

Aspek hukum operasi militer selain perang di Indonesia = Legal aspect of military operation other than war in Indonesia

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Abstrak

Tujuan awal kehadiran Militer adalah sebagai alat pertahanan negara untuk melindungi kedaulatan wilayah, kewibawaan pemerintahan, serta melindungi seluruh rakyat dari ancaman fisik yang membahayakan. Pergeseran konstelasi global menjadikan peran militer bergeser ke ranah non-militer, sehingga melahirkan konsep Operasi Militer Selain Perang yang kini dilaksanakan oleh TNI sebagai alat negara di bidang pertahanan dan keamanan. Di Indonesia dimana masyarakat mengalami trauma persepsi atas penyimpangan dwifungsi ABRI pada masa lalu, konsep Operasi Militer Selain Perang merupakan salah satu bentuk perluasan peran militer di bidang non-perang yang masih dapat diterima masyarakat. Skripsi ini akan membahas Operasi Militer Selain Perang dari segi historis dan teoritis serta mengkaji nya melalui tinjauan hukum secara menyeluruh dengan menginventarisasi hukum-hukum positif terkait dengan Operasi Militer Selain Perang di Indonesia. <hr> The initial purpose of a military institution is to be the national defense tool that meant to protect the sovereignty of the territory, the authority of government, and to protect all the people of serious bodily harm. Shifting global constellation make Military role shifts to the non-military sphere, thus giving birth to the concept of Military Operations Other Than War that now being implemented by the military as an advanced instrument of the state in the field of defense and security. In Indonesia, where people are traumatized by the perception of irregularities ABRI's dual function in the past, the concept of Military Operations Other Than War in Indonesia is one of the expansion of the military's role in the field of non-war can still be accepted by society today. This paper will elaborate the Military Operations Other Than War in Indonesia in terms of historical and theoretical as well as reviewing it through a legal review thorough inventory of positive laws related to Military Operations Other Than War in Indonesia.