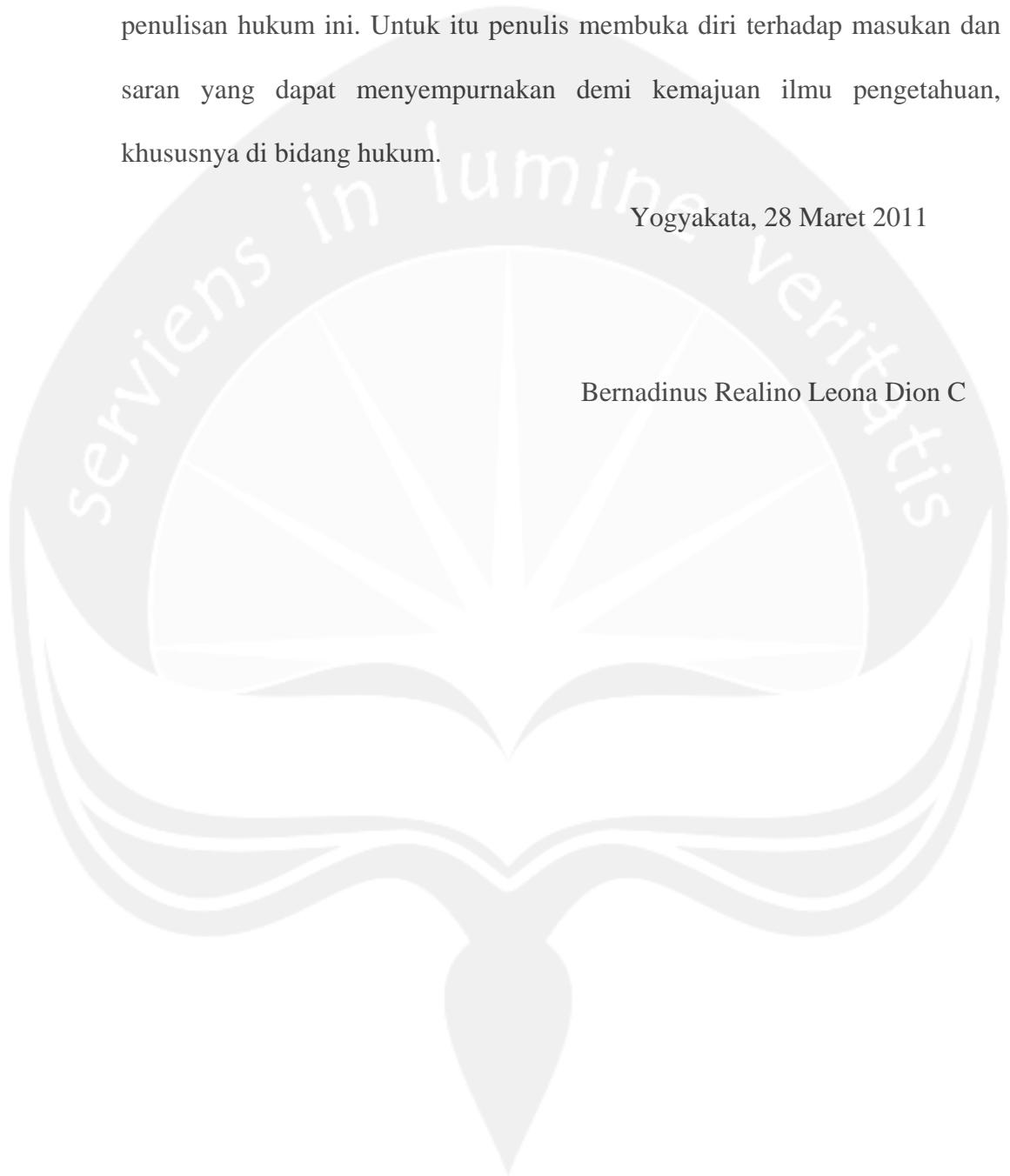
Penulis menyadari bahwa tanpa adanya bantuan dan bimbingan dari berbagai pihak, skripsi ini tidak dapat terselesaikan dengan baik, oleh karena itu pada kesempatan ini penulis mengucapkan banyak terima kasih kepada:

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2. Bapak G. Aryadi. S.H., M.H. selaku dosen pembimbing yang telah membimbing selama penulis menyusun skripsi.
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6. Orang tua dan keluarga yang dengan setia mendukung dan membimbing saya sehingga saya bisa menempuh pendidikan hingga saat ini.
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Akhirnya penulis berharap agar penulisan hukum ini dapat berguna bagi semua pihak. Penulis sungguh menyadari kekurangan dan kelemahan dalam penulisan hukum ini. Untuk itu penulis membuka diri terhadap masukan dan saran yang dapat menyempurnakan demi kemajuan ilmu pengetahuan, khususnya di bidang hukum.

Yogyakarta, 28 Maret 2011

Bernadinus Realino Leona Dion C



ABSTRACT

The occurrence of criminal verdict disparity in the case of narcotics misuse may cause the appearance of negative perception among members of society, since this is considered not absence from the illegality during court process. While, this is not such that, but based on the reason of legal considerations given by judge. Therefore, the author raises the issue of the problem formulation on the basic consideration of law magistrate in the Yogyakarta State law Court for deciding the criminal verdict towards to the accused on narcotics misuse; hence in turn this causes the disparity in criminal verdict.

The aim of this research is to obtain the data on the basic consideration of Court magistrate in the Yogyakarta State law court for deciding criminal verdict for the accused in the case of narcotics misuse; hence this causes the presence of the disparity in criminal verdict.

The kind of research is employed here is legal normative research, that is the legal research with abstract, carried out through deduction process from positive norms in the mean of legal systematization and positive law accreditation towards to the problem which is related to the basic consideration of Yogyakarta state law court for deciding criminal verdict towards to actor of narcotics misuse, hence this causes the disparity of criminal verdict.

Based on the research conducted, the bases for deciding criminal verdict on the case of narcotics' misuse are followings : the error in the formulation of criminal law, the background and the goal of committing misconduct on narcotics' misuse , life history, the accused, the professional background of the accused, the age of the accused, the attitude associates to the ,misuse of narcotics after committing misconduct on criminal category and the causes are resulted from the misuse of narcotics.

The recommendation from the author about the presented issue is: court magistrate must be careful and knowledgeable in handling every case, the socialization on disparity of criminal verdict must be carried out, and the research on the quality of law magistrate must be carried out continuously

Keywords: disparity, narcotics, the base of criminal verdict

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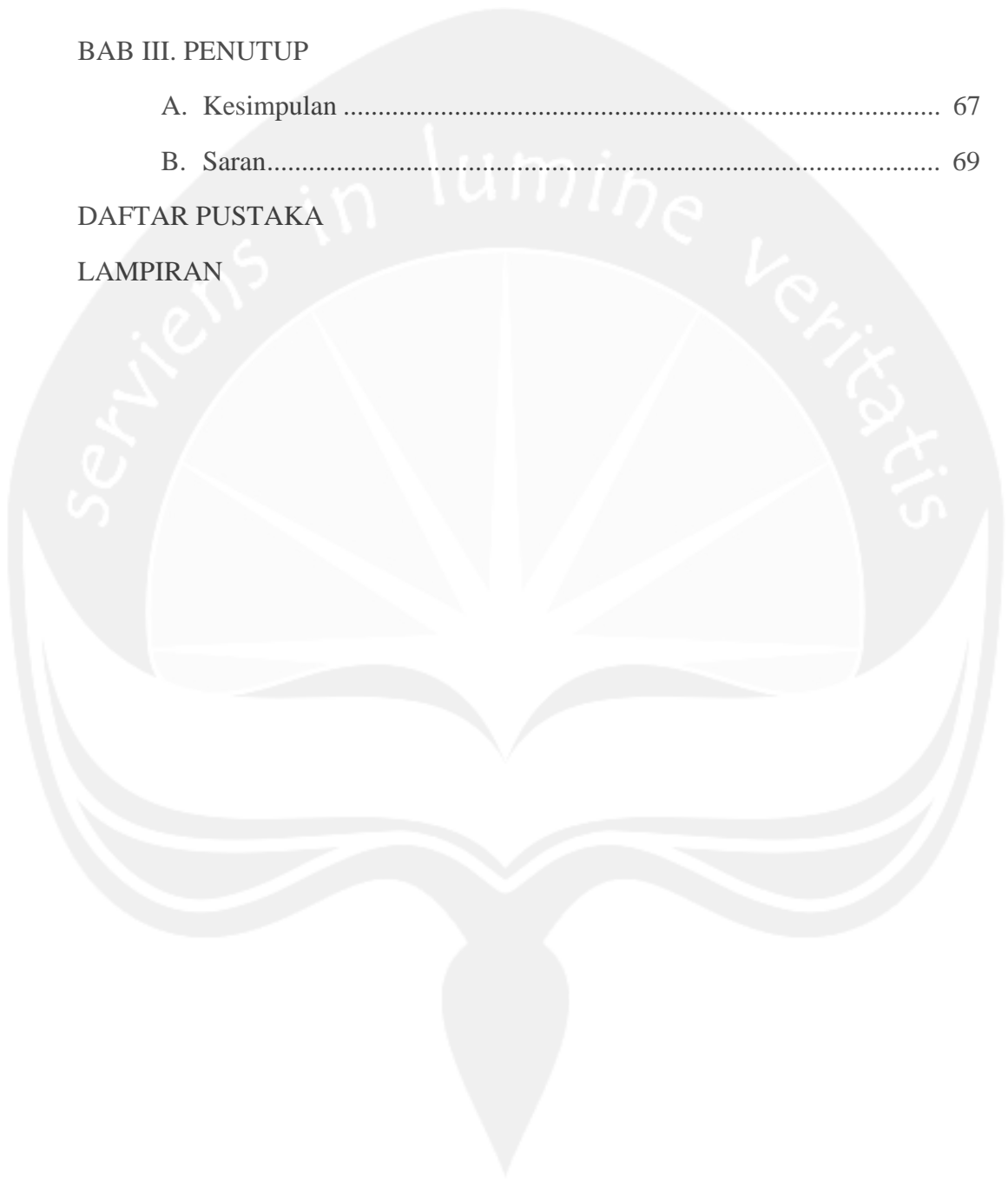
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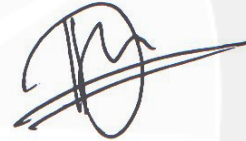


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