CYBERBULLYING BERMUATAN SUKU, AGAMA, RAS, DAN ANTARGOLONGAN (SARA) DI MEDIA SOSIAL YANG BERDAMPAK HUKUM: KAJIAN LINGUISTIK FORENSIK

(*Cyberbullying Containing Ethnicity, Religion, Race, and Intergroups (SARA) on Social Media and Its Legal Impact: Forensic Linguistics Approach*)

DISERTASI

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ABSTRAK

Cyberbullying bermuatan SARA merupakan tindakan penghinaan, kekerasan psikis, intimidasi, dan teror sosial yang dilakukan seseorang terhadap kelompok masyarakat berdasarkan suku, agama, ras, dan antargolongan (SARA) melalui perangkat teknologi dan informasi di media sosial atau media siber. Penelitian ini bertujuan untuk menganalisis makna leksikal *cyberbullying* bermuatan SARA, menganalisis tindak tutur dengan menggunakan *speech acts theory*, menganalisis validitas tuturan dengan menggunakan teori *felicity conditions*, dan mendeskripsikan dampak hukum tindakan *cyberbullying* bermuatan SARA di media sosial. Metode yang digunakan dalam penelitian ini adalah deskriptif kualitatif. Data penelitian dikumpulkan melalui salinan putusan pengadilan yang telah berkekuatan hukum tetap (*inkracht*) dari tahun 2018 sampai 2020, di mana dalam putusan tersebut terdapat data lingual *cyberbullying* bermuatan SARA di media sosial. Jumlah data penelitian sebanyak 20 kasus *cyberbullying* yang terdiri dari masing-masing lima kasus *cyberbullying* bermuatan suku, agama, ras, dan antargolongan. Hasil penelitian menunjukkan ada empat bentuk makna leksikal *cyberbullying* bermuatan SARA, diantaranya (1) penyebutan nama hewan kepada seseorang atau kelompok orang; (2) pemberian label negatif; (3) penyebutan alat kelamin atau kotoran; dan (4) menyatakan perbuatan asusila. Tindak tutur yang dilakukan para terdakwa *cyberbullying* bermuatan SARA ada empat, yaitu tindak tutur ekspresif (penghinaan), asertif (tuduhan dan kebohongan), direktif (hasutan), serta komisif (ancaman). Keempat tindak tutur yang ditemukan dalam penelitian ini memenuhi unsur *felicity conditions* yang berarti bahwa validitas tuturan dalam data penelitian adalah valid sebagai tindakan *cyberbullying* bermuatan SARA. Sedangkan dampak hukum tindakan *cyberbullying* bermuatan SARA di media sosial adalah para pelaku dijerat dengan Pasal 28 ayat (2) Jo. Pasal 45A ayat (2) No.19 Tahun 2016 tentang Informasi dan Transaksi Elektronik dengan ancaman pidana penjara paling lama enam tahun dan/atau denda paling banyak satu miliar rupiah. Analisis aspek makna leksikal, tindak tutur, dan *felicity conditions* dalam penelitian ini menegaskan bahwa para terdakwa dalam penelitian ini benar-benar telah melakukan tindakan *cyberbullying* bermuatan SARA. Oleh sebab itu hasil penelitian ini sesuai dengan hasil putusan pengadilan di mana para terdakwa terbukti secara sah dan menyakinkan melakukan pelanggaran terhadap Pasal 28 ayat (2) Jo. Pasal 45A ayat (2) No.19 Tahun 2016.

Kata Kunci: *cyberbullying* bermuatan SARA, media sosial, tindak tutur, *felicity conditions*, dan dampak hukum.

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ABSTRACT

Cyberbullying containing SARA is *an act of humiliation, psychological violence, intimidation, and social terror perpetrated by a person or group of people based on ethnicity, religion, race, and intergroups through technological and information devices on social media or cyber space. This study aims to reveal the form of lexical meaning of cyberbullying containing* SARA *on social media, analyze speech acts using speech acts theory, analyze the validity of utterances using the felicity conditions theory, and describe the legal impact of cyberbullying containing SARA. The method used in this research is descriptive qualitative. The data of the research were collected from the copies of court verdicts that have permanent legal force from 2018 to 2020, where in the decisions there are lingual data containing* SARA *on social media. In this study there were 20 cases of cyberbullying. Consisting of five cases each of cyberbullying containing ethnicity, religion, race, and intergroups. The results of the study show that there are four forms of lexical meanings of cyberbullying containing SARA, including (1) the use of animal names addressed to a person or groups of people; (2) negative labeling; (3) mention of genitals or excrement; and (4) declaring immoral acts. There are four speech acts performed by the defendants, namely expressive speech acts (insults), assertive (accusations and lies), directive (sedition), and commissive (threats). The four speech acts found in this study fulfill the elements of felicity conditions, which means that the validity of the utterances in the research data is valid as an act of cyberbullying containing SARA. Meanwhile, the legal impact of cyberbullying which contains SARA is that a person can be charged on the Law of the Republic Indonesian Article 28 paragraph (2) Jo. Article 45A paragraph (2) Law Number 19 of 2016 about Information and Electronic Transactions (the ITE Law) with a maximum penalty of six years imprisonment and/or a maximum fine of one billion rupiah. Analysis of the aspects of lexical meaning, speech acts, and felicity conditions in this study confirmed that the defendants in this study had actually committed cyberbullying containing* SARA. *Therefore the results of this study are in accordance with the results of a court decision in which the defendants were legally and convincingly proven to have violated Article 28 paragraph (2) Jo. Article 45A paragraph (2) No.19 of 2016 about* ITE.

Keywords: *cyberbullying containing SARA, social media, speech acts, felicity conditions, and legal impact.*

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