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PROCEEDINGS

INTERNATIONAL CONFERENCE 2nd SHIELD 2017

52nd Dies Natalis Unila



Bandar Lampung - 18-20 September 2017 - 4 International Speakers

Organized by:



Postgraduate Program
and Institute for Research
and Community Services
University of Lampung

Supported by:



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Judul : Resolution Model on Horizontal Violence Conflicts in Lokal Multicultural Communities in Lampung Province, Indonesia

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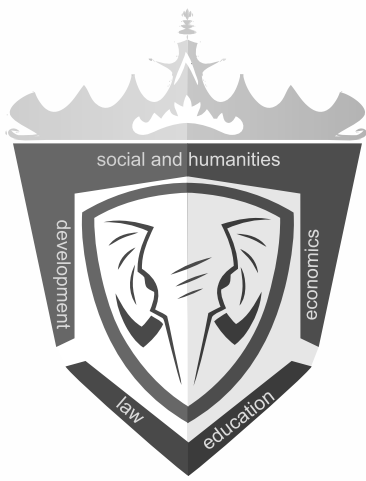


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Proceeding of International Conference 2nd SHIELD 2017
Bandar Lampung, September 18-20th 2017

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Foreword

In this globalization era, advancement in science and technology has led to remarkable gains in life. However, despite the remarkable gains, many countries particularly Asian countries face inequalities and uneven progress. Even worse, these countries are facing many problems such as poverty, terrorism, drug abuse, and other social issues. These problems are complex and multidimensional. We should give a real contribution to solving these problems. Because the problems are multidimensional, we need people from cross-disciplinary interests to work hand in hand with strong commitment, not only to face, but also to change these problems into opportunities.

Therefore, the Postgraduate Program in collaboration with Institute of Research and Community Service of University of Lampung provides a place for academicians, practitioners, policy makers, researchers and professionals from multi-disciplines related to Social Sciences and Humanities, Economics, Education, Law, and Sustainable Development (SHIELD) to meet and interact with members inside and outside their own particular disciplines. All participants are challenged to give their real contribution to helping solve the real-world problems.

The authors of Proceeding of 2nd SHIELD International Conference come from academicians, practitioners, policy makers, researchers and professionals from multi-disciplines related to Social Sciences and Humanities, Economics, Education, Law, and Sustainable Development.

This conference aims to share information and discuss recent developments and innovations arising from research in a wide range of disciplines. Through this conference, it is expected that the research articles can be documented and communicated throughout the countries.

Head of Committee

Prof. Dr. Muhammad Akib, S.H., M.Hum.

Welcome Address
Report by the Organizing Committee

Dear distinguished guests and participants,



In this globalization era, advancement in science and technology has led to remarkable gains. However, despite the remarkable gains, many countries particularly Asian countries face inequalities and uneven progresses. Even worse, these countries are facing many problems such as poverty, terrorism, drug abuse, and other social issues. These problems are complex and multidimensional. We should give a real contribution to solving these problems. Because the problems are multidimensional, we need people from cross-disciplinary interests to work hand in hand with strong commitment, not only to face but also to change these problems into opportunities.

Therefore, the Postgraduate Program in collaboration with Institute of Research and Community Service of University of Lampung holds The 2nd SHIELD Conference as a place for academicians, practitioners, policy makers, researchers and professionals from multi-disciplines relating to Social Science and Humanities, Economic, Education, Law, and Sustainable Development to meet and interact with members inside and outside their own particular disciplines. All participants are challenged to give their real contribution to helping solve the real-world problems.

At this second international conference, four keynote speakers from different disciplines and different countries were invited. Seventy-five authors initially submitted their abstracts before submitting their full papers, but finally only 49 full papers were accepted for publications. The authors are academicians, practitioners, policy makers, researchers and professionals. This conference aims to share information and discuss recent developments and innovations arising from research in a wide range of disciplines. Through this conference, we hope that the research articles can be documented and communicated throughout the countries.

I would like to thank you for your participation and look forward to having productive discussion among participants.

Sincerely yours,

Professor Muhammad Akib

Remarks by the Rector of the University of Lampung



The Honorable keynote speakers, committees, participants, ladies and gentlemen,

It gives me a great pleasure to welcome all of you and chair the Opening Ceremony this morning to the Second SHIELD International Conference, jointly organized by Postgraduate Program and Institute for Research and Public Services, the University of Lampung. We'd like to say how grateful we are to all the keynote speakers who have accepted our invitation. Also, we are delighted to have all of participants here to participate and share in the Second SHIELD International Conference.

Along with an increase in the activity of national development and dynamic development of the international world due to globalization, then it always be followed by the emergence of complex social, humanity, economics, education, law and sustainable development issues. Therefore, the University of Lampung, which has a vision to be the best 10 among public universities nationwide, a mission to be a world class research university, and as the third largest state university (outside Java Island) feels compelled to draw up concepts and provide solutions to the various issues.

In relation to these issues, practically the University of Lampung through its Postgraduate Program in collaboration with its Institute Research and Public Services organizes the Second International

Conference with such disciplines as social sciences, humanities, economics, education, law and sustainable development. This international conference presents several keynote speakers who come from leading universities in the world. These activities are held in Lampung, which is one area that has a nationally important role, because it is the gateway of Sumatera Island and is strategically located for the development progress.

As the arena for discussion, communication, and enrichment of the knowledge of participants, this conference is expected to provide a significant contribution to capturing opportunities for the development of science today. This conference is intended to function as a forum among the participants from various walks of

life for dissemination of research results in the fields of social sciences, humanities, economics, education, law and sustainable development. The participants include practitioners, researchers, academics, students, industrialists and science observers from various organizations such as industries, state-owned enterprises, research institutions, government agencies, and public and private universities.

To expand the horizons of thinking for the participants and to share the experiences of international researches from world experts, this conference invites four keynote speakers from four countries who will present their main papers. These speakers are:

1. Prof. Dr. Arief Hidayat, S.H., M.S., Chairman of the Constitutional Court, Republic of Indonesia
2. Prof. Ryohei Kada from Shijyonawate Gakuen University, Japan.
3. Dr. Fonny Dameaty H. from University of Malaya, Malaysia.
4. Dr. Jenny H. Panchal from James Cook University, Singapore.

We are honored to have you all the speakers here in this conference, and thank you for being our keynote speakers in this conference.

Finally, I do hope that this seminar can run well and all participants can participate actively.

Sincerely yours,
Rector,

Prof. Dr. Hasriadi Mat Akin



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Resolution Model on Horizontal Violence Conflicts In Local Multicultural Communities in Lampung Province, Indonesia¹

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Abstract

The special characteristic of Indonesian society is multicultural and vulnerable to horizontal violent conflict, so a separate solution is required. These two special characteristics are also inherent in the existence and dynamics of Lampung people's lives. Various efforts to solve horizontal violence conflict in Lampung can not be separated from the model used, including the values and roles of the actors. This study aims to discuss the resolution model on horizontal violent conflicts in local multicultural communities, by taking empirical data in Lampung province. The eclectic approach (quantitative and qualitative) is used to collect data through surveys, interviews and documents. The survey was conducted on the community in five districts that are categorized as vulnerable to horizontal violence conflicts. Each district was selected two villages that had been in conflict, and the respondents were randomly selected. In-depth interviews were conducted on proportionally selected informants, while documents were obtained from mass media and related institutions. The results of the study found that the resolution of horizontal violence conflicts, firstly, tends to put forward the traditional model by involving various stakeholders; Second, paying great attention to the importance of the local wisdom values of the local community; And third, the role of the state as a mediator was very dominant.

Keywords: *conflict resolution, violence, horizontal, local wisdom, multicultural*

1. Introduction

Lampung society is multicultural consisting of various ethnic groups. Historically, such diversity has occurred due to the rapid development of population and residential areas, the rapid flow of migration through colonization, transmigration, and independent migration (Sajogyo, 1982; BPS: Population Census, 1990, 2000).

In addition, in the province of Lampung in the last decade also often occur violent conflict between community groups (horizontal conflict). Horizontal violence conflicts occur in all districts and cities. The results of research from Brunner (1974), Aloysius (1994), Koentjaraningrat (1986), Berge (Nasikun, 1991), and O'Donnell (1991), found that violent conflicts are often related to the character of a diverse society. According to Horton (1980), the condition of such societies needs to be well managed, as it is difficult to find a proper model of social conflict management.

Indonesia has ratified Law No. 7 on the Handling of Social Conflict. In 2013 Presidential Instruction No. 2 Year 2013 has been issued on the Handling of Domestic Security Disorders. Then in 2015 has been issued Presidential Regulation No. 2 of 2015 on the Implementation of Act No. 7 of 2012. At the implementation level, the policy has been supported by various efforts to build peace,

¹ Paper Presented at an International Conference 2nd SHIELD 2017 (International Conference on Social and Humanities, Economics, Education, Law and Sustainable Development), Bandar Lampung, September 18-20, 2017.

especially in the reconstruction and revitalization of various aspects of community life damaged by violent conflict.

The frequent inter-group violence conflicts in Lampung province are thought to be, first, not spontaneously appearing (suddenly), but occurring accumulatively. Second, conflict management is not effective or does not solve the problem completely in the field. Third, there is no conflict resolution model that has become a common reference. In fact, every local community has a conflict management system, as local wisdom, which has been effective in resolving any inter-group conflict.

It is suspected that horizontal conflict management strategies (especially violent conflict resolution) in multicultural societies in Lampung province have not utilized local values optimally. In addition, there is no comprehensive formulation as a model for resolving horizontal violent conflicts that can be the basic reference of decision makers and policy actors.

This study aims, first, to explain the horizontal violence conflict resolution model. Second, second, the importance of local values of local communities in the resolution of horizontal violence conflict; and third, the role of stakeholders in solving horizontal violence conflicts.

2. Method

The type of this study is descriptive - qualitative, aiming to reveal cases of horizontal violent conflict resolution that occurred in Lampung province during the period of 2010 - 2016. This research seeks to reconstruct the resolution model, the role of local values, and the role of stakeholders in resolving horizontal violence conflicts. The data collected is the number of horizontal violent conflicts that have occurred in Lampung Province; the importance of local values; and the role of stakeholders in resolving horizontal violence conflicts. Key informants were obtained based on their involvement in conflict resolution either directly or indirectly.

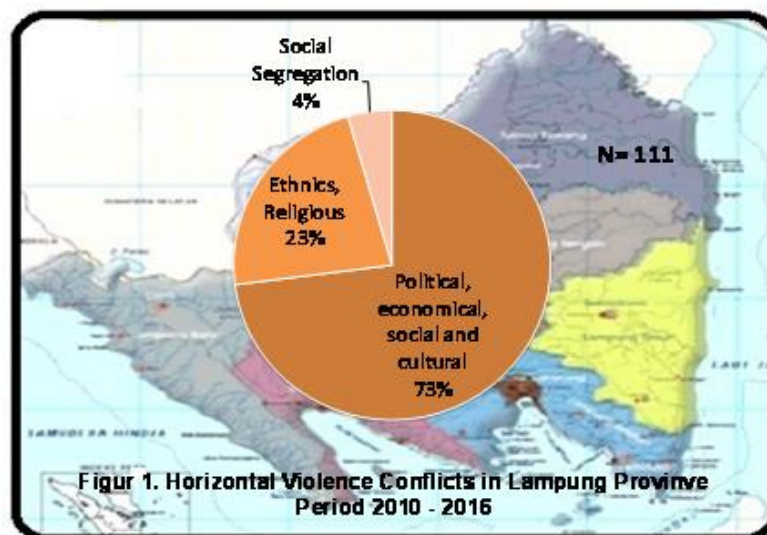
Data analysis is more focused during the process in the field along with the collection, data processing and after in the field. Analysis of data after in this field does not mean the data collection in the field is completely completed, but physically researchers are no longer intensively in the field. Data collection is still done assisted by using electronic communication devices (handphone and internet). Stages of data analysis follow the process of data reduction, data presentation, conclusion and verification.

3. Result and Discussion

3.1 Horizontal violence conflicts

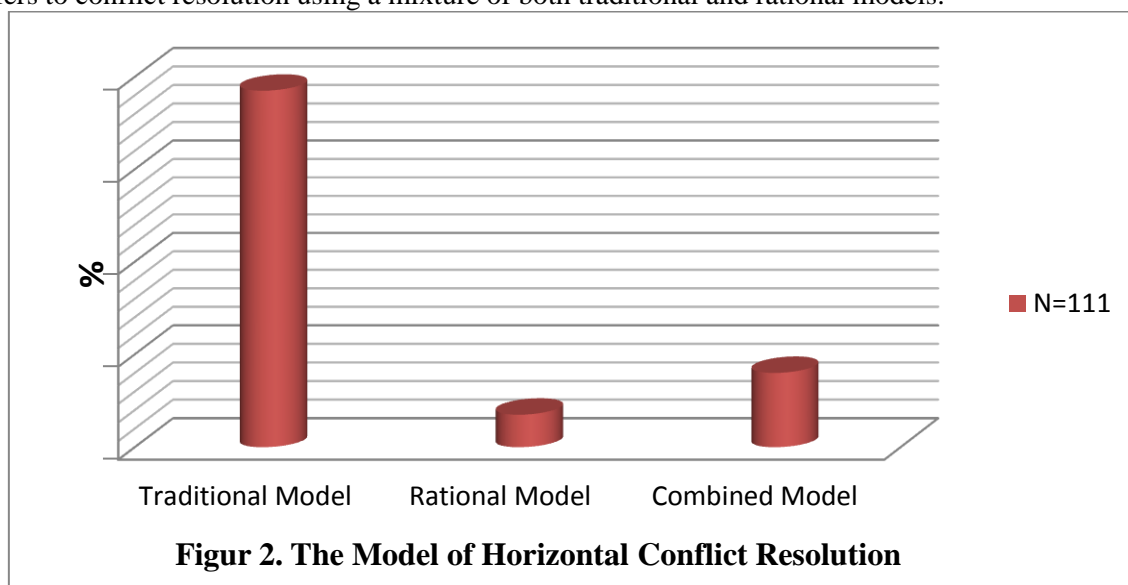
Horizontal violence conflicts focused on conflicts between groups of people due to ethnic, religious, political, economic, social segregation, and sociocultural factors. The data in Figure 1 shows that horizontal violence conflicts that have occurred in Lampung Province in 2010-2016 recorded as many as 111 cases (Lampung District Police, 2013; Dinas Sosial Provinsi Lampung, 2013, 2014, 2015; Hartoyo, 2016). The data in Figure 1 show that the most frequent horizontal violence conflict in Lampung Province is due to political, economic, and sociocultural factors.

However, it does not mean that the differentiation of these factors applies strictly. The reality is that many of the conflicts that occur in them are various other elements. For example, conflict due to social segregation factors can also occur in different ethnic and religious groups. Another example is the conflict that occurs because economic factors can occur in different ethnic and religious groups, and so on.



3.2 The Model of Horizontal Resolusi Konflik Kekerasan Horizontal

There are three models of horizontal conflict resolution, namely traditional model, rational model, and mixed model (Effendi, 1992: 30). Traditional models are conducted by involving various parties to resolve conflicts. This model is more concerned about the role of local values. The rational model is performed when cases of conflict are resolved through the court. While the mixed model refers to conflict resolution using a mixture of both traditional and rational models.



The data in Figure 2 shows that the resolution of horizontal conflict in Lampung Province mostly uses the traditional model. Conflict resolution traditional models, in addition to involving the parties in conflict also involves the parties outside (stakeholder). Traditional conflict resolution is not only done if violent conflict occurs. This model is also applied to cases of tension between conflicting parties before it develops into violent conflict.

Traditional models of resolving horizontal violent conflicts exist that use customary ordinances (from simple to more complex ways), but are mostly done in the form of peace meetings involving multiple stakeholders. Whether by using traditional ceremonies or in the form of peace meetings, they are always accompanied by a letter "Peace Agreement" between the conflicting parties.

However, reality shows that the conflict has been resolved by using this traditional model, in the future there is still much more conflict going on. That is, in addition to having advantages, the resolution of this traditional model of conflict also has weaknesses. The main disadvantage of this model is that it tends not to accommodate the problems that arise as access to a diversity of modern life, and is officially unenforceable or considered to be contrary to official law.

The weakness of traditional models can be masked by rational model excellence. In the rational model, the settlement of conflicts by the state is through the judicial system or through other channels which have permanent legal force. In addition, the state has a coercive force set up for the purpose of safeguarding state security. There are two possible uses of this rational model, namely the consciousness of the people themselves (the parties in conflict) or the decision of the local government (Effendi, 1992).

In general, traditional model conflict resolution is done with the help of a third party who serves as a mediator. The mechanism of conflict resolution through mediation is quite diverse as it is more casuistic. This is included in the Alternative Dispute Resolution (ADR) approach. The importance of this approach is because, firstly, as a more flexible and responsive settlement mechanism to the needs of each of the conflicting parties. Second, take into account the active participation of the parties to the conflict. Third, expanding equitable access to achieve equitable outcomes. Fourth, judging from several cases shows that the settlement of these traditional model conflicts is casuistic and yields several unequal solutions. This means that each conflict has its own distinctive features and when it is not appropriate to use a single settlement alternative, it is possible to use other suitable alternative solutions so that each party can choose the best settlement mechanism (Mu'adi 2010).

Traditional model conflict resolution using mediation strategy still takes into account the negotiation process. In principle, mediation strategy with negotiation involves a third party as a mediator. Without negotiation there is no mediation, because mediation is an extension of the negotiation process as a mechanism for conflict resolution. The mediator must actively participate in the mediation process, behave in an impartial manner, and can help each of the conflicting parties to bargain equally, in a forum of deliberation (negotiation) to reach a peace agreement.

Thus, the mediator's role is limited to providing substantive and procedural assistance to the conflicting parties to resolve the issue. The disadvantage of this mediation strategy is that the mediator is limited to giving advice, not having the authority to break or implement a peace agreement. Conflicting parties who have the authority to make decisions based on the consensus that has been done.

The process of negotiation through mediation is said to be ideal when it meets three satisfactions, namely: substantive, procedural and psychological satisfaction. Substantive satisfaction relates to the specific satisfaction of the conflicting parties. For example compensation can be met, and also negotiations can be done properly and briefly. Procedural satisfaction occurs when conflicting parties have the same opportunity to convey their ideas during the negotiations, or a written agreement has been made before the negotiation takes place. While the psychological satisfaction regarding the emotional level of the parties in conflict can be controlled, mutual appreciation, full of openness and done with a positive attitude in maintaining the relationship in the future

The choice of solving horizontal violence conflicts using traditional models through mediation strategies has advantages over the rational model through the court. Rational model takes a long time, cost, energy and mind. Weak confidence in the independence of the judiciary and administrative obstacles in the conflict resolution process, so the court is the last resort to be used in resolving conflicts. Mediation gives the parties the feeling of equal status and the determination of the final outcome of the negotiations achieved by mutual agreement without pressure or coercion. The resulting solution leads to a win-win solution. The efforts to achieve a win-win solution are determined by several factors, among others, the first process of an objective approach to the source of the conflict is more acceptable to the conflicting parties and provides a mutually beneficial result, noting that this approach should focus on the interest being source of conflict and not on the position of the conflicting parties (Rahmadi, 1998). If the interests are the focus, the parties to the conflict will be more open to various interests. Conversely, if the focus is on the position, then the parties to the conflict will be more likely to close themselves because it concerns their self-esteem. Second, it is necessary to have a balanced capacity in the negotiating process. Differences in bargaining power in the negotiating process can lead to pressures by one side against the other (Sumarjono, 2008).

However, mediation based on cooperative paradigm also contains weaknesses. First, the possibility of collusion between one party in conflict because the nature of the mediation is voluntary and not mandatory. Secondly, the agreement reached in mediation also does not have to be

implemented, because it has no power. Third, the agreement reached in mediation can be misused. Efforts to resolve the conflict through mediation are closer to the sphere of community life and are supported by local cultural values and respected in daily social interaction. However, the consideration is more emphasized to maintain the peacefulness of the relationship between groups (social integration) and sometimes ignore the interests of the parties in conflict (Mu'adi, 2010).

3.3 The Role of Local Wisdom In Conflict Resolution

Local wisdom is one of the titles expressed by experts. In addition, many also call it with traditional knowledge, local knowledge, or indigenous knowledge. Local wisdom not only refers to the local knowledge system of the environment, but also about technology, customs, conflict management mechanisms, etc.

Local knowledge systems are flexible, adaptable to change, and able to utilize local resources and the environment to stay sustainable. Local knowledge also leads to more adaptation to local ecological systems, so as to maintain the sustainability of the ecological system (Benyamin Orlove, 2010: 3).

With regard to indigenous peoples, Syafa'at (2008) argues that local communities are able to develop ways to sustain life by creating value systems, lifestyles, institutional systems, and laws that align with the conditions and availability of surrounding resources. Therefore, a community that wants to live sustainably should develop its ability to adapt to its surrounding environment.

The resolution of horizontal violence conflicts in Lampung Province mostly uses the traditional model (Figure 2). These traditional models mostly use mediation strategies. In addition, the dominant participation in conflict resolution is from community leaders and local village officials. In addition, the dominant participation of external stakeholders is from the police (Figure 3). This data also shows that the dimension of locality is a major concern in conflict resolution. That is, most of the value systems and norms used in conflict resolution are localistic, conforming to the system of values and norms prevailing within the local community

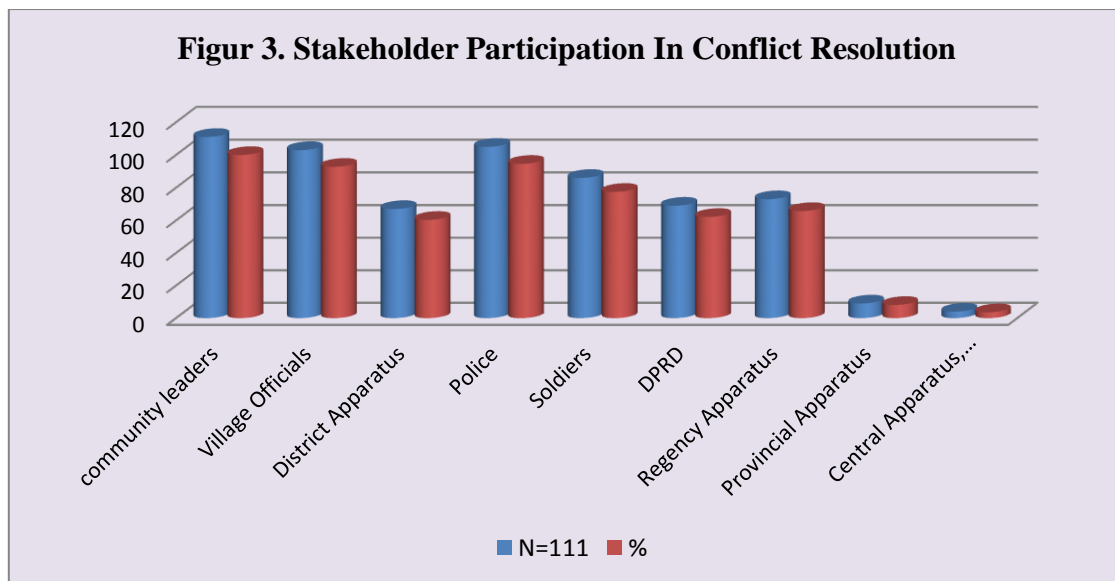
For example, resolving horizontal violence conflicts that occurred in Lampung Selatan (2012) and Lampung Timur (2013) districts, although both apply the concept of "muakhi" or fraternity (concept of Lampung indigenous people), but substantively and technically there are differences. The parties involved in the conflict in South Lampung District are between Lampung ethnic and ethnic Balinese, while in East Lampung is between Lampung ethnic with ethnic Javanese

Local factors and demographic characteristics (tribes, customs, religions, races, occupations, and ages) form the basis of consideration in the process of resolving conflicts, because not only can solve the problem of strengthening socio-cultural values but also the issue of moral values. Social bonds and moral bonds are more easily rebuilt if the peace process utilizes local values and norms.

3.4 Stakeholder Participation In Conflict Resolution

Data In Figure 3 shows that stakeholder participation in conflict resolution is determined by the scale and intensity of the conflict. The greater the scale and intensity of the conflict the more stakeholders are involved. Likewise on the contrary, that the smaller the scale and intensity of the conflict, the fewer the stakeholders are involved.

Village autonomy is still strongly applied in conflict resolution. That is, if conflict resolution can be resolved at the village level, there is no need to involve stakeholders at the above levels. State involvement in conflict resolution depends on the scale and intensity of the conflict. The broader the scale and the higher the intensity of the conflict the higher the state's role, and vice versa, the role of the state is only limited to stakeholders at the village level.



4. Conclusion

Based on the above results and discussion it can be pointed out that most horizontal conflict resolution uses the traditional model. Most of the conflict resolution strategies used are mediation strategies, involving third parties as actors and as stakeholders.

The actors involved in the conflict resolution process are determined by their intensity and scale. The higher the intensity and the wider the scale, the more stakeholders involved in the peace process. The role of the state is deeply embedded in traditional conflict resolution models using mediation strategies. The reality, local values and norms as determinants of the conflict resolution process, is supported by the demographic characteristics of conflicting parties

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