



ABSTRAK

Studi ini untuk mengungkap fenomena kegagalan Negara dalam memediasi konflik sengketa wisata Goa Pindul di Desa Bejiharjo Kecamatan Karangmojo Kabupaten Gunungkidul D.I.Yogyakarta. Dinamika konflik yang terjadi meskipun mediasi berulang kali telah dilakukan oleh Negara untuk menjembatani sengketa, namun nyatanya hasil yang dicapai dalam mediasi bagi kedua pihak bersengketa masih jauh dari kesepakatan win-win solution. Dengan demikian tujuan penelitian ini adalah; *Pertama*, untuk mengungkapkan dinamika konflik sengketa lahan wisata Goa Pindul. *Kedua*, untuk menjelaskan mediasi konflik sengketa lahan wisata Goa Pindul yang dilakukan oleh Negara. *Ketiga* untuk mengungkapkan kegagalan Negara sebagai peran mediator dalam menjembatani mediasi konflik.

Demi mencapai tujuan penelitian, kajian ini dianalisis memakai pendekatan konsep dinamika konflik yakni pra konflik, konfrontasi, krisis, akibat, paska konflik. Pendekatan konsep kedua dalam resolusi konfliknya memakai mediasi, hal tersebut sebagai penjelasan langkah-langkah mediasi melalui peran mediator. Kemudian menggunakan pendekatan metode kualitatif dengan melakukan wawancara langsung, dan penelusuran sumber dokumen baik primer maupun sekundernya.

Temuan dilapangan, menunjukkan bahwa konflik sengketa wisata Goa Pindul mengalami peningkatan intensitasnya. Dinamika konflik sudah mengalami pergeseran tahapan pada tingkat krisis, dimana pemilik lahan dan Pokdarwis terus-menerus terkait saling klaim wisata Goa Pindul adalah wilayah operasional. Sedangkan mediasi berulang kali dilakukan Negara sebagai mediatornya nyatanya masih mengalami jalan buntu.

Hasil analisis pertama kegagalan Negara memediasi karena kedua pihak antara pemilik lahan dan Pokdarwis sama-sama punya pengakuan yang legal. Pemilik lahan mati-matian mempertahankan Goa Pindul dasarnya dokumen sertifikat, sebaliknya Pokdarwis merasa lahan tersebut aset negara berdasar pasal 33 UUD 45. Hasil analisis kedua bahwa setiap kali mediasi hasilnya gagal karena pihak Pokdarwis sendiri dalam sidang selalu memberikan tawaran kesepakatan yang memberatkan pihak pemilik lahan. Ketiga Negara berperan sebagai mediator, ternyata mediasi yang dilakukan terselubung suatu kepentingan yang tersembunyi. Bahwa mediasi yang gagal berarti dinamika konflik berlanjut, maka masih berlanjut pula pengelolaan wisata Goa Pindul ditangan warga masyarakat, dan sungguh jelas berdampak pada terbukanya lapangan kerja dan kesejahteraan.

Kata Kunci: Mediasi, Wisata Goa Pindul.



ABSTRACT

The purpose of this study is to find out how the government fails in mediating two conflicted sides in Goa Pindul, which is situated in the village of Bediharjo, Karangmojo district in Gunung Kidul Regency, Yogyakarta. The government fails to find resolutions that satisfy both of conflicted sides in Goa Pindul. To find out how the government has failed in mediating the conflict, first, the researcher will identify the dynamics of the conflict; second, the researcher will find out what kind of actions the government has done to mediate the conflict; and thirdly, the researcher will try to analyse in what way that the government eventually failed in mediating the two conflicted sides in the Goa Pindul's area dispute.

To find out how government has failed to mediate the conflict the researcher will use the concept of conflict dynamics as the research's approach. Pre-conflict, confrontation, crisis, effect, and post-conflict will be used in the conceptual approach. The second concept to be used in this study is mediation, as a tool to solve the conflict and finding resolutions. The concept were used to explain mediating action taken by any mediators. The qualitative research method will be also used in the study using interviews and document reviews (either secondary or primer documents related to the conflict).

Findings on the field shows that Goa Pindul's dispute has been increasing in intensity, especially between the two conflicted sides: Goa Pindul's tour group or Pokdarwis (Kelompok Wisata Gua Pindul) and land owners. Both Pokdarwis and land owners claims that Goa Pindul's tours belongs to them. The government then mediating the two conflicted sides with no result since the conflict has been escalating without any resolutions.

Both Pokdarwis and Land owners has legal claims to Goa Pindul's tour area according to each sides, making the government unable to choose which one is more entitled in Goa Pindul's operations. Pokdarwis claims that it's ok for them to operate tours in Goa Pindul since Goa Pindul is a public space according to the Indonesian's Constitution of 1945 especially Article 33, but land owners also have proof on their claims using certificates for the land. Furthermore, Pokdarwis's solution by offering compensations to solve the conflict is not enough according to the land owners, also one of the reasons why the government fails to mediate the conflict. The last but not the least important, some people thought that the government have their own motives in mediating the conflict, also one of the reason why the government unable to mediate the two conflicted sides. Regardless of the reasons why the conflict unable to be mediated, the government's failing to mediate the conflict has escalates the conflict intensity making it not only affect both of the sides that directly related to the conflict but also affect the people who work and depends on Goa Pindul's operation for their livelihood.

Keywords: mediation, Goa Pindul's tour.