

Abstrak

Perkembangan penyelesaian perkara pidana di Indonesia menunjukkan pergeseran paradigma dari pendekatan retributif menuju *restorative justice* yang menekankan pemulihan hubungan antara pelaku, korban, dan masyarakat. Pendekatan ini semakin relevan dalam konteks heterogenitas sosial Indonesia yang sarat nilai musyawarah dan kearifan lokal. Dalam praktiknya, organisasi kemasyarakatan seperti perguruan silat memiliki peran strategis sebagai modal sosial dalam proses mediasi dan rekonsiliasi. Namun, keterlibatan mereka juga berpotensi menimbulkan persoalan apabila solidaritas kelompok justru memperkuat konflik, sebagaimana terlihat dalam berbagai bentrokan antar perguruan silat di Jawa Timur. Melalui kerangka hukum seperti Perkap No. 8 Tahun 2021, penerapan *restorative justice* dibatasi dengan berbagai syarat agar tidak menimbulkan keresahan dan konflik sosial baru. Penelitian ini menggunakan yuridis normative dengan pendekatan peraturan perundang-undangan dan konseptual. Hasil penelitian ini pertama, Berdasarkan Pasal 5 Perpol No. 8 Tahun 2021, penerapan keadilan restoratif dibatasi oleh syarat materiil, antara lain tidak menimbulkan keresahan masyarakat, tidak berdampak konflik sosial, serta bukan merupakan tindak pidana berat. Jika dikaitkan dengan kasus penggeroyokan dan perusakan yang melibatkan perguruan silat di Nganjuk maupun Watulimo, syarat-syarat tersebut sulit terpenuhi karena peristiwa ini menimbulkan korban luka, kerusakan fasilitas umum, keresahan masyarakat, serta potensi konflik horizontal yang berkelanjutan. Kedua, Perguruan silat memiliki peran strategis dalam penerapan *Restorative Justice* (keadilan restoratif) pada kasus penggeroyokan antarperguruan seperti di Watulimo dan Nganjuk. Konflik yang terjadi tidak hanya bersifat individual, tetapi juga melibatkan identitas kelompok, sehingga penyelesaiannya harus melibatkan organisasi perguruan sebagai pemangku kepentingan sosial. Lebih dari sekadar pihak yang terlibat, perguruan silat berperan aktif dan menentukan keberhasilan *Restorative Justice*, Tanpa keterlibatan aktif organisasi, proses perdamaian cenderung lemah dan tidak berdaya ikat, sehingga keberhasilan keadilan restoratif hanya dapat tercapai apabila perguruan dilibatkan secara penuh dalam mewujudkan harmoni sosial.

Kata Kunci : - Restorative Justice, Organisasi Masyarakat, Konflik Sosial

Abstract

Developments in criminal case resolution in Indonesia demonstrate a paradigm shift from a retributive approach to restorative justice, which emphasizes restoring relationships between perpetrators, victims, and the community. This approach is increasingly relevant in the context of Indonesia's social heterogeneity, which is imbued with the values of deliberation and local wisdom. In practice, community organizations such as martial arts schools play a strategic role as social capital in mediation and reconciliation processes. However, their involvement also has the potential to cause problems if group solidarity actually intensifies conflict, as seen in various clashes between martial arts schools in East Java. Through a legal framework such as Regulation of the Chief of Police No. 8 of 2021, the application of restorative justice is limited by various requirements to prevent new social unrest and conflict. This research uses normative juridical approaches, using statutory and conceptual approaches. The results of this study, first, according to Article 5 of Regulation No. 8 of 2021, the application of restorative justice is limited by material requirements, including not causing public unrest, not impacting social conflict, and not constituting a serious crime. When linked to the assault and vandalism cases involving martial arts schools in Nganjuk and Watulimo, these requirements are difficult to fulfill because these incidents resulted in injuries, damage to public facilities, public unrest, and the potential for ongoing horizontal conflict. Second, martial arts schools have a strategic role in implementing Restorative Justice in cases of inter-school assaults such as those in Watulimo and Nganjuk. The conflicts that occur are not only individual in nature, but also involve group identities, so their resolution must involve martial arts organizations as social stakeholders. More than just parties involved, martial arts schools play an active role and determine the success of Restorative Justice. Without active organizational involvement, the peace process tends to be weak and ineffective. Therefore, the success of restorative justice can only be achieved if martial arts schools are fully involved in realizing social harmony.

Keywords: Restorative Justice, Community Organization, Social Conflict