

**MODEL PENANGGULANGAN KONFLIK DALAM PERSPEKTIF
SOCIO-LEGAL(STUDI KASUS TAWURAN MAHASISWA DIKOTA
MAKASSAR) CONFLICT MANAGEMENT MODEL IN
SOCIO-LEGAL PERSPECTIVE (STUDY CASE OF STUDENT
BRAWL IN MAKASSAR)**

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ABSTRAK

Selama manusia hadir dalam sebuah tatanan peradaban, selama itu pula konflik akan membayangnya. Konflik bukanlah sesuatu hal yang baru, karena ia lahir seiring hadirnya manusia di bumi. Sejarah telah membuktikan bahwa manusia tidak akan pernah lepas dari konflik. Bagaimanapun juga manusia tidak akan pernah mampu untuk menghindari suatu konflik, karena perwujudan dari suatu konflik melekat erat dalam budaya kehidupan masyarakat. Di Indonesia sendiri, konflik juga hadir dalam tatanan budaya masyarakatnya. Disintegrasi konflik yang muncul diantaranya terjadi di Aceh, Papua, Maluku, Timor Leste, Poso, Sampit hingga konflik sosial berupa tindakan tawuran mahasiswa yang terjadi di dalam lingkungan kampus, dan terparah berada di wilayah Kota Makassar. Tawuran tersebut bukan hanya menelan korban jiwa dari pihak mahasiswa yang bertikai, tapi juga sudah merusak fasilitas kampus, kendaraan pribadi maupun umum.

Berdasarkan latar belakang tersebut dirumuskan beberapa permasalahan: Mengapa cenderung mahasiswa di Kota Makassar lebih memilih tawuran dalam menyelesaikan konflik?; Mengapa selama ini model penanggulangan konflik tawuran mahasiswa di Kota Makassar belum berjalan efektif?; Bagaimana model penanggulangan konflik yang efektif dalam perspektif *sociolegal*?

Penelitian ini menggabungkan dua bentuk penelitian, yakni penelitian hukum normatif atau doktrinal dan kajian sosial atau non-doktrinal. Mengkaji/menganalisis data primer yang dihasilkan dari penelitian lapangan, di dapatkan dengan cara observasi, wawancara, inventarisasi dokumen-dokumen yang seluruhnya berhubungan dengan perilaku tawuran mahasiswa yang ada di kampus. Sedangkan data sekunder meliputi data penelitian kepustakaan. Data yang dimaksud adalah segala sumber peraturan perundangundangan, kebijakan-kebijakan lembaga atau institusi, buku-buku bacaan, hasil penelitian terdahulu, karya ilmiah yang ter-*publish* dan semua yang berhubungan dengan permasalahan-permasalahan yang diangkat. Metode penelitian didasarkan atas pendekatan normatif maupun empiris. Metode pendekatan demikian, nantinya menggabungkan sisi hukum dan sosial atau *socio-legal* yang bertujuan memperoleh temuan akurat bahwa budaya masyarakat terutama dalam lingkup kampus merupakan suatu bagian yang tidak terpisahkan dari suatu tatanan sistem hukum.

Pola aksi dan gerakan mahasiswa sebelum dan setelah reformasi menjadikan konflik bergradasi ke dalam wilayah kampus, konflik tersebut berupa tindakan tawuran mahasiswa. Tawuran terparah berada di Makassar, di mana dalam satu dekade terakhir, telah teridentifikasi sebanyak 54 kasus tawuran mahasiswa.

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Penyebab masalahnya beragam , mulai dari faktor: lama yang telah lama mengakar; adanya egosentrisme fakultas; lahirnya bentuk stereotipikal etnis kedaerahan; terjadinya eskalasi konflik dari personal ke kelompok; adanya tekanan psikologis; dan politisasi konflik dalam kelompok mahasiswa. Penanganan konflik tawuran mahasiswa di lima kampus yang ada di Kota Makassar utuh dan cenderung diskriminatif, maka dari itu dibutuhkan penanggulangan konflik dalam perspektif *socio-legal*, yang memandang perlunya upaya penanggulangan seperti: Model Penanganan Sosial dan Model Penyelesaian Hukum.

Kata Kunci: *Model Penaggulangan, KonflikTawuran Mahasiswa, Perspekti.*

ABSTRACT

As long as human live in an order of civilization, for it also conflicts will haunt. Conflict is not something new, because it was born as a human presence on earth. History has proven that humans will never escape from conflict. Somehow humans will never be able to avoid a conflict, as the embodiment of a conflict embedded in the cultural life of the community. In Indonesia, the conflict is also present in the cultural fabric of society. The conflict disintegration that arise among them occurred in Aceh, Papua, Maluku, East Timor, Poso, Sampit, till the social conflict such as student brawl in a campus environment, and the worst was in Makassar. The brawl not only claimed the lives of students warring parties, but also it damages the campus facilities, public and private vehicles.

Based on this background, formulated several issues: Why is the tendency of students in Makassar prefer a brawl in resolving the conflict? Why is the conflict management models for student brawl in Makassar had not been effective all this time? How does the conflict management models that effective in socio legal perspective?

This study combines two forms of research which is called normative legal non-doctrinal. Reviewing/analyzing primary data generated from the field study, obtained by observation, interview, inventtory documents are entirely related to the brawl behavior of students in the campus. Secondary data includes the data of research literature. The data is the source of all legislation, agency policies or institutions, reading books, the results of previous studies, scientific papers that were published and are all related to issues raised. The research method was based on normative and empirical approaches. That approach method, will combine between the legal and social side or socio-legal which aims at obtaining accurate findings that culture, especially in the scope of the campus community is an integral part of a legal system order.

Patterns of action and students movement before and after reformation make the conflict graded into the campus, the conflict is a student brawl action. The worst brawls located in Makassar, where in the last decade, has identifiedas manyas 54cases of student brawl. The cause of the problem is diverse, began from factors: the old grudge that have been rooted; there is an egocentrism in faculty; birth of stereotypical forms of ethnic regionalism; the occurrence conflict escalation from the personal to the group; psychological pressure; and conflicts politi-

cization in student groups. Handling the student brawl conflict in five campus in the city of Makassar assessed always done all ofsudden, totally unstructured and tend to be discriminatory, therefore it is needed to resolve the conflict in socio-legal perspective, which views the need for prevention efforts such as: Social Treatment Model and Legal Settlement Model.

Keywords: *Management Model, StudentBrawl Conflict, Socio-Legal Perspective*

1.Introduction

As long as man lives in an order of civilization, then the conflict will be the shadows. Conflict is not something new, because it was born as the presence of man on earth. History has proven that humans will never escape from the conflict. After all human beings will never be able to avoid a conflict, as the embodiment of a conflict embedded in the cultural life of the community.³

The phenomenon of conflict can also lead to an act of violence. Wiyata stated that through an historical studies, it has never denied that violence has existed since humans so that violence can be said also as a part of human culture (human culture).

During the throes of modernization of the world, all based on the name of war and unrest. Incidence of prolonged fear just for the sake of achieving an interest, there is no peace, no harmony, and there is no longer an orderly human order. Everything is changing and changing face into an

order in the form of violence, hatred, and irregularity. The war also caused frustration among the people, the sense of disappointment began to appear to give birth to the displeasure of going all the mess created by the war and unrest.

In Indonesia, conflict and violent coup looks pretty color the course of the Old Order, until the entry of a new era called the New Order. This government under the leadership of a new security control, namely Lieutenant General Soeharto. This guy is known firm and tend repressive in dealing with the problem. One of the first steps in conducting state security measures, ie, the motion to dissolve the PKI and securing 15 ministers involved in the G30S / PKI. The incident air straight day after Supersemar (Supersemar) in 1966 issued by President Sukarno. After that the reins of government entirely -which no longer limited to the authority safety-has become the property of Lt. Gen. Suharto, the transfer of power switch as popular anger at the time of the rebellion undertaken by the PKI.

The new generation carve a

³ A. Latif Wiyata, Carok; Violent Conflict and Self-Esteem Madurese (London: LKiS, 2006), page 9.

new story, the romance of the days of the revolution began to be abandoned. Development in all sectors have become a new focus of President Suharto's rule, but still present a conflict map filled periods of development of Indonesia.

Forms leads to a conflict over "authoritarianism" which is synonymous with an act of restraint and treatment-by arbitrarily secure the existence of the government. This is due to the social unrest that arise in wider society and should be resolved in a manner or repressive measures.

The confrontation happened in the era of the New Order, the conflict is no longer a threat from the outside, to have to embrace the weapon to repel the invaders, but has switched to a nation's economic rescue measures, education is decaying, and the suppression and policy rules that are no longer in favor of the people . As a result of all of that is a new problem that is quite complicated at the beginning of the New Order government.

rdConflict in the New Order era characterized by the many criticisms of the government and

the students were finally ended in 1998, right at 09:00 am on Thursday, May 21, 1998 Suharto resigned as president and was replaced by BJ Habibie as 3President. The students cheered and welcomed the resignation of President Suharto's statement.

New Order era was changed to the Reformation Era. It must be addressed that, after the end of the New Order era and into the era of the Reformation, it everywhere appears and nearly horizontal conflicts occurring throughout the Homeland. Disintegration conflicts that arise among them; Conflict in Aceh, Papua, Maluku, East Timor, Poso, Sampit to social conflict in the form of student brawl action that often occur in the campus environment.⁴

W. Bambang Suharto, divide social conflicts in the post-reform Indonesia into four parts, which are grouped as follows:

- 1) latent social conflicts and political dimensions of ethnicity. Examples Conflict happened in Aceh,

⁴ 2W. Bambang Suharto, Handling Conflict in Indonesia (Jakarta: Hasta word Library, 2013), pages 226-227.

Papua, Maluku, West Kalimantan, Central Sulawesi and Poso.

- 2) Conflict of mining. For example, the conflicts that occur in the mining area like in Free-port Papua.
- 3) Conflict over land and territorial disputes. For example, the conflict in all regions of the land in the hemisphere Indonesia, the payload contains land disputes and conflict regions.
- 4) Social Conflict minor-rural and urban. Examples of conflict include the conflict brawl between students and students, clashes between villages or citizens, the traditional inter-tribal wars, gang violence, and clashes between forces such as the Indonesian Armed Forces (TNI) and the Indonesian National Police (Polri).

The distribution of the above has been explained that in general, the conflict has widened to social problems minor or small. The

growing dichotomy in the discourse-clogs small group becomes a new problem in the swirl of a major conflict that occurred after the reform. Conflicts between students is also a new phenomenon not previously resound in times of Old Order to the New Order.⁵

The case of social conflict in the form of action brawl students, also be interesting for the authors to examine and study it further. Jumadi said that the role and function of the students also experienced a slight shift as conditions change situational in Indonesia. Some student activities cause unrest with the advent of social phenomena in the form of social conflict that leads to acts of violence or often called brawl.

Violence arising not only claimed the lives of students warring parties, but also it damages the campus facilities, both public and private vehicles, and other students who are not involved in the dispute, too, is also a victim.

⁵ Jumadi, *Fighting Students; Social Conflict in Makassar* (Makassar: Publisher Rayhan Intermedia, 2009), pages 5-6.

Frenzy of fear that descend each student and faculty and campus environment that no longer provide security also had an impact and a bad influence on the dynamics of the education and learning process in Makassar.

It is tragic, considering the university as an educational institution that is useful spawned humans enlightened reason and act even now becoming home to a nest or ideologies of violence between groups. The hatred between the one and the other to give rise to a continuous hostile occur, making our education experience set far back.

Conflict can not eliminate, but we can reduce its impact, at least as early as possible to minimize all forms of violence. All this is done so that peace and harmony in the campus environment is maintained and continued until the days to come.

Conflict and violence of action fighting between groups of students and a model to overcome a major focus in this thesis writers. That's why socio-legal perspective is attractive for use in identifying and analyzing brawl problems that occur in university student environment,

especially the campus in the city of Makassar. Thus the authors are interested in lifting the title of the thesis; Conflict Management Model in Socio-Legal Perspective (Case Study Student Brawl in Makassar).

II. Research Methods

This study combines two forms of research, the normative or doctrinal legal research and social studies or non-doctrinal. Reviewing / analyzing primary data generated from field research, obtained by observation, interview, inventory documents entirely related to the behavior of existing student brawl on campus. Secondary data include data library research. The data in question are all sources of legislation, policies, organization or institution, reading books, the results of previous studies, scientific papers that were published and are all related to problems in the lift. The research method was based on normative and empirical approaches.

The method of approach, will combine the legal and socio-legal social or aimed at obtaining accurate findings that the cultural community, especially within the scope of the campus is an integral part of an order

of the legal system.

III. Results and Discussion A. Students Makassar tendency Choosing Fighting as a Way of Solving Problems

The student movement ideally a concept acts as a moral resistance against oppression and injustice as a result of a government policy that arbitrarily against people. In many states have recognized and learned, how the student struggle lunge clicking overthrow the authoritarian regime, and it happens on the Continent of Europe, America, and Asia which also includes Indonesia therein.

The efforts of youth and students in the movement against government policies that arbitrarily classified as a principle of movement of the struggle, a struggle that demands a change. If there is a period that is no longer capable of humanizing people, the awareness to make changes is important to do. Similarly, that occurred in the last years of the New Order regime, which in this case is a "student" who take the fight as he wanted

democracy as a new system for the nation.⁶

The problems arise later, where after the end of the New Order era and move on to the Reformation, there arose a wide range of horizontal conflicts that are internal and it happens everywhere! This is not just happening on a national scale this nation, on a global scale was a drastic change occurred. Hugh Miall in W. Bambang Suharto, explains that the contemporary conflict has shifted. In the era of the cold war, the conflict is a conflict between countries, but today is happening is the internal conflict in a state.

Horizontal conflicts between people can not be avoided, the severity of this case brought to the campus community. Campus as a young intellectuals educated in enlightening on the mind and behavior, was not spared from the violence of collective action in the form of student brawl.

Some of the existing campus in Indonesia began to grow the seeds division among classes of groups of students, it happened in Sumatra,

Java, Sulawesi, Kalimantan, and so on. The brawl occurred everywhere, let's call it a fight between hundreds of students from the University of

Sukarno and the Indonesian Christian University in the capital Jakarta in September 2000. Then, the Polytechnic students and student-ultas Faculty of Law, University of Andalas in Padang, West Sumatra. Looking at the history of the barrage, the worst brawl in the city of Makassar in South Sulawesi Province.

1. Typical Student Movement and Conflict Fighting Traffic Makassar in Reform

The student movement has undergone a pretty drastic change. Moral movement that become a weapon powerful enough to counter the distorted government policy, has now turned into amoral movement. A movement that no longer reflect the values of the people's struggle, but more inclined to criminal action movement.

⁶ W. Bambang Suharto, *Handling Conflict in Indonesia* (Jakarta: Hasta word Library, 2013), page 10.

Dichotomized groups in the early days of the reform were also the psychological impact the behavior of the students, in groups of tert-major student movement in Makassar. At least it is methel browse on the behavioral aspects of the student movement (soft level) to the most violent behaviors (hard level).⁷

The form of the movement, including through open dialogue, delivery statement, a protest in the streets, free speech, strike, sabotage, until the revolution, both physically and sosial.⁸

The highlight of the behavior of soft and hard levels occurred at a moment that is quite astonishing events and seized a caution many circles. Where on one occasion, a group of students from Makassar voiced a movement which they named "Sulawesi Freedom Movement (GSM)". GSM should want to show real "existence"

⁷ See Kusumandita Gilar Prawista, *Makassar Student Movement: Case Study Concerning Characteristics and Behavior Student Movement Protest Violence at Hasanuddin University Makassar*, Department of Sociology, Faculty of Social University of Sebelas Maret (UNS) Surakarta in 2011, page 43.

⁸ Jumadi, *Op. Cit.*, 2009, page 57

per-student movement in Makassar, in terms of both the spirit and the will and ideology in terms they understand.

According to Jumadi, student conflicts that led to the violence, especially in Makassar has increased, especially entering the 1997 to 2008.

Jumadi's opinion can not be separated from the summary of the research that has been done. According to the author, after doing research by adding a five-year period-from the end of the study Jumadi- up until 2013, it was also a conflict in the form of student brawls in Makassar, for example conflict brawl at UNM in 2012 that ended with the stabbing of two students FT, and in the year 2013 where the stabbing occurred against a student of the FH-UMI. The development of the conflict is a result of the brawl-fights that never happened before.

The complexity of the conflict into a separate issue in Makassar, to the efforts to address the need arises an extraordinary effort of various elements. Before that, it helps us to know in advance

which groups are often involved in the brawl.

For intensity conflict student brawl in 2003-2013, the highest in the UNM campus with 22 cases. Involves two camps who never got along, a group of students of the Faculty of Engineering (FT) and a group of students of the Faculty of Languages and Literature-Faculty of Arts and Design (FBS-FSD). Both sides of this almost every year involved brawl, such as an air-continued story that keeps repeating until today (2013, according to the data of research).

In UNHAS, item 14 cases make this campus as the campus with the two biggest brawl after UNM. Conflict always be a brawl involving a group of students FT and Faculty of Social and Political Sciences (Social), conflict is a conflict UNHAS long (since 1992) that has taken hold among the two camps, they termed it as a case of "Black September".

UMI itself, the intensity of conflict brawl somewhat lower than UNM and UNHAS. Conflict in UMI recorded as many as eight cases of brawl, but that should be of concern

is the conflict in the student brawl UMI often casualties. UMI brawl typically involve groups of students FT and Nature Lovers Students group (Mapala).

While at the Univ. 45 itself typically involves two groups of students and Mapala Engineering FT and the Faculty of Law (FH), the latter being in Unismuh, usually involving fighting between groups of maha-FT students and other groups of students of the Faculty, the usual conflicts also occur between certain ethnic areas. Each group conflicting and classified into two campuses, the students have been involved brawl as much as 5 times.

The conflict that led to such violent brawl student behavior, is a forms of expression heterogeneity actions that lead to an interest, values and beliefs. This is consistent with the view that saw Hugh Miall cargo interests, values and beliefs in view of a more functional social change. Reference is also presented by theoretical Coser, that a significant conflict can be positive and negative anyway.

Especially in the case of a student brawl, conflict is not a form

of expression -muatan strengthening integration in the positive group, even very negative impact functional properties. This happens because of the conflict in student brawl attacking a core value in society. Repeated occurrences in each year, as well as aggression to other groups, into a form of action that is far from a values that live in the community. It is only fitting clashes among students is not worth to be justified, even become a form of action that is so hated by many.

The case of student brawls in Makassar also departs from a root of a complex issue, to cause effects so widespread in society. Students typically Makassar be of gossip, both regionally and nationally. This is due to the frequent student brawls in Makassar occurred. Diverse Students stereotypical corner position Makassar, also help fuel the prejudice against the whole movement activities. Becomes a problem, when the moral resistance that has built up through actions demonstrations in the street turned into a form of amoral movement whenever clashes among students occur. The whole moral movement

has built up in the forms of resistance to a policy stance that is distorted, and usually will be offset by the negative form of the action in the form of a student riot act.

It's ironic when the student heroism against the fuel price hike, TDL (electricity base price), Grocery and so become mean anything when it is reported by the media is tawurannya actions. Care should be taken, given the fact that the case of a riot cases usually bring bad trend to move the value that has been built previously. Do not let the moral movement was covered by the immoral actions such Tawu student-ran.

Explanation of each view influence the pattern of movement and action Makassar Students can be affected by:

- 1) Variety and Forms Ideo-logical view;
- 2) Dominant Side Spiritualists; and
- 3) Value Conception of Culture and Spirit of Resistance.

2. The motive behind the Supreme Conflict student brawl Makassar

When talking about the motives of the student brawl, then the question will arise, why brawl happened? Information began to burst, "what" and "who" trigger into a mysterious thing in the field. Many sources of informants, both right and manipulated. Is there any interest that surrounds behind an event? Or is it something that happens conditional value?

Everything needed in-depth investigation, the involvement of the actors behind the scenes, actors, and all those involved in these events need a special attention.

With so many mass brawl action, -like beatings, torture, lawyer-damage, burning, until the act of murder-it was originally a student brawl case gets portion nganan pen-intensive. This phenomenon is not incident "yesterday" in Makassar, this long-standing and deeply rooted among the students.

The motive behind the conflict is extremely diverse student brawl. In the popular masses in the field of information is no more than the classic issues that continue to recur. Like a worn cassette that continues to spin, the issue of student

brawl graded only about old issues scores, egocentrism to-group, stereotypical ethnic regionalism, the escalation of the conflict, psychological distress, and then sticking issue is the politicization of student conflict.

B. Fighting Conflict Management Model Students Not Running Effective in Makassar

It has been years of conflict lasted student brawl in Makassar, also has a lot of casualties and material. It's been so many ways for dealing with student fights, many of them also have experience failure. What is it? Of course there is a problem in the model to resolve the conflict, causing the model is not yet effective.

The discourse of social problem solving is important to do, models are required countermeasures creative as possible in order to seek more effective solutions. No doubt the entire campus should clean up, improve themselves in order to erase the bad image in the public eye. The importance of social breakdown becomes a necessity, but before proceeding with this, we will be looking for this in advance why the

model of conflict prevention is not running effective. Speaking of social problem solving, it helps us trace of Soetomo book about "social issues". Described in this book about the stages in solving a social problem. Stages include "Identification, Diagnosis, and Treatment".

View and learn the condition of student brawls seem to conflict resolution "source of the problem" a little neglected". With the source of unresolved issues between the warring factions, then the fight will never end. Reflecting on some of the conflicts that student brawl had occurred, it was almost all the existing conflicts involve only certain groups and the same in each year. The presence of an old grudge that still adorn the fighting between groups of students, UNM –such as existing between Engineering and LanguageArts Faculty, in UNHAS between Engineering and Social and Politics Faculty, whereas in the Engineering Faculty and MAPALA-UMI there was still a major brawl triggered.

Considering the source of the problem has not been able to be

solved, it can be concluded that the stage of identification and diagnosis has not been effective, as everywhere desired (ideal). There are still many shortcomings in the implementation of the second stage, until the final stage of the model gave birth to a premature or treatment. The impact of a premature reduction would result in a systematic act, very impromptu, too rigid and formalistic.

Considering the source of the problem is not solved optimally, it is important to analyze the role of university leaders. Usually in the event of conflict between groups, the ranks of the universities in Makassar just looking for who those actors involved, and then after getting the culprit, perform the next step which is discussing it with the internal ranks in the rector. Normally the internal ranks of the meeting, the rector not involve students institutions whose members are engaged in a conflict tawuran.⁹ Finalization of a meeting conducted

⁹ There is Part of the campus involving student organizations. At UMI, for example, WR III they usually collect them and discuss solutions solutions. But usually the problem-solving communication brawl is not running optimally, because it turns out brawl between the same group repeated in the future.

by the university's internal ranks, will usually provide a form of reaction to the action in accordance with the rules existing campus discipline, whether the student was in suspension, in Drop-Out or given to the authorities to be criminalized. Not to mention the focus of handling just looking for who did it, but did not figure out how to solve the root cause or source of the problem.

Viewing and observing management models growing conflict over this in Makassar, where there is a countermeasure that seemed wrong, not to mention its application is not conducted systematically and even tend to snap.¹⁰ If problems arise, usually this will happen: handle and provide punishments, after it salesai'ko!is as if the problem was 'salesai' with its present punishments, either administrative or criminal nature. If the problem is a disease, then the disease was then cured by drugs, but does not eliminate the disease because any time the disease can

¹⁰ Salesai'ko means you have ended, this term typically used to dismiss a student who violates the rules of the campus discipline

reappear with the intensity of more severe or acute. Countermeasures so that I think is wrong, is not systematic, impromptu, too rigid and formalistic, and therefore the author argues that the conflict management of student brawl so far conducted by the college leadership is still tends to be elitist, unilateral, and impressed discriminatory. Some campus is implementing a range of punishments that are reactive and highly emotive. In case this is not my capacity to judge that the punishment is right or wrong, but I just wonder why the punishments were not also create a deterrent effect students involved brawl? And why should there be each year brawl that broke out on campus? So who will be responsible when there are up to die?

Repressive efforts by taking action legal settlement is also considered necessary to be done shortly and after the brawl, but that should be a concern as well when the prior presence of conflict brawl.¹¹ There should be social management

done soon to reduce the impacts of the conflict that will arise, also required the efforts of finding a solution treatment of a root problem that is inherently present in between the often conflicting groups. In essence both are equally important, but there are priorities that should be prioritized. Borrowing the term Sudarto, the late professor of criminal Diponegoro, a settlement with the enforcement of criminal punishments (repression / action) should be considered as a step ultimum remedium or past drug if punishments or other measures does not work or is not considered worked.

In terms of enforcement punishments, usually there is also a constraint resulting in the law does not work effectively. When we refer to the theory of operation of the law, then we will mene-found that the action stakeholders, implementing agencies and estab-made laws are always in the scope of the complexity of the forces of so-pesky, cultural, economic, political, and other so on. The whole powers.

The social work involved in any attempt on the functioning of

¹¹ Sudarto, Criminal Law I, II mold (Semarang: Sudarto Foundation c / o Faculty of Diponegoro University, 1990), page 13.

applicable regulations, sanctions applying punishments, and in all other activities of its implementing agencies.

Suteki said that working of the law in society involves some elements or aspects are interconnected as a system.¹² Some of these aspects namely; Law-making institutions (law making Institutions); Institute implementers punishments (punishment activity Institutions); Holder's role (role occupant); personal and societal strength (personal societal force) "legal culture (legal culture)" and elements of "feedback " of the workings of the law being berjalan.

Therefore, it becomes important preventive measures to be taken by each campus in the city of Makassar, that does not necessarily always have to lead to handling reactive and emotional actions that are repressive. Not to mention that the act was done just to prove kepongahannya the audience, that the college was "very serious" in dealing with student brawl. Besides

itupula academic system should also be addressed, considering the source of the problem that was born from it.

C. Conflict Management Model Fighting Students in Makassar in Socio-Legal Perspective

Researchers using socio-legal perspective are expected to observe a model of conflict prevention from all walks of interdisciplinary science knowl-knowledge. It is useful to provide a more solution-step longer effective in suppressing the intensity of the problems, such as conflicts brawl student in Makassar. If we just focus on legal punishments as a solution per masalah brawl, then it is definitely going to be at a loss in correctional institutions entertain the students that in fact has been convicted as criminals.

Suteki said that the phenomenon of law enforcement in Indonesia is often deadlocked because chained by conventional ritual law enforcement, the law enforcement rely on and rely on rules and logic to marginalize aspects of behavior.¹³ For him, the law in terms

¹² Suteki, Design Law in Social Space (London: Thafa Media, 2013), pages 117-118

¹³ Suteki, op.cit, 2013, page 217

of the certainty of rule of law can be violated in order to bring justice substcontraf. To bring substcontrave justice takes an effort to do a search for truth (searching for the truth) that never stops, and the process is a form of "Progressive Legal Theory" Bengawan initiated by the Sociology of Law Satjipto Rahardjo.

Been described previously, that is not my capacity to judge that these penalties are correct or incorrect to apply. I just try mena-warkan a pointless conflict prevention models to solve the various factors that emerged from a student brawl. There is a source of trouble, but not solved, that were salesai'-kan even individuals involved, not the trigger the brawl. Naturally if the brawl will appear with the name of the symbols of the same group in each year It has also been described earlier, that there are stages of solving social problems has elapsed, not the maximum, ineffective and tend to be discriminatory. Phase-stage process that includes the identification, diagnosis and treatment. If the problem identification stage is weak, it could be the process of diagnosis

is blurred or unclear, the diagnosis is not clear if the source the problem will never be solved in the next stage. The impact of it, will only give birth to a wrong action. That is why the issue of student brawl is still struggling with the classical factors, such as old grudges, egos groups, psychological distress (internalexternal) and so on.

Therefore, it needs models of effective countermeasures to restore peace in the campus in the city of Makassar. Prevention models include two things, namely Model of Social Management and Settlement Model Law. The following will explain more about both the Conflict Management Model:

1. Model of Social Management

Social care models that are meant in this case is the presence of a primary preventive measures that are or were the other main character is not a secondary or subject matters, the following will be explained in more detail the forms and functions.

1) Prevention Methods Fighting (primary)

Methods of prevention of this nature brawl primary, primary and

must be done. Activities and measures taken must in the form of a roof or the scope of the activities of the university scale. Divided into three parts: first, conducting themed "Fighting Contra Students"; second, renovate academic system and student; Third, create a student peace issues.

All three became important because sometimes overlooked prevention methods, the following will be explained in more detail the purpose of the three methods:

Conducting Themed "Fighting Contra Students"

Recommendations on the implementation of the activities of a roof (scale university), filled with togetherness, all cooperation highlight and humanize each other, it becomes an issue that must be realized.

This fact can also be an insane-do, especially in activity procession Admissions (PMB) on each campus in the city of Makassar. PMB is actually not a new concept in campus activities Makassar, because this activity has been around a long time. Just wanted to offer something

different from the procession PMB existing activities ever before, namely the existence of a positive value of plcontrang or indoctrination against a motion entitled "Fighting Contra Students".

These activities remain under the responsibility of the rector who commandeered by the Vice Chancellor Student Affairs. In this PMB activities, will be inserted materials "Fighting Contra Students" as the starting point in the lecture to start the season. Submission of such materials can be in the form of General Courses (MKU), seminar, talk show and so on.

Activities in the delivery of content in MKU, seminar, talk show expected to bring experts engaged on the conflict, the actors who have turned a good brawl that college seniors who are still active or have alumni, and their parents or relatives of the victim's family brawl that has been abandoned. In addition, later in the event, will also be inserted documentary about how negative the behavior brawl and closed by an action of the elements of student representatives by calling deklaconstellation "Makassar

Student Movement of Peace".

The procession this activity certainly will not cost that much, it only takes a maximum effort and efforts to realize this activity.

One thing to be wary of is when PMB has expired and the new students has been handed back to the faculty and department respectively. How Freshmen Then when the re-fed a negative indoctrination of the seniors in the faculties and departments?

This is where the stakes and fight, if the initial indoctrination strong positive, negative nature of the call can be ignored. Therefore, the process of awareness or positive in the initial indoctrination PMB done as possible, keeping in the Maba (new students) is a group of people are unstable and easily drift delinquency senior.

Renovating Academic System and Student Affairs

Renovating can mean renew, replace, or maximize something that has long goods, corrupted and inefficient again. Renovating can also be interpreted as a process of improvement towards a desired thing. In the context of student brawl

itself, there is a system of academic and student affairs is problematic, and it needs to be fixed in order to minimize any future dam-pack that could arise from a system that is problematic. The system as we know it-which would be problematic when there are sub-systems that are not working properly, so mem-influenced sub-system to another.

In creating the role of the PA (student counselor) is the maximum, also required the active participation and involvement of faculty leaders in monitoring and evaluating the performance of the PA. Always strived no synergy in building the character of a more professional job. Faculty leaders hoped-right to not hesitate to reprimand colleagues who neglect their responsibilities. In addition, the leadership role expected of discipline and resolute in carrying out all the procedures.

Creating Student Peace Issues Ripples peaceful demonstration of students have started to appear in Makassar. While still on a small scale and only partial, but there are at least to start creating awareness among students Makassar peaceful

appeal¹⁴. Such actions performed by a group of students from UNM and UMI. They staged a peaceful reject all violence and fighting are common on campus. UMI they named themselves as the UMI group Students Against Violence Alliance, while at UNM dikuman-dangkan by students FBS. The concept of peaceful protest in UMI is done by means of speeches on a number of acts of violence in the form of student brawls that have led to one of the students in the UMI died. In addition, they also garner signatures from students in the form of support for creation of a peaceful atmosphere in the UMI back. While a student at UNM FBS theatrical action, were now lashed back situation is not safe. They also held banners and made a tomb of a pile of wood charcoal right in BESTRA Secretariat debris that burned the day before.

Such an action is good action and invite positive signal to other groups, such as the action is so lacking in Makassar. Though calls for peace as they are needed to

¹⁴ The results of an interview with Vice Rector III of Hasanuddin University, conducted on July 15, 2014.

dampen the intensity of the conflict. The appeal of peace also may be in the form of letters and drawings as well as a symbol replica of the statue, both of which unfolded in billboards, banners, pamphlets, board Announcements and so forth. This can be done anywhere, either in the real world and the virtual world (Internet).

2) Establish an ad hoc Board of Mediation and Reconciliation Fighting Students (secondary)

Model Social care is not a major thing and obliged to be done immediately. However, this body is secondary, then simply held when the campus was in a state of chaotic conditions and / or when the campus during the recovery condition (post chaos). Other functions are being proposed a compromise to the parties who have long clashed (specifically triggers old scores). Given the brawl conflict has killed student, then the student is no longer a brawl action delinquency (delinquency action) but has resulted in a crime (criminal action). So I recommend Body (ad hoc) Mediation and Reconciliation student brawl (BMRTM).

BMRTM own nature is not

permanent or only temporary and only in charge until the conflict subsided. The goal is clearly perceived, when problems or conflicts arise at the level of the student, BMRTM appears to mediate immediately in order to prevent conflicts not escalate or spread. Parties who mediate a problem can be given to the existing role models on campus, figures for his integrity in the hearing by the parties warring student groups. After the steps taken and the mediation resulted in a mutual agreement, then the parties to the conflict will try to keep each other to abstain from further provocative actions that could provoke the brawl advanced nature. Mediation is useful to all kinds of factors triggering the fight that has been mentioned in the previous discussion, with the exception of old grudges problem. Special old scores, then the priority for the agency to reconcile the problems in order to achieve com-road compromise between the warring parties has been so many years.

BMRTM is under the responsibility of the Rector, as leader of the college, but in the mandate

given to the Vice-Rector of Students commanding BMRTM for this. After it was left entirely to the Student Affairs (WR III in particular) to determine and set apart anyone who is eligible to be appointed as a mediator or mediating problems, whether by appointing himself or other lecturers are considered as figures and capable to handle conflict.

Preparation of ad hoc agency, long ago had to be prepared. So when there are ripples of conflict issues that arise, immediately itupula BMRTM ready to handle problems that occur. This is done to avoid any kind of handling unstructured completely impromptu and carefully as long as this happens.

Participants who took part in the mediation process will be, in addition to the well-appointed mediator involving faculty leaders / department, chairman of student organizations in-tern and if necessary also involve external student organizations that exist on campus. To prevent the coming of the meeting participants, the limited number of representatives per student organizations by identifying

institutions mahasiswa anywhere (no special involvement with the conflict) who are entitled to participate therein.

Special to trigger problems due to old grudges, BMRTM required to make intensive efforts to be able to turn off the hatred that exists in each generation, the efforts of ceasefire and compromise becomes important to achieve in order to break the chain of hatred between groups.

2. Completion of the Model Law

¹⁵If social efforts could no longer quell the increasingly brutal brawl, then the remedy into the final problem resolution (ultimum remedium). Steps repressive action is needed as an attempt to put pressure on the behavior of a student brawl, both physical and psychological in nature. It is useful to activate the mode deterrent effect, so that the instinctive nature of human evil is not getting bigger. Mudhakkir in an interview, said that "administrative punishments such as DO always coincided with the

punishment of law, if you want to create a deterrent."

Step-by-step action was given to the perpetrators of the brawl in accordance with the size of the behaviors that have been made. The existence of a level of punishment, also indicates that not all of his perpetrators brawl should get the same penalty. Penalties are given depending on the severity level of action brawl behavior made by students. If such an all-student only went along to stand in a line brawl would be different with a brawl that involved players throw or even to participate damaging campus facilities, not to mention the opposing party who persecuted even until someone dies would be different solutions.

Administrative and criminal punishments is inseparable from the desire of the university and police to enforce a rule of discipline and fair rule of law within the scope of the campus, those who do should be dealt with in accordance with the air-behavioral procedures. The actions of the student's behavior will be measured extent of student involvement in student brawl action

¹⁵ The results of an interview with Vice Rector III of Hasanuddin University, conducted on July 15, 2014.

happens, if students act as such only relatively light and are joined in the group, holding a stone and threw it, or trying to play a role with how to summon his friends others to participate participating in the brawl, then it will only conducted by performing administrative punishments in the form of coaching student discipline. This form of coaching discipline the student may be activities that are rebuilding the mental and spiritual student can perform activities such as lightning boarding, training and such character.

¹⁶ If the actions of the student's behavior has been relatively quite heavy, so punishments will increase which does not only coaching but can be done suspensions. Behavior thus classified, such as the all-students

¹⁶ Zip guns are made from thick steel measuring ± 2 cm, threw broken glass, nails, small stones and so on. Papporo a homemade weapon that looks fairly simple, with in sulut matches then this gun can dissipate whatever is in the hole muzzle. These weapons are typically used by children of Palopo, said that this weapon was originally used in the fields to shoot birds.

who participated brawl caught accidentally bring sharp objects where it will serve to injure the opponent. Sharp objects that can be a dagger, machete, papporo, homemade guns, bows and such. Students will thus caught in the criminal process by handing over to the police for immediate process, and administrative punishments can include the prohibition of the activity following the lecture runs during the time specified in the agreement suspension.

Administrative punishments can be a DO last, when his actions over the line, or is already quite heavy. DO punishments are the toughest disciplinary action and must be received by students who commit acts of student brawls, such as:

1. Students who participated in the burning or damaging the campus facilities will be dealt with strictly in accordance with the disciplinary rules of the campus, but the act can also be adjusted to establish of his suspension for the student who is involved, want or allow the replacement of losses due to scale vandalism committed are not so great, this is a form of

responsibility by replacing all of the losses of material appearing;

2. If the student is caught in the act of persecution ter-facing opponent to result in serious injury or death of the victim will be left entirely to the police for immediate legal action. Party ranks campus must issue the termination letter (DO) of the students in air-plugs, it must be done after the verdict in the trial results have been declared in kracht or has permanent legal force stating the student as a convict.

IV.

Closing

A.

Conclus

ion

Based upon the findings of fact on the ground, it can be an argument that concludes that:

1. The tendency of Makassar Students prefer brawl in resolving the problem be caused by changes in the pattern of action and motion of students, before and after the reform. Patterns of movement and action of the student is no longer in the

realm of the "external-vertical" but the conflict has been graded into the realm of "internalhorizontal". The conflict in the form of student brawl action, and severity were in Makassar. In the last decade, has identified as many as 54 cases a student brawl. The cause of the problem range from factors: old grudge that has long roots;

a) presence of egocentrism faculty;

b) birth stereotypical forms of ethnicregionalism;

c) conflict escalation of per-sonal to thegroup;

d) psychological pressure; and

e) politicization of the conflict in all student groups.

2. The ineffectiveness of conflict prevention to student brawl at five campuses in the city of Makassar, due to the phase response does not resolve the problem or the root cause of the problem.

Mengenyam-aside stage of identification and diagnosis of problems, resulting in student brawl remain present in each year. Handling has been also considered completely impromptu, unstructured / systematic whole and tend to be discriminatory. Handling conflict is no more just a reactive actions in viewing a more emotional issue.

3. Model effective conflict mitigation in socio-legal perspective, looking at the need for prevention efforts that include:

1) Model of Social Management

a) Prevention Methods Tawuran primary nature, such as the one held the roof (scale university) which emphasizes the theme "Contra - Fighting Students", to renovate system of academic and student affairs, as well as creating peace issues students.

b) Prevention Methods Tawuran secondary nature, such as forming Agency (ad hoc) Mediation and Reconciliation student brawl (BMRTM).

2) Completion of the Model Law Fighting Repression methods that are providing a deterrent effect on offenders, such as

a) Provide an administrative punishment (coaching, suspension, DO) and in the form of compensation for any destruction of the facility, it is given to students who commit delinquency action.

b) Submit to the police forces carried out the process for further action, be in terms of imprisonment for students who commit criminal action.

B. Suggestions

1. For the Central and Local

Government

- 1) The Central Government such as Education and Culture Ministry, are required to participate actively in the region to coordinate efforts to address the conflict in the form of student brawls in Makassar. Additionally, urged the leadership ranks of the college to create an atmosphere conducive and safe at every campus in the city of Makassar.
 - 2) Provincial Government of South Sulawesi and Makassar, along Kopertis IX (Makassar) contributed to the creation of a conducive and safe situation under control. In addition, were also instrumental in helping the Board of Directors of Higher Education in overcoming the conflicts that exist on campus.
2. For Acting Rector, Dean and Students Rector, or the entire Vice Provost for Student Affairs, especially those forced to be more creative in finding effective solutions of conflict management on campus. In addition, it is expected continue to coordinate actively with Dean and the Board of Student Organizations both internally and externally at the campus in order to create a conducive and safe situation.
- Dean, Deputy or Assistant Dean Field Students especially those along the Lecturers were also induce hood as expected-the Academic Advisory able to build a good synergy to the students. Demanded always played an active role to find out and understand the students.
- Students and Student Organizations chairmen both belonging to the Institute of University students internally and externally, is expected to be able to withstand all kinds of emotions in both individual and group problems that students will be able to provoke fights. They are also expected to open up spaces of discussion with the faculty, so that all problems can be solved together.
3. For The Police Local police party, demanded stern action against all forms of behavior that has led to a student brawl in criminal action action. In addition, the prosecution

is expected to also promote humanizing attitude, which is progressive. Do not let the brutal repression, instead will lead to a new conflict with the students in the campus.

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