

INTISARI

Konstruksi sosial atas identitas mantan narapidana menjadi diskursus menarik dalam konteks sosial-politik Indonesia pada dasawarsa ini. Stigma sosial yang dihadapi mantan narapidana memberikan konsekuensi serius terhadap kehidupannya di masa depan karena memunculkan persepsi distingtif dalam suatu tatanan masyarakat. Referensi moralitas menjadi landasan utama dalam pelabelan dan stigmatisasi sosial sehingga mengeksklusi hak mantan narapidana. Merujuk pada paradigma tersebut, lantas mantan narapidana secara spesifik mendapatkan tiga konsekuensi utama, yaitu kewarganegaraan, sosial-ekonomi, dan keluarga.

Beberapa Undang-Undang dan Peraturan Pemerintah yang diterapkan di Indonesia setidaknya jelas membatasi partisipasi mantan narapidana secara temporal di ranah politik elektoral tingkat nasional hingga lokal karena dianggap membahayakan kesejahteraan masyarakat dan kehidupan bernegara. Selama perdebatannya, problematika pembatasan hak politik mantan narapidana merujuk dua argumentasi utama; *pertama*, asumsi publik yang relatif independen untuk mendukung pembenaran pencabutan hak secara normatif. *Kedua*, penolakan hukuman tambahan berdasarkan nilai keadilan dalam masyarakat demokratis.

Penelusuran secara kualitatif dengan pendekatan studi kasus dirasa tepat untuk mengeksplorasi kehidupan mantan narapidana pasca-penahanan, dimulai dari tahap delabeling dan destigmatisasi, restorasi hak politik, hingga pencapaian posisi sebagai kepala desa. Temuan data kemudian dielaborasi dengan beberapa teori dan kerangka konsep sebagai unit analisis, seperti teori tindakan komunikatif, teori pelabelan, konsep stigmatisasi, dan kewarganegaraan.

Hasil data empiris memperlihatkan bahwa mantan narapidana secara signifikan merekonstruksi interaksi sosial melalui diskursus dalam dua pendekatan. *Pertama*, diskursus praktis yang dilakukan oleh perseorangan maupun kelompok mantan narapidana dengan masyarakat desa setempat yang bertujuan untuk mengubah signifikasi normatif, delabelisasi-relabelisasi, dan destigmatisasi sosial. Tujuannya untuk mencapai posisi sosial yang dikehendaki supaya dapat menarik simpatian politik dalam pemilihan kepala desa. *Kedua*, diskursus etis-politis dalam sistem politik di tingkat struktural pusat yang diwakilkan oleh Fossil Maharana untuk menggugat peraturan perundang-undangan yang diskriminatif dengan menuntut restorasi hak kewarganegaraan mantan narapidana secara keseluruhan.

Bentuk kesuksesan mantan narapidana dalam menempuh diskursus di masyarakat mengindikasikan bahwa label dan stigma sosial bersifat relatif karena terbatas pada pertukaran simbol bahasa yang menjustifikasi identitas subjek. Selain itu, konteks wilayah desa dan kondisi *realpolitik* terbukti mendorong keberhasilan diskursus mantan narapidana dalam mendapatkan kepercayaan kembali untuk ditunjuk menempati jabatan kepala desa. Hal tersebut ternyata ditunjang pula oleh konsensus dialogis antara mantan narapidana dengan masyarakat pedesaan sehingga menambah keyakinan antar-kelompok untuk saling bertransaksi kepentingan; mantan narapidana semakin mengukuhkan kemenangan untuk menjadi kepala desa.

Kata Kunci: Stigma, Pelabelan, Hak politik, Diskursus, Demokrasi deliberatif

ABSTRACT

The social construction of the identity of ex-convicts has become an interesting discourse in Indonesia's socio-political context since this decade. The social stigma faced by ex-convicts has serious consequences for their future lives because it raises distinctive perceptions in society. The morality reference becomes the main foundation in social labelling and stigmatization to exclude the rights of ex-convicts. Referring to this paradigm, then ex-convicts specifically face three main consequences for their citizenship, socioeconomic status, and family.

Some Government Laws and Regulations implemented in Indonesia at least temporally limit the participation of ex-convicts in the realm of national to local electoral politics because they are considered to endanger people's well-being and social welfare. During the debate, the problem of limiting ex-convict political rights shows two main arguments. First, public assumptions to support the normative justification of the revocation of rights are relatively independent. Second, it concerns the support for rejecting the recommendation of justifying additional penalties based on the value of justice in a democratic society.

A qualitative method with a case study approach was deemed appropriate to explore the lives of former prisoners after detention, starting from the stages of delabeling and destigmatization, and restoration of political rights to achieving the position as a village head. The data were then elaborated with several theories and conceptual frameworks as units of analysis, such as the theory of communicative action, labelling theory, the concept of stigmatization, and citizenship rights.

The results of this study showed that ex-convicts significantly reconstructed social interaction through the discourse in two approaches. First, it brought about practical discourse carried out by individuals and groups of ex-convicts with the local village community aiming at changing the normative significance, delabelization-relabelization, and social destigmatization. The aim was to obtain the desired social position to attract political sympathizers in the village head election. Second, it involved ethical-political discourse in the political system at the central structural level represented by the Fossil Maharana to challenge discriminatory laws and regulations and demand the restoration of citizenship rights of ex-convicts as a whole.

Forms of success of ex-convicts in involving the discourse in society indicated that changes in social labelling and stigma were relative because of their limitation to the exchange of language symbols that justify the subject's identity. Besides that, the context of the village area and the conditions of rural real politics were proven successful in encouraging the success of the discourse of ex-convicts to gain community trust so they could attain a position as a village head. This was also supported by a dialogical consensus between ex-convicts and rural communities, thereby increasing inter-group confidence in transacting interests; ex-convicts increasingly confirmed victory to become a village head.

Keywords: Stigma, Labelling, Political rights, Discourse, Deliberative democracy