

Konstruksi kejahatan terhadap nelayan tradisional sebagai pelaku penyelundupan migran suatu bentuk viktimisasi struktural dan hegemoni kultural = The crime construction of traditional fishermen activities for migrant smuggling as a form of structural victimization and cultural hegemony

Tri Nuke Pudjiastuti, author

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Abstrak

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Penelitian ini bertujuan untuk menganalisis proses konstruksi sosial dan konstruksi kriminalisasi yang dialami nelayan tradisional Palabuhan Ratu yang memberikan jasa transportasi bagi migran penyelundup, yang transit di Indonesia menuju ke Australia pada kurun waktu 2010-2013 di Teluk Palabuhan Ratu. Juga, untuk menjelaskan dinamika hubungan antar dimensi dan berdampak pada posisi nelayan tradisional yang mengalami viktimisasi struktural dan hegemoni kultural. Untuk mencapai tujuan, penelitian ini menggunakan metode kualitatif, yang didukung yang kuantitatif secara bersamaan di tingkat masyarakat. Secara umum, hasil penelitian ini menunjukkan pergeseran dari pelaku kepada korban kejahatan, yang gejala perilaku kriminal dibangun oleh situasi internal dan eksternal nelayan masih tradisional. Ada tiga dimensi (negara – supra negara; jaringan kejahatan transnasional dan komunitas nelayan) yang mempengaruhi peristiwa kejahatan memancing, dan dinamika setiap dimensi yang beragam. Intra dan antar dimensi terbangun interrelasi konstitutif, yang pada ujungnya menunjukkan suatu kejahatan sebagai hasil hubungan resiprokal antar dimensi, pelaku dan korban yang bersifat saling membangun, yang terjadi tidak hanya pada tataran tataran global, tetapi juga di tingkat lokal. Ketika mereka melakukan tindak pidana, mereka melakukannya lebih untuk bertahan hidup dan sebagai bagian dari crime of accomodation. Pada akhirnya, perbedaan tingkat dimensi lainnya telah menviktimisasi secara sistemik nelayan tradisional.

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The objective of this research is to analyse the social construction and criminalization construction process experienced by Palabuhan Ratu's traditional fishermen, who provide transportation services for migrant smuggling, which transit through Indonesia to Australia during 2010-2013. It is also to explain the dynamics of the interrelation between the dimensions and the fishing position in the constellation of interrelation among the various dimensions. They are essentially experiencing victimization of structural and cultural hegemony. In order to achieve the objectives, this research uses qualitative methods, which supported quantitative ones concurrently at the level of society. In general, the

result of this research shows a shift of offenders to victims of crime, which symptoms of criminal behavior was constructed by internal and external situation of traditional fishermen. There are three dimensions (state – supra state; transnational crime networking; and fishermen community) affecting fishing crime events, and the dynamic of every dimension is diverse. Intra and interdimension build up the constitutive interrelation, which in turn suggests that a crime occurred basically as a result of the reciprocal relationship between dimensions, the perpetrators and victims., which occurs not only globally, but also at the local level. When they conduct criminal act, they do it more to survive and as being part of a crime of accommodation. In the end, the difference in levels of the other dimensions systematically victimizes the traditional fishermen., The objective of this research is to analyse the social construction and criminalization construction process experienced by Palabuhan Ratu's traditional fishermen, who provide transportation services for migrant smuggling, which transit through Indonesia to Australia during 2010-2013. It is also to explain the dynamics of the interrelation between the dimensions and the fishing position in the constellation of interrelation among the various dimensions. They are essentially experiencing victimization of structural and cultural hegemony. In order to achieve the objectives, this research uses qualitative methods, which supported quantitative ones concurrently at the level of society. In general, the result of this research shows a shift of offenders to victims of crime, which symptoms of criminal behavior was constructed by internal and external situation of traditional fishermen. There are three dimensions (state – supra state; transnational crime networking; and fishermen community) affecting fishing crime events, and the dynamic of every dimension is diverse. Intra and interdimension build up the constitutive interrelation, which in turn suggests that a crime occurred basically as a result of the reciprocal relationship between dimensions, the perpetrators and victims., which occurs not only globally, but also at the local level. When they conduct criminal act, they do it more to survive and as being part of a crime of accommodation. In the end, the difference in levels of the other dimensions systematically victimizes the traditional fishermen.]