

Abstrak

Hukum militer merupakan hukum pidana khusus. Di dalam hukum pidana khusus mengatur aturan yang menyimpang dari hukum pidana umum dan hanya berlaku bagi golongan khusus (Militer). Hal ini sesuai dengan asas “lex specialis derogat legi generalis” yaitu prinsip pemberlakuan hukum pidana khusus lebih diutamakan daripada hukum pidana umum. Hukum militer mengatur tindak pidana militer dan pelanggaran disiplin militer. Tindak pidana militer di berlakukan bagi mereka yang termasuk anggota militer atau yang menurut Undang-undang (UU) disebut militer karena melakukan tindakan melawan hukum. Hukum disiplin militer di bagi menjadi 2 yaitu, hukum disiplin murni dan hukum disiplin tidak murni. Hukum disiplin tidak murni merupakan perbuatan pidana tertentu, baik pidana umum sesuai KUHP maupun KUHPM yang sedemikian ringan sifatnya yang dilakukan oleh seorang militer.

Kata kunci : Hukum Pidana Khusus, Hukum Militer, Hukum Disiplin Militer, Tindak Pidana Militer Yang Sedemikian Ringan Sifatnya.

Abstract

Military law is a special criminal law. Special criminal law sets rules that deviate from general criminal law and only applied to special groups (Military). This corresponds with the principle of "lex specialist derogat legi generalis" which is preferring special criminal law enactment takes precedence over general criminal law. Military law regulates military crimes and violations of military discipline. Military crime is applied for those who are members of the military or by regulation are called the military for committing unlawful acts. The law of military discipline is divided into 2, which are the law of pure discipline and the law of impure discipline. The law of impure discipline is a certain kind of criminal act, both general criminal according to the Criminal Code or KUHPM which has so mild characteristic conducted by a military.

Keywords : Special Criminal Law, Military Law, Military Discipline Law, Mild Characteristic of Military Crimes Law