

ABSTRAK

UPAYA KEPOLISIAN PADA PENYELESAIAN KASUS PENGANIAYAAN DI PONDOK PESANTREN MADARIJUL ULUM KOTA BANDAR LAMPUNG

(STUDI KASUS LP/B/776/V/2024/SPKT/POLRESTA BANDAR LAMPUNG)

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Kasus penganiayaan yang terjadi di lingkungan pondok pesantren, seperti di Pondok Pesantren Madarijul Ulum Kota Bandar Lampung, telah menimbulkan kekhawatiran publik dan menurunkan kepercayaan terhadap lembaga pendidikan berbasis agama. Dalam konteks penegakan hukum, fenomena ini menyoroti peran strategis kepolisian yang tidak hanya bertindak sebagai penindak kejahatan fungsi represif melainkan juga sebagai pelindung dan pembina masyarakat fungsi preventif. Oleh karena itu, permasalahan yang dapat ditarik yaitu bagaimana peran kepolisian dalam Penyidikan tindak pidana untuk mencegah tindak pidana penganiayaan di Pondok Pesantren Bandar Lampung dan apa yang menjadi faktor penghambat kepolisian dalam menghadapi kasus kasus tindak penganiayaan di Pondok Pesantren Bandar Lampung.

Metode penelitian yang digunakan dalam penelitian ini adalah pendekatan yuridis normatif dan yuridis empiris. Data dalam penelitian ini didapat dan diolah menggunakan prosedur pengumpulan data studi pustaka dan studi lapangan. Data dianalisis menggunakan metode analisis kualitatif.

Hasil penelitian menunjukkan bahwa upaya kepolisian dalam menyidik tindak pidana penganiayaan di Pondok Pesantren Madarijul Ulum telah dilaksanakan sesuai KUHP dan UU Kepolisian (fungsi represif dan preventif) guna memenuhi unsur Pasal 351 KUHP. Namun, proses ini menghadapi hambatan utama berupa kuatnya budaya tutup mulut dan upaya penyelesaian kekeluargaan (mediasi) oleh internal pesantren yang bertujuan menjaga citra lembaga. Secara hukum, intervensi non-yuridis ini berpotensi merusak kepastian penegakan hukum. Disimpulkan bahwa penegakan hukum formal harus diutamakan di atas mediasi informal demi melindungi hak korban dan menegakkan prinsip kesetaraan di hadapan hukum (*equality before the law*).

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Saran yang diberikan oleh penulis yaitu bahwa efektivitas penegakan hukum di pesantren memerlukan pendekatan humanis dan kolaboratif. Sinergi antara kepolisian, pesantren, pemerintah, dan masyarakat menjadi kunci dalam menciptakan lingkungan pendidikan yang aman dan berkeadilan. Dengan demikian, peran kepolisian tidak hanya menegakkan hukum, tetapi juga memperkuat nilai-nilai kemanusiaan, keadilan, dan kepercayaan publik terhadap lembaga pendidikan Islam.

Kata Kunci: Tindak Pidana Penganiayaan, Pondok Pesantren, Kepolisian

ABSTRACT

POLICE EFFORTS IN THE RESOLUTION OF ASSAULT CASES AT MADARIJUL ULUM ISLAMIC BOARDING SCHOOL, BANDAR LAMPUNG CITY (CASE STUDY OF POLICE REPORT NO. P/B/776/V/2024/SPKT/POLRESTA BANDAR LAMPUNG)

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Cases of abuse occurring within Islamic boarding school environments, such as those at Madarijul Ulum Islamic Boarding School in Bandar Lampung City, have raised public concern and diminished trust in faith-based educational institutions. In the context of law enforcement, this phenomenon highlights the strategic role of the police, who are not only responsible for law enforcement through their repressive function but also serve as protectors and community guides through their preventive function. Therefore, the problems that can be formulated are how the role of the police in criminal investigations contributes to the prevention of abuse cases in Islamic boarding schools in Bandar Lampung, and what factors hinder the police in handling cases of abuse in Islamic boarding schools in Bandar Lampung.

The research method employed in this study is a normative juridical approach and an empirical juridical approach. The data in this study were obtained and processed through library research and field research data collection procedures. The data were analyzed using a qualitative analysis method.

The research findings indicate that the efforts of the police in investigating cases of assault at Madarijul Ulum Islamic Boarding School have been carried out in accordance with the Indonesian Criminal Procedure Code (KUHAP) and the Law on the Indonesian National Police, encompassing both repressive and preventive functions, in order to fulfill the elements of Article 351 of the Indonesian Criminal Code (KUHP). However, this process faces major obstacles in the form of a strong culture of silence and attempts at family-based settlement (mediation) conducted internally by the boarding school with the aim of preserving the institution's reputation. From a legal perspective, such non-judicial interventions have the potential to undermine legal certainty in law enforcement. It is therefore concluded that formal law enforcement

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must be prioritized over informal mediation in order to protect victims' rights and uphold the principle of equality before the law.

The author recommends that the effectiveness of law enforcement in Islamic boarding schools requires a humanistic and collaborative approach. Synergy among the police, Islamic boarding schools, government, and the community is essential in creating a safe and just educational environment. Accordingly, the role of the police is not limited to law enforcement but also extends to strengthening human values, justice, and public trust in Islamic educational institutions.

Keywords: *Criminal Assault, Islamic Boarding School, Police Investigation*