THE APPROACH OF PUBLIC POLICY IN CONFLICT RESOLUTION: AN INDONESIAN EXPERIENCE TO SOLVE CONFLICTS IN MALUKU, POSO, AND WEST KALIMANTAN

By
Trubus Rahardiansah
Faculty of Law, Trisakti University, Indonesia
daussakti@yahoo.com

ABSTRACT

Before and after the independence proclamation until to date, violent conflict are phenomenon reflecting the formation of Indonesia State. Approaching the end of the power of a regime, violent conflicts became alternatives priority articulation tools. Violence was not only aimed at each other as member of a society but also at institution, humans and government bodies viewed as having no authority. Prototype horizontal violence (inter society) first appeared at political campaigns before and after general elections, especially during election of district head, with conflicts burgeoning into religion in several districts of the country.

Even during developments conflicts among villages with arose for known reasons judgments, resulting into massive judgments against people suspected as criminals. Whereas vertical conflicts, especially among communities and the government, show the wreath of the community towards the governmental bodies and institutions suspected of being unfair in upholding the law. Starting from massive violence cases ending with Trisakti (12 May 1998), Semanggi I & II (1999) tragedies, after that the burnings in Jakarta, Solo and Denpasar, which occurred at the start of the reformation era, also uproars in Aceh, Papua, Maluku, Poso, West Kalimantan, all indicating the vulnerability of social integration.

Various parties pointed out that the riot and social conflict problem were caused by unbalance in economy, politics, sociology and culture, creating problems, such as poverty, economical and income gaps, marginalization and so on. Besides that, social and political relation created in a forum through the SARA concept (ethnic group, religion, race and among groups), actually resulted in a vegetative way towards a social harmonious relationship in the society. The ensuing phenomena transformed the social problems was into a cone shape for native and non-native stigma. However, nowadays more complex situation social problems which are more exist causing conflicts of a dimensional nature between religion, ethnic groups, race and other groups.

This article will explain the conflict resolution in Indonesia, especially Maluku (Ambon), Poso (Sulawesi) and Sambas (Kalimantan Barat) with public policy approach. Through this research will be revealed how the state plays the important resolution role for determining the mediation.

A. REALITY OF THE INDONESIAN SOCIETY

Indonesia is a pluralistic community or is a nation of *'bhineka tunggal ika'* (Unity in Diversity), namely a country comprising of ethnic groups united or managed by a national system. The meaning of diversity is focused on its culture and ethnicity. Each ethnic group from one generation to another shall have and dwell in an area acknowledged as theirs, providing resources to make ends meet.

In a pluralistic community, the diversity of culture and ethnicity is considered both horizontal and vertical, meaning to include aspects of economy and technological progress as well as social and political organisations. Actually, the Indonesian community comprises of dominant groups versus other minorities. This has been demonstrated by various interactions both at the national level (such as the position of the minority Chinese compared to the natives) as well as at the local community level (just as the position of minority Sakai compared to the position of the Malays who are dominant in Riau).

Because of this diversity in ethnicity, there are latent inter group conflicts, extending to government relations, causing major problems, especially involving rightful entitlement to local resources: ethnic group or government[1].

Therefore, for Indonesia to become a stable democracy with peace, prosperity and justice, the transition process needs to be secure and smooth. Otherwise, all of us will suffer from an authoritarian situation or worse, from a situation with economic conditions declining this nation to become disunited. Whatever means available for a peaceful Indonesia, we have to guide the conflict towards transformation diversity into a sound competition with optimal potentials. It is said that we have to manage the conflict because basically, the conflict itself cannot be eradicated. Objectively, the Indonesian nation comprises of various ethnic groups, races, religions, groups and strata. If we cannot wisely manage such various differences, it will create a dreadful conflict. In order to remain in control and manage such conflict, we have to accept that a conflict is unavoidable, and is, in fact, a predisposed factor and *'sunnatullah'*, in other words, a conflict is tolerated but not violence.

In dealing with conflicts, we will classify them according to actions beforehand: *First*, all actions to avoid a brutal conflict. *Second*, a peaceful settlement is in order which will end violence. *Third*, to create a positive climate conducive to settlement. *Fourth*, to contemplate a lasting resolution with a new relationship. *Fifth*, a transformation from negative aspects of political and social conflicts into positive ones.

The question is, which one among those aforementioned terms is appropriate for Indonesia? Many observers choose the term conflict settlement because of already existing potential conflict areas within communities. However, if it is called conflict management, it is basically management of its efficacy.

---

[1] See Thoby Mutis & Trubus Rahardiansah,*Manajemen Kemajemukan: Sebuah Keniscayaan Untuk Mengelola Kebhinnekaan Manusia Indonesia*. Jakarta: Trisakti University Press, 2008, p.8-9

As far as conflict management is concerned, anyone responsive will take the following steps: *First*, prepare analysis identifying the conflict, its critical issue, and also its advocacies. With regards to settlement, focus on the main reason causing this conflict. *Second*, formulate a strategy to deal effectively with the conflict and influence policy. *Third*, in conjunction with the above, pursue state harmony. *Fourth*, adopt a process of lessons learned with future adaptation. The result of such a problem is the rising chaos, violence and anarchy till a nation's disintegration and mainly due to low public awareness differences and diversity aspect. Being different is a common human trait and cannot be denied. If democracy acknowledges the state of differential pluralism, low community awareness is proof that a nation is not repelled for democracy. With such a perspective, a nation's tolerance will become idle hope and its disintegration a real threat. This is a reality easily to be achieved albeit with some obstacles[2].

Actually sosio-cultural conflict still can be neutralised through consensus such as establishing tolerance communications between indigenous people and new arrivals. This consensus eventually will overcome conflict of interest and disagreement among community members and the group; consequently, the existing tension and deviation will be solved and in turn prevent violence, thus a socio-cultural integration can be achieved.

Besides, dialogue through or between cross ethnic and religious community organisations is to be enhanced. Hopefully, through an honest and open dialogue, it may create a good understanding and shall eradicate all the prejudice and suspicion. This kind of social communication, of course, shall benefit both parties with a sound social integration in the end.

As a role model, at the cultural level, we need to think about another mechanism, namely to encourage and revitalise the traditional relations systems of '*Mamak-Kemenakan*' mainly among Minang ethnic groups. Through this kind of system, we can nurture our religious life, culture and strengthen mental uplifting of our manners regarding the relations of '*mamak*' (mother's brother) and the '*kemenakan*' (nephew/niece).

Furthermore, as regards relations with non-Minang ethnic groups, we need to develop an assimilation of *Malakok*, an arrangement where normally through a traditional ceremony, non-Minang ethnics become members of the Minang family. For this ceremony, non-Minangs are obliged to contribute, normally in the form of gold, and to sacrifice an animal, usually a buffalo. Here non-Minang ethnics become equals who are totally involved. A conflict of culture and religion has, therefore, become neutralised together with a state of tolerance[3].

Less dialogues and transparencies will only worsen a conflict and hinder social integration. Besides, a community which is over-fanatic on religion and culture tends to prejudice other religions and cultures, which will hinder interaction and cause an eventual

---

[2] Thoby Mutis & Trubus Rahardiansah, *Peace and Non Violance: Knitting The National Cultural Mosaic*. Jakarta: Trisakti University Press, 2006, p.111-114
[3] Prayitno & Trubus Rahardiansah, *Pluralism Ethics*. Jakarta: Trisakti University Press, 2004. p.17-20

conflict. It is, therefore, important for each conflicting group to develop and maintain transparency and to change their negative prejudice through a lot of dialogues[4]. In addition, we need to establish relation patterns of '*bertali budi'(wisdom binding)* or '*bertali emas*' (golden binding) and '*malakok'* assimilation to support integration.

To find out how some communities managed to bring their conflicts to a peaceful solution, I will refer to the actual happening zones of Maluku, Poso and Kalimantan. Solutions within those three conflict areas can become role models for future happenings of an explosive nature in Indonesia.

B. MANAGEMENT OF THE MALUKU CONFLICT

Racial conflict among the religious and ethnic groups in Maluku started in 1999 precisely on Hari Raya Idul Fitri. This conflict caused restlessness and anxiety among the community members due to a decline in economical, social, cultural and political aspects because of government policies, with a concurrent sentiment.

Efforts to minimise and settle the conflict were conducted several times by religious leaders and groups, traditional key leaders, community prominent figures, youth groups and others with an emphasis on cultural and brotherhood basis, but did not produce any results, owing to the fact that the root of the problem was ignored, thus, complicating the issue. Many people were happy because general elections ran successfully on April 5, 2004. However, unexpectedly, another conflict occurred after the RMS anniversary on April 25, 2004.

Peaceful effort to settle the Maluku conflict has been arranged on time. Now that the civil emergency was cancelled, escalation of conflict and violence declined. The decline of violence was followed by a change of position among parties. Hard-line groups have left the conflict zone. It was followed by a moderate/soft line group talking peace. However, the latter is still very weak. In spite of this, among those from the hard line group, some people especially Moslem leaders were ready to meet[5].

One way to promote the movement of 'peace' is by applying many conflict multi- tracks. The two most familiar tracks are conflict resolution (mediation, negotiation, diplomacy) with use of government track (track 1) and activity track of varied groups in civil community (track 2). Both tracks are significant, each of them has its own advantages and disadvantages[6].

First track conflict resolution (government) is important as intervention against a conflict. One of the advantages/capabilities of the government as compared to others is its capability in intervention. A government has relatively more resources of political power

---

[4] Parsudi Suparlan, "Ethnic and Religious Conflicts in Indonesia", Michael Leigh (ed). *Proceedings of The Sixth Bienneal Borneo Research Conference.* Kucing Sarawak: Institute of Asian Studies: University of Malaysia,p.97-128

[5] Parsudi Suparlan, "Kerusuhan Ambon". *Jurnal Polisi Indonesia*. No.3 p. 1-30

[6] Thoby Mutis & Trubus Rahardiansah,lo.cit, p.120-121

and assistance from several political organisations promoting peace, which may lead to settle the conflict. This is definitely appropriate for matters of high political controversies such as Laskar Jihad, TNI/POLRI, civil emergency, RMS/separatist, UN intervention, and legal process/human rights violation.

Second conflict resolution (the civil community) has its own advantages when compared with the first track (government). Unlike the conflict resolution of the first track with graduations as mentioned above, the second track conflict resolution applies to the daily social community activities amounting to the so called peace activities. Therefore, the 2nd. track has advantages as far as activity and creativity are concerned; varying from business, education, environment, art, media, sports and health, to other social interactions. Actually, when compared with the first track, the second is more interesting to participate for community members as it is not antagonistic, and considered not sensitive for non-contentious issues.

The most suitable strategy for conflict resolution is community empowerment. This strategy facilitates the establishment of social interaction badly ruined by the conflict, but steadily improving through joint social activities and informal dialogues. These social activities and informal dialogues will become automatic mediators through meeting each other. This strategy establishes more hope for a faster conflict transformation; is widely distributed among the social strata because it is conceived as being excellent; is not out to reverse but can adjust the way of thinking of an opposing party; is not antagonistic, therefore, it can minimise a conflict, and is also directed towards settlement on a positive sum game or win-win solution instead of a win-lose one.

The Christian Ambonese would like the Laskar Jihad group to leave Ambon. The Moslem Ambonese would like the Republic of South Maluku (RMS) not to interfere in the Maluku conflict and request the government to condemn it. The Moslems also consider the existence of Laskar Jihad as a consequence of the conflict. Those are two opposite interests.

The spirit to end the conflict and achieve a permanent peaceful condition lead 70 people from Moslem and Christian groups represented by 35 persons, each to congregate together for two days (February 11 – 12, 2002) in the tourist resort called Malino (about 77 kilometres south of Makassar), district of Gowa, South Sulawesi.

Almost like Malino I, the Commission for Security and Law discussed peaceful issues at **grass root** level, ceasefire and submission of weapons; withdrawing of paramilitary groups, and penalties for violators. Even for the Social Commission and Economy, a mediator team offered socialisation resulting from the Malino meeting for Maluku, and also rehabilitation of some public facilities and repair of social facilities.

In each session of the meeting, the mediator team listened to the opinion and recommendation from both parties, plus discussions about countering distortion or disinformation. In the second and final day of the meeting, both parties met in the same

room. All issues were shared to find a solution and similarities. Those similarities were the seeds for the peaceful atmosphere in Ambon, specifically and in Maluku generally.

On February 11-12, 2002, the second Malino Meeting (Second Malino) for the Maluku Conflict was opened. The Coordinating Minister of People's Welfare, Jusuf Kalla as the initiator, was optimistic because the meeting was successful. The Eleven Points of the Maluku Peaceful Agreement are:

1. To end all forms of conflicts.
2. To support legal supremacy on a just basis without favouritism to one party.
3. Refuse any separatist movements to include a Republic of South Maluku.
4. As part of the united country of the Republic of Indonesia (NKRI), all people are entitled to stay and run business in the Maluku area by considering local culture.
5. All illegal organisations, groups or laskar with arms are not allowed into Maluku and will turn in and strip their weapons according to prevailing law.
6. In order to carry out all the legal provisions, a national independent investigation team will thoroughly investigate the event of January 19, 1999, Maluku Sovereignty Front, Christian RMS, Laskar Jihad, Laskar Kristus, and religious conversion by force.
7. To periodically reevacuate refugees to their original place before a conflict occurs.
8. The government shall assist the community to rehabilitate economic and public facilities such as education, health, religion, and people housing in order to provide a better future for the Maluku people to become exempt from difficulties.
9. In an effort to maintain security and safety conditions for all the people in all areas, the police and armed forces are expected to conform to their tasks and responsibilities in a strong manner.
10. In order to maintain a good and sound relationship among all people, both Christians and Moslems, will support efforts to promote the legal provisions and law without forced to do so by anyone.
11. To promote rehabilitation particularly at the Pattimura University according to the principle of mutual benefit.

The weakness of the Second Malino Declaration is that the government failed to socialise the Second Malino Agreement. Such a socialisation activity did occur once among Christians whereas in the Moslem area, 35 people of the Moslem delegation to the Malino Meeting did not explain the 11 Points of Agreement.

The Governor, as ruler, did not indicate what type of situation hindered a socialisation process in the Moslem area. Moreover, he said that the socialisation process among the Moslem people will be conducted on a group basis similar to village head meetings. The socialisation process did not run smoothly because the 35 Malino-kept MOM delegation members were still afraid that people would be disappointed with the result and agreement of the Malino meeting. This proves their attendance in Malino did not represent Moslems. Otherwise, for whatever reason, they need to speak up in public about this agreement.

C. CONFLICT AND PEACEFUL EFFORT IN POSO, SOUTH EAST SULAWESI.

According to the 1998 demographIC data, Poso comprises of a total area of 28 thousand square kilometres, with a total population of 400.264 people broken down into 245.332 Moslems, 143.249 Protestants, 2.166 Roman Catholics, 8.030 Hindus and 1.597 Buddhists. The Poso conflict commenced in 1998 and lasted for three years; thousands of people were killed, thousands of houses demolished, hundreds of churches and mosques burnt, and it caucused an influx of refugees totalling approximately 90.000 or almost 30% of the Poso population.

The reason for the Poso conflict contains different motives from drunken youths to political affairs. But finally, the conflict related to religious issues. Some areas became clustered, such as a Moslem-based cluster, the White Group (mostly in coastal areas): Toyado, Madale, Parigi, Bungku and the Christian-based cluster, The Red Group (mainly in hinterland): Lage, Tokorando, Tentena, Taripa and Pamona.

A reconciliation effort for settling the Poso Conflict needs a long and complicated process. Wishes to take revenge and people not fully trusting the government are still playing a part for the failure of reconciliation applied thus far. Based on existing data, some meetings were held to discuss peaceful issues, namely:

1. On December 27, 1998, negotiations were held in Tagolu between the parties concerned and witnessed by the Poso Regent. The agreement calling for the halt of the conflict was violated by the Christian group.
2. On January 8, 1999,in Poso, 129 community and religious prominent key leaders made an agreement to stop all dispute.
3. On April 3, 2000, the community and Poso government in its course negotiated (it is agreed that if the Police Brimob wanted to withdraw, the people will keep calm).
4. On May 25, 2000, a local agreement was held in Tokorondo and signed by the Tokorond village head and Masani declaring that in the event of any attack by any party, both groups will collaborate to protect their areas.
5. On June 8, 2000, negotiation held in the village of Mei, Tibo with a promised not to attack anymore.
6. On June 12, 2000, the Poso government initiated a meeting between Moslem and Christian leaders in the Torulembah building. It was agreed that one effort of the reconciliation was by urging people to turn in their weapons till July 15, 2000.
7. On July 28, 2000, in Manado, a meeting between the governors of Sulawesi, was held and was attended by those from South Sulawesi, North, Central and Southeast. It resulted in the six Points of Agreement aiming to create a peaceful atmosphere.
8. On August 13-14, 2000, in Tentena, the same Sulawesi governors except from the south-east, met again and came up with an agreement that who ever starts a provocation to extend the Poso conflict will become an enemy of all the Sulawesi people.

9. On August 21, 2000 reconciliation of Sintuwu Marosi was attended by President Abdurrahman Wahid and participated by tribal leaders of the sub-districts, which resulted in an agreement using the Pamona language covering Five Points.

As such agreements were prepared over and over again and without any ground work done. Learning from failures, the government does not want to interfere too much in initiating meetings. Therefore, the Malino meeting is within the Poso community to comply with a desire to find peace in their hometown. In this case, the government will only be a facilitator and mediator to achieve public facility rehabilitation and, in collaboration with security personnel, protect all community members.

Many people still doubt the peaceful effectiveness motivated by the government since some of the Poso conflict settlement meetings ended up in breakdowns. As a result, conflicts and clashes between parties still exist, and have even become more serious. Nevertheless, the presence of 23 Christian and 25 Moslem representatives did prove a mutual willingness to reconcile.

Thus, after undergoing tiring and stressful discussions, ultimately a declaration was successfully achieved, and known as the 'Malino Declaration' which was signed by all representatives, added with seven mediators, and 22 observers. At 4 p.m. that day, when it rained so hard in Malino, the Mediator Chairman, Coordinating Minister of People's Welfare, Jusuf Kalla, read out the following declaration:

By the grace of God Almighty, we, who represent the Moslem and Christian communities and other existing groups, after experiencing and realising that conflicts and clashes lasted for three years in the District of Poso and the District of Morowali, and caused prolonged suffering and misery to the people, and based on a spirit of transparency and simplicity, we hereby agree:
1. To stop all types of disputes and conflicts.
2. To abide by the form and efforts of law enforcement and support in imposing legal penalty for violators.
3. To request government agencies to be just and strict.
4. To stabilise a peaceful atmosphere, and refuse the establishment of a civil emergency condition and interference by foreign parties.
5. To avoid slandering each other and be honest, and ensure to empower the spirit of tolerance and forgiveness in order to achieve a harmonious and peaceful atmosphere.
6. Poso Land is the integral part of the Republic of Indonesia, and therefore, each citizen shall be entitled to live, come and stay in this peaceful country and respect the local traditions.
7. All the proprietary rights shall be returned to the legitimate owners as they were before the conflicts and clashes.
8. To return all refugees to their original place.
9. In collaboration with the government to rehabilitate the entire economy's facilities and infrastructures.

In addition, all Poso community members are free to perform their religious rituals and abide by all prevailing regulations, namely the law and government regulations as well as other provisions.

How about the situation on site? Is it the same as what has been set forth in the agreement points, in other words, reasonably applied? In fact, there are some Poso community members who are still afraid to return to their hometown; they still have the trauma caused by many of their relatives being killed during violence, and memories of butchering them. In fact, they know who did the butchering, but have no recourse to hold them responsible with appropriate punishment. In investigating illegal weapons and arms, even the police had to go through the red groups. Many of the police organic arms were not returned yet.

Human rights violations still continue. Moreover, instead of facing the local people as have been done before, now even the armed forces too they consider an enemy.

The sound atmosphere during the signing of the agreement has vanished because the situation has worsened. Justice as set forth in the settlement should apply to those rightfully entitled. The Poso people evacuated to the city are still afraid to return, and they still do not believe the justice promised in the agreement. Instead, they still face the traumatic reality that it is possible that it may occur anytime, just like the case of blasting in the Tentena market in May 2005.

D. CONFLICT AND PEACEFUL CONDITION IN KALIMANTAN

Borneo is the third largest island in the World, after Greenland and New Guinea. 73% of this island totalling 539,460 square kilometres belongs to Indonesia, comprising of West Kalimantan province, Central Kalimantan Province and East Kalimantan. Those four provinces take up 28% of the entire area of Indonesia. East Kalimantan is just about 10% of the entire of Indonesia.

Regarding one of the provinces in this island (c.q. West Kalimantan), J.J. Enthoven (1903) in his book, 'Bijdragen tot de geografie van Borneo's Wester Afdeling', used to write, 'Within certain meaning, West Kalimantan is a blessed area because of its good weather, fertile lowland, and also in some higher areas, there are lots of land to be developed. This area still waits for capital and willingness for progress, like arranging their water (irrigation), drying the lowlands, and just waits for proper infrastructure, and villagers who are diligent and want progress. The population in this area is considered a pluralistic society. Many come from outside Kalimantan. They have varied occupations; most are farmers, fishermen, workers in mining areas, plantations, timber, traders, teachers, government employees and others. Community religion in this area is very pluralistic. Some still belong to the animism and dynamism believers. Illiteracy still exists, especially in the remote areas. Poor infrastructure is the main hindrance to develop the economic conditions of the people. Slash and burn systems and also illegal mining still exist and ultimately, threaten the future of the Kalimantan area.'

1.   **Inter-ethnic racial conflict issue**

The emerging racial conflict in Kalimantan has a unique background since 1967. It was assumed that beyond the existing conflict, irresponsible persons both from the central as well as the local level manipulated a tragic drama aimed to ruin the Kalimantan area. The tradition of 'Mengayau' (Beheading) has been revived and consumed by people to empower their rule. This is one of the impacts of unsuccessful management in handling an individual case that developed into an ethnic group's conflict. The existing law is considered as not capable to secure justice for the people. This injustice also caused them to become disappointed and even frustrated to face the in unjust legal treatment, a predicament for the common people.

This ethnic group's conflict can be categorised into three categories, namely: *First*, the 'pure' conflict because of all the socio-cultural accumulations; *Second,* it is a conflict manipulated by opportunists seeking gains within the inter-ethnic conflict; and *Third,* it is a conflict provoked because the communities involved were not able to anticipate such a situation. By now, the most important thing is to avoid and immediately handle the situation so that a better, secure and peaceful atmosphere can be achieved. Actually, the racial conflict of Madura-Dayak did occur 12 times. Mostly, the racial conflict in West Kalimantan was between the Dayak and Madura ethnicities. Starting five years ago, the racial conflict in this area involved the Malay ethnic groups. Why did such a conflict occur?

In any case, there is one main reason for this conflict in Kalimantan. For example, the accumulation of individual annoyance and the attitude of Dayaks and Malays towards some Madurese who live and work in the Sambas District. The annoyance cropped up because of the behaviour and callousness of the Madurese with regard to the property of others (land, plantations, animal and individual privacy), and social injustice in the existing positive law. Victims caused by the Madurese traits were treated unfairly by the ruling empowerment officials. Basically, because of tardiness in handling the case, incompetence and improper justice were expected by local community members. It resulted in a society upholding law and justice, but conversely strengthening the ethnic solidarity for those victimised by Madurese criminal actions. The local community (Dayaks and Madurese) posses high solidarity in anticipating annoying attitudes inflicting it. The question is 'Does what really happened indicate an inter-ethnic conflict (Madura against Dayaks and Malays)?'

It depends on the meaning of their 'culture'. Most of the Madurese are the newcomers in the Sambas District and it was rather difficult for them to adjust and respect the culture of the local Dayak people. Seizing someone's land, plantations and rights will create an individual and local community reaction. The habit of bringing sharp weapons, for example, will annoy a pluralistic society which loves peace and hates conflict. Actions of some hoodlums have forced the Madurese people, without exceptions, to leave the land in the Sambas District.

Believe it or not, the impact of this inter-ethnic conflict involved material aspects, mainly psychologically, because victims of such a conflict are still traumatic and it is not easy for them to forget such nightmares in a short time. Those who lost their relatives will remain in deep sorrow in facing the days ahead. Sometimes, they still want to take revenge.

Humans are thrown into a graveyard full of hatred and hostility, thus, ruining a harmonious life. A normal life which has been established for years disappeared in seconds because of fire and damage by severe chaos motivated by strong emotions.

2.   Brotherhood and Peaceful Endeavour

Prior to achieving a sincere brotherhood, we need to take concrete steps in order to avoid inter-ethnic conflicts in Kalimantan and this needs to be done continuously and systematically. There are three steps to be taken in the face of avoiding inter-ethnic conflicts: *First*, individual conflict needs to be tackled immediately, accurately and firmly so that it will not progress into a social conflict. *Second*, positive law enforcement needs to enhance justice within the community, disregarding ethnicity, language and culture. *Third*, a strict social control is to be applied by security and government officials for a social life by providing legal sanctions firmly.

(a) Understanding of other cultures. Currently, a basic attitude to understand, and study and thoroughly be familiar with the richness of other cultures is really required. To just stick with your own culture will broaden the gap between ethnic groups. Now is the time for the community members to be open and willing to understand each other, for an appreciative insight. Primordial attitude leading people to a closed off state and narrow-mindedness needs to be revised and reformed. An attitude of superior culture is erroneous and will ruin the social strata. Positive value of another culture is to be analysed and maintained for the sake of mutual benefit.

(b) Establish interdependency. Dimension of interdependency in social life is to be continually promoted so that it will grow stronger. The local government and private agency in all areas of Kalimantan need to consider a sound cooperation and interdependency among people. They need to review the monopoly system in the sector of employment that lasted for almost thirty years. It is important in order to minimise social injustice within a community lifestyle. This can be achieved through actually working towards a community to be cooperative and living in harmony and not just by seminars, forums or upgrading by officials with shallow insight.

(c) Realising the conflict impact. Social and individual cooperation and relations will be disturbed by an inter-ethnic conflict. Interpersonal communication and social relationship will be hampered and will even worsen. The attitude to suspect each other may arise because people are not transparent anymore. Suspicion of others will occur because of the closed social life, and to top it off, groups will become more clannish with eventually one ethnic group in power. Siantan village in Kalimantan, for example, has Madurese people, and Condong village is identified as Malay.

In fact, other ethnic groups also exist. This discernment needs to be changed to a typical community that is getting pluralistic from time to time. The cliché and stereotype image of any particular ethnic group is to be reviewed and clarified according to reality. It is time now to eliminate the priory structure and way of thinking, and give way to a development social structure and pattern.

(d) Way of life. The start of an inter-ethnic group conflict is closely related with the human philosophy about life and its real meaning. To appreciate life as God's blessing is part of the local Kalimantan people's philosophy. In one dimension, the human life is a '*gabe*' (blessing) and in the other, it is called '*aufgabe*' (responsibility) to be carried out by human beings. To implement the existing law in Indonesia, including Kalimantan, human life can be 'purchased' with money. The life of a traffic accident victim can be redeemed with compensation. Even a traffic victim who killed a person can still go free without having his license revoked just to educate him. In this area, the so-called 'culture of death' is developing.

It is important to classify human blood has constitutive and essential. Blood is the symbol of life, and a person who hurts someone with a spill of blood is subject to customary law. You are not supposed to hurt someone with a spill of blood. The Dayak ethnic groups value life highly. An abnormal or intentional death is not only subject to customary law, but will also create an extended social reaction. Murder is damned. The process of reducing a violent culture into becoming a peaceful one needs to be addressed urgently.

3. Reality of Anti-Violence Culture in West Kalimantan

The information broadly published both nationally as well as internationally about violent acts in the Kalimantan conflicts created again the image of the Dayaks as being a violent ethnic group. The mass media were also supported by reports made by various human rights groups and NGOs both at the international as well as domestic level mainly focusing on violence itself and its victims rather than studying the problems in a comprehensive manner.

As mentioned above, government policy tends to create and remain stating an image of violence relating to Dayaks for political interest and at the same time no significant efforts are made by the Dayaks to counter it. In fact, the violent culture that is deeply rooted in the head hunting tradition in the old times is just a small part of the Dayak culture, and it has been left out for dozens of years. Besides, the tradition of head hunting is not practiced by all sub-ethnic Dayak groups. Therefore, it is not appropriate to identifys Dayak with violence (head hunting).

Some aspects of the Dayak culture stressing on the importance of peace in settling various problems are as follows:

(a) Ethos of friendship. The attitude of Dayaks against those who have the potential to disturb and create threats like wicked spirits, Satan and ghosts is to maintain balance and harmony. This ethos is mistakenly interpreted by religious people as an attitude to

'adore/worship' Satan/gods. The various offerings from Dayaks to nature dwellers through different rituals are the manifestation of this friendship ethos. To only the nature dweller, such offering is the actualisation of togetherness, whereas to the creature with the potential to disturb, such offering is an actualisation of freedom.

Dayak people believe that if all nature dwellers are equally and proportionally treated, it will create harmony, and people may live in peace and in protected areas. Attitude towards a guest is considered the realisation of this ethos. In all sub ethnic group of Dayak, a guest is treated well disregarding his background and he will always be treated special and in the best manners. The famous saying among the Dayak Ketapang is *"Temuai umbai makan, Menyagaq dumai baras"* ("the same Dayak people are invited to eat, the non-Dayaks are given rice"), reflecting the attitude to be friendly to all people.

(b) Life cannot be redeemed with life. This kind of principle is sometimes being mistakenly interpreted as an opposite meaning. The customary law of Pati Nyawa imposed on murderers is accepted as the actualisation of the Dayak people to honour even souls of no value. Symbols of customary penalty replacing all human body parts indicate that human life still cannot be replaced even with the soul of a murdered human being.

Customary penalty in presenting all the important body parts is not demanded to replace such body parts in the literal meaning but it is just to remind the murderer that each part of the human body is valuable. Therefore, the Dayak culture, holds that the principle of life is a soul for a soul is not logical.

(c) Death sentence is unknown. The Dayak customary law does not apply the death sentence regardless how serious a violation is. The maximum punishment is being expelled from the community. In the Dayak Bukit customary law, there is the so-called *Hukum Pulo* where ultimately the person is not expelled from the village but his human right is revoked and his status is similar to that of an animal. Those who are imposed with *Hukum Pulo* can be treated in whatsoever manner by others and will not be punished for doing that. If the sentenced person suffers from illness or is dying, then he is allowed to be helped. The *Hukuman Pulo* will be revoked if the sentenced person confesses and regrets his wrongdoing and is willing to accept the customary law. The Hukum Pulo is the last customary law imposed on someone because of a very high consequence.

(d) Flexibility. Unlike the perception of common people evaluating the customary community as static and rigid, the Dayak people are very flexible in performing their traditions and culture. Such flexibility is clearly seen in their willingness to transform the Dayak culture into a more suitable form and situation when the culture is being practiced.

The most real example is in the tradition of beheading a human head or scarifying a slave as a prerequisite of rituals in some sub-ethnic Dayak groups. This tradition has been replaced by other symbols such as buffaloes, pigs or sabang leaves. The slavery tradition that used to be applied by some Dayak sub-ethnic groups is also not applied anymore. Based on the same understanding, we know about the attitude of the Dayak people against

the new religions, agricultural system, medical treatment and other 'exported' matters. This flexibility is valuable in establishing a reconciliation process.

(e) Democratic system. The value of democracy among the Dayaks has been exposed by many people. When democracy is trusted as one of the main terms to establish a non-violent culture, then the democratic values from the Dayak social system will become a potential contribution in actualising the required peaceful culture.

E. CLOSING WORDS: DILEMMA IN TACKLING ETHNIC CONFLICTS

A conflict between the native people and newcomers, and of different ethnicity, seems to be an unavoidable phenomenon and creates dilemmas for a pluralistic community like Indonesia. On one side, there is a grouping of people according to ethnicity, like clustering according to the exclusive identity related to the similarity of origins, family relations, and cultural presentation as the certainty of a nation's long historical structure. On the other side, to highlight differences based on similar ethnic groups and the strong influence of regional aspects supporting the regional autonomy policy, in this case the democratic political system but with the possibility of threatening the unity of the Republic of Indonesia.

The experience of other pluralistic nations, in learning to empower the democratic political system, explains that there is no opportunity for the growth of democracy if a nation stresses the ethnic group gap. It will eventually cause a disintegration of nations with distinct ethnic groups. The disintegration of Yugoslavia and the Union Soviet are the most recent examples as a result of ethnic group political policies.

The consideration of strong historical background will influence ethnic group politics. This consideration may direct a person to an exclusive concept on community, and it is based on looking for answers on questions that are entitled to rule. It is a question that not only indicates the social and political position of someone according to native status, but also followed by closing group access in social life. Meanwhile, those claiming first in line because of heritage will demand a political and social special right. That's why the conflicts in Sampit, and also in Ambon, Galela and Poso are characterised by the eviction of newcomers.

That ethnic conflict is difficult to be managed on a democratic basis because it is related to cultural issues and is symbolic, and it cannot be used as a reason by the   government to ignore it by a covering statement that the democratic government is only tackling its society's issues, and further ethnic conflict issues are for concerned parties to solve.

Inter-ethnic group relations in some places in Indonesia are still problematic; just like dry grass that can easily be burnt. Other than some cities with a dominant local culture, competition sometimes will convert into ethnic group conflicts. It turned out that a development of national culture and ideology was not able to stamp out ethic orientation. Even the impact of development policy does not guarantee equal opportunity and its after

effect perpetuated the competition between ethnical and national loyalists and became ingrained for a majority of people.

As for the nation state, it is still normal to maintain its identity and ethnic loyalty as long as it is used to establish the nation and character-building. Even for the bigger part of our society, ethnic loyalty is still considered as a fully supported public feasibility. It is easy to be understood because such loyalty is closely related to origin, always deeply rooted no matter where. Those who left their community still maintain an ethnic identity by establishing fellowships abroad. Ethnical fellowship is still considered as a choice by newcomers because it has truly proved to maintain its identity. Futher, it will also function as a media to connect those with the same ethnic group or origin area.

The root of an ethnic conflict will come to light if the ethnic orientation is used as a framework to adopt an outside reality and system of value. Ironically, it brings an inclination to leap ethnic orientation into matters not relating to ethnic issues, and has become a trend in our country. Like it or not, an occupation genre has sometimes become a stereotype in categorising an ethnic group. Occupations such as a driver or vendor/ seller are two matters not directly related to the ethnic issue. However in reality, it shows the dominance of certain ethnic groups.

This dominance is displayed by a tendency to use their own local language/dialect of origin. In fact, other than a symbol of value structure, language was becoming a symbol of political dominance in the economy. Unfortunately, the use of local language abroad will show that they are different from the natives'.

The reality that newcomers are more dynamic compared to the natives is absolutely not the reason for an ethnic group conflict, perhaps only a pre-condition in the form of jealousy. On the contrary, lifestyles of newcomers that sometimes do not conform with the moral and legal norms can create a conflict between the natives and newcomers and the local authorised party.

Sometimes the conflict of an ethnic group is caused by one reason. Therefore, in order to tackle the ethnic group in Sampit and other areas, we need to make a thorough study of the root of the problems. It is very important so that tackling is not just to eliminate the symptoms.

In line with the transparency of an ethnic group and other horizontal conflicts, the following issues need to be considered. *First*, the element of 'mid golden' is to be actualised in bridging or becoming moderate in facing issues of ethnic groups. This attitude is significant mainly to avoid polarised communications, indicated by judging 'us' as correct and 'they' as wrong. This judging takes place if we cannot make allowances for other opinions, beliefs and existences.

Second, constitution and legal institution being lower than the integration of various interests that are most rational and universal. The problem is that herein lays the weak point. Therefore, even though it sounds too cliché, law enforcement is an important step

not only in tackling but also in preventing to minimise an ethnic conflict in some areas. It is commonly known that selling on the road side has been regulated by the Regional Government and the announcement is informed all over the towns. Ironically, vendor tents are fastened to a pole with information prohibiting it before. Even though it is just a simple case, we need to orderly arrange so that street vendors avoid a conflict on the road side.

With regard to consistency in law enforcement, the government has committed to enforce law and even though it is a tough job, it has to be done, including tackling an ethnic group conflict. Government officials who support a particular ethnic group sound uncomfortable and sometimes, it may create an ethnic group conflict.

Third, awareness in not exploiting ethnicity and symbols of primordial to gain interest has to be collective for all people. Such awareness shall grow in line with the dispersion of a power source and a greater autonomy for community members in determining their genre and status in political issues. Those who used to depend on their political career in the central government in Jakarta will lose their influence. In such a situation, only promise to do battle on behalf of any community group survives and can create voluntary public support. In order to obtain support from the public, the ethnic symbol is being symbolised as an alternative to give political benefits.

Above all, the tackling and prevention of murdering, cleansing or expelling because of an ethnic conflict is to be prioritised in preparing policies. Not only is our country established pursuant to the diversity in ethnic groups, but also because of a universal awareness. Thus, the delay in tackling ethnic issues will accelerate the process of being different, both on an international community scale as well as on humanitarian aspects, and it is absolutely contrary to the 1945 Constitution's principle of unity for the Republic of Indonesia.

After being alarmed by the action of some civil soldiers for some years and repudiated to destroy business places considered immoral, in the future the Jakarta people are still traumatic for a possibility of ethnic conflicts due to the indifferent attitude.

Inter-community conflicts or riots actually are not new. The Jakarta citizens also experienced the community *amok*, for example, the local fight between the communities of Matraman and Menteng Atas Pasar Rumput that actually has not occurred for a decade.

To mention a few, three community riots occurred several years ago, namely in Kramat Jati, Ujung Menteng (East Jakarta), and Kalijodo (North Jakarta). Also, the previous case, namely amok by the people at Kebayoran Lama market, where two or three conflicting parties were from different ethnic groups.

The difference is that the fight in Pasar Rumput happened between the different RT, RW and village, or gang. The members of such groups are relatively heterogeneous, and not dominated by any particular ethnic group.

Hence, if we compare the three cases of community fights, we can state that the Jakarta citizens in the future are still facing a traumatic dilemma due to community conflict because of ethnic issues. In fact, during those three fights, two or three groups joined based on ethnicity.

However, if this case is labelled as the *amok* case of ethnic issue, it will raise the question whether it is really true. Or are you of the opinion that it is not an ethnic conflict but instead, an inner hassle of the people competing for business lots or are they the root of money and economy issues?

Besides, the conflicting groups consist mostly of hoodlums, and accordingly, the police are to organise counter measures in the areas and sites. If we inquire about official information, they will not state whether it is a conflict on ethnicity or hoodluminism. As such, so we still cannot settle any problems if all responsible parties are not honest in giving information regarding its cause.

Apmf2008@iiu.edu.my
Apmf2008@gmail.com