

PENEGAKAN HUKUM TERHADAP PELAKU PERUSAKAN CAGAR BUDAYA DI JALUR TIMBOA GUNUNG MERBABU MENURUT UU NO. 11 TAHUN 2010 TENTANG CAGAR BUDAYA

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INTISARI

Perusakan cagar budaya di Jalur Timboa Gunung Merbabu terus terjadi dari waktu ke waktu. Padahal Pasal 105 Undang-Undang No. 11 Tahun 2010 tentang Cagar Budaya telah secara jelas mengatur mengenai tindak pidana perusakan cagar budaya. Namun pelaku perusakan cagar budaya hanya dikenakan sanksi administratif. Untuk mengetahui dan mendeskripsikan pertanggungjawaban pidana bagi pelaku perusakan cagar budaya beserta penegakan hukum dalam perkara perusakan cagar budaya di Jalur Timboa Gunung Merbabu. Penelitian ini merupakan Penelitian Normatif-Empiris, dengan pendekatan undang-undang dan pendekatan kasus dan menggunakan data primer dan sekunder, yang kemudian diolah melalui analisis data. Pertanggungjawaban tindak pidana perusakan cagar budaya di Timboa tidak sampai ke pengadilan karena tidak adanya laporan dari masyarakat. Padahal di daerah lain penyelesaiannya sampai di pengadilan. Selain itu penegakan hukum di Timboa juga dipengaruhi oleh minimnya pengetahuan masyarakat akan perlindungan hukum cagar budaya, serta masih kentatnya budaya Jawa yang mengutamakan prosedur penyelesaian konflik dengan musyawarah. Pertanggungjawaban tindak pidana perusakan cagar budaya di Timboa tidak sampai ke pengadilan karena hanya diberikan sanksi administratif. Kemudian penegakan hukum di Timboa dipengaruhi oleh faktor masyarakat beserta budayanya.

Kata Kunci : Perusakan, Tindak Pidana, Cagar Budaya

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**LAW ENFORCEMENT AGAINST PERSONS OF CULTURAL RESERVE
DESTRUCTION IN THE TIMBOA MOUNT MERBABU TRACK
ACCORDING TO LAW NO. 11 OF 2010 CONCERNING CULTURAL
RESERVATION**

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ABSTRACT

Destruction of cultural heritage on the Mount Merbabu Timboa Route continues to occur from time to time. Even though Article 105 of Law no. 11 of 2010 concerning Cultural Heritage has clearly regulated the criminal act of destroying cultural heritage. However, perpetrators of destruction of cultural heritage are only subject to administrative sanctions. To find out and describe criminal liability for perpetrators of cultural heritage destruction along with law enforcement in cases of cultural heritage destruction on the Mount Merbabu Timboa Route. This research is Normative-Empirical Research, with a statutory and case approach and uses primary and secondary data, which is then processed through data analysis. Accountability for criminal acts of destruction of cultural heritage in Timboa does not reach the courts because there are no reports from the public. However, in other areas the resolution reaches the courts. Apart from that, law enforcement in Timboa is also influenced by the community's lack of knowledge regarding the protection of cultural heritage laws, as well as the strong Javanese culture which prioritizes conflict resolution procedures through deliberation. Accountability for criminal acts of destruction of cultural heritage in Timboa does not go to court because only administrative sanctions are given. Then law enforcement in Timboa is influenced by community and cultural factors.

Keywords : Destruction, Criminal act, Cultural heritage

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