VIOLENT ACTIONS IN NORTH CAKRA, MATARAM, WEST NUSA TENGGARA INDONESIA

Muhammad Natsir, University of Mataram

ABSTRACT

West Nusa Tenggara Province is one of the provinces in Indonesia with a high level of conflict. The conflicts vary ranging from religion, ethnic, tribe and management of economic and political resources, arts and culture. The chronology of the occurrence of communal conflict between Muslims and Hindus in Tohapti and Karang Mas-Mas, North Cakra, Cakranegara: Thursday and Friday, February 14-15, 2013 at around 1.30 pm WITA (Waktu Indonesia Tengah/Central Indonesian Time), an attack by throwing to Hindus' houses who live in the border of Karang Mas-Mas damaged five houses. Saturday, February 16, 2013, at 2:30 pm there was a throwing of a Molotov cocktail on the house of a Hindu. On March 28, 2013, there was an alleged persecution of one of the Tohapti community residents by the residents of Karang Mas-Mas. Thursday, March 07, 2013, at 10:30 pm WITA, a house-throwing action occurred between the residents of Tohapti and Karang Mas-Mas which caused the Hindus injured and pass away. In response to this phenomenon, this study aims to determine: 1. Factors causing communal conflict in North Cakranegara, Cakranegara and 2. The resolution efforts undertaken by the Government, the Police and the Community in preventing and managing the conflict. This is an empirical legal research, in which normative study was used in tracking and assessing field data. Primary and secondary data were analysed qualitatively. Data verification and analysis implemented several approaches, such as legislation, conceptual, sociological, cultural, social group. Data collection techniques included interviews focused on behavior, values in community, perceptions in the community, beliefs, attitudes and expectations done in an ethic way.

Keywords: Resolution, Communal Conflict.

INTRODUCTION

West Nusa Tenggara is one of the provinces in Indonesia that is vulnerable to various disasters, caused either by nature or humans, including earthquakes, volcanic eruptions, floods, landslides, droughts, forest fires and social conflict. Among these disasters, social conflict is one of the most serious problems faced. The various social conflicts that have occurred have brought considerable losses to property, as well as the loss of human life. Data of the West Nusa Tenggara Police show that during the year 2007 to August 2016 it was recorded 110 conflicts between groups that occurred in West Nusa Tenggara. West Lombok regency is in the top position with 26 conflicts, followed by Central Lombok with 23 conflicts, Bima with 29 conflicts, East Lombok with 11 conflicts, Mataram with 10 conflicts, Sumbawa with 6 conflicts, Dompu with 5 conflicts and West Sumbawa also recorded 6 conflicts. The various communal conflicts occurred in the form of fights between residents as many as 110 cases and mass violence in the form of vandalism as much as 36 cases.

Conflict is basically a characteristic of the dynamics of society to obtain better circumstances. Conflict occurs from the light and hidden to a heavy and open level. Conflict is interpreted as a form of fight between two or more people. Conflict is also defined as the struggle

of values and demands over status, power and resources in order to neutralize injure or eliminate an opponent. Conflict is a process towards getting rewards by eliminating and weakening the opponent.

Everyone will certainly not be able to avoid conflict, conflict with themselves, others or anyone. Conflict can happen to everyone, anywhere and anytime. To understand conflict highly depends on everyone's ability to examine the degree of conflict for themselves, their family and society. Conflict might be in the form of business, riots, terror, religious, social, politics and central-district conflicts. Conflict can occur vertically and or communally. Vertical conflicts occur in societies with different social, economic and political status, such as class conflict. Communal conflicts occur in societies with similar social, economic and political status, e.g. conflict between villages, neighbours, students and thugs.

Communal conflicts between Muslims and Hindus in Mataram City of West Nusa Tenggara Province, especially in North Cakra, should not be allowed to drag on, because it carries the name of religion harmful to the integrity of the nation and the State in ensuring national resilience. Various efforts have been made by local governments, police and others to resolve conflicts, but most of these efforts are more focused on post-conflict handling, so that often the root cause of the conflict is never resolved. Various studies have also been conducted but mostly tend to be partial. Therefore, it is necessary to focus on examining the root of the problem and prevention efforts in a fundamental way.

RESEARCH METHOD

This research is categorized as empirical legal research. The data used are primary data or basic data obtained directly from the first source of the behavior of citizens, while the secondary data include official documents, books and research results. The data sources in this research come from human source and non-human source of information.

The study implemented quantitative approach to obtain primary data and qualitative approach to collect secondary data. The main instrument is the researchers themselves by observing Muslims with Hindus. In-depth interview with Cakranegara district head, Karang Mas-Mas head, Head of Public Relations of Mataram Police, Cakranegara Police Headquarters, Commander of the army administrative unit at Cakranegara, members of the Police and Karang Mas-Mas people about 60 people. Other instruments, such as notebook, camera and tape recorder, were used as means of obtaining the data when doing the triangulation.

Data Collection

Besides, the data were also collected from interview with Muslims and Hindus in Cakranegara. The data from interview were then analysed qualitatively in a natural setting to provide an understanding and a broader picture that give interpretation to the phenomenon as seen from the meaning and strengthen the results of a study of the problems that arise. This study is categorized as phenomenological research. Denzin and Lincoln (2009) stated that qualitative research tends to be phenomenological; however most of them are not radical but idealistic views to provide an understanding of the interpretation of the results.
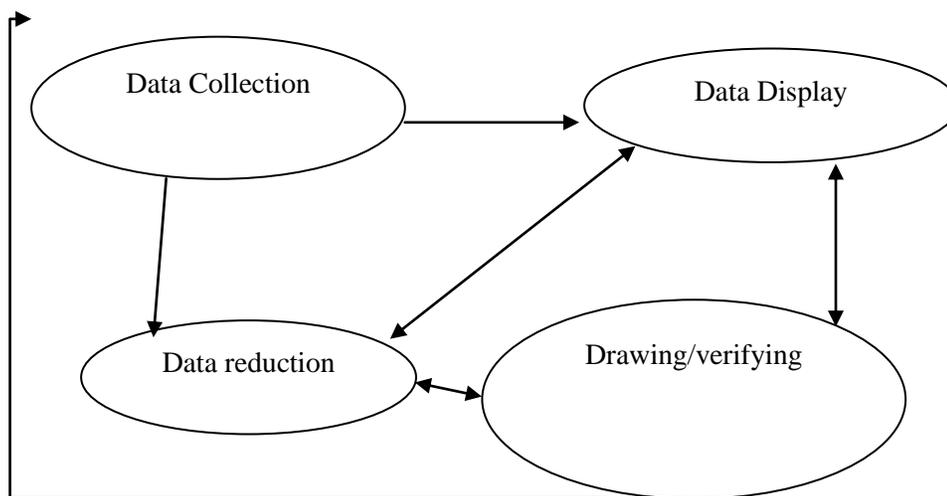
RESEARCH DESIGN AND SCOPE

- In-depth interview with Muslims and Hindus in Cakranegara

- Carrying out Interview with Cakranegara district head, Karang Mas-Mas head, Head of Public Relations of Mataram Police, Cakranegara Police Headquarters, Commander of the army administrative unit at Cakranegara, members of the Police and Karang Mas-Mas people about 60 people, and
- Analysing the data with interactive analysis technique.

Data Analysis

The methods used in the analysis are:

- Descriptive statistics analysis used to analyse the questionnaire by describing the data and calculating the percentage (%), and
- Interactive analysis model by Miles and Huberman (Denzin & Lincoln, 2009) consisting of four stages:

    a. Data collection
    b. Data reduction
    c. Data display and
    d. Conclusions: Drawing/verifying which is illustrated in the Figure 1 below

Source: Miles & Huberman (Denzin & Lincoln, 2009)

FIGURE 1
COMPONENT OF INTERACTIVE MODEL DATA ANALYSIS

RESULTS AND DISCUSSION

Communal Conflict Factors

Based on interviews with village chief of North Cakra, the first communal conflict occurred on December 19, 2012. The main cause was misunderstanding between a youth, named Sulaiman, who was riding a bike in the field that bordered the two villages and was reprimanded by one of Tohapti residents, named Komang. It caused a quarrel between them which lead them to bring weapon. Sulaiman came home to take keris (wavy double-bladed dagger) and Komang

took a spear. The fight between the two was influenced by the liquor that led to Sulaiman's death. The fight that occurred in the middle of rice fields near the two villages was witnessed by a youth from Tohapti. Secondly, on March 7, 2013, the continuation of the first conflict in which some people were emotionally stirred by throwing stones at each other. Karang Mas-Mas residents said there was an attack by throwing stones to the houses of citizens which then developed into brawl around the border of the two areas. The conflict caused two people to be victims, namely Adi Suparte wounded and Made Ardiana died.

The conflict was studied and analysed with the theory of Public Relations saying that conflicts occur due to the on-going polarization, distrust and hostility among different groups within a society. According to the theory of Intercultural Misunderstanding, conflict is caused by incompatibility in the way how to communicate between different cultures. Discussed with Conflict Transformation Theory, the conflicts were caused by problems of inequality and injustice emerging as social, cultural and economic issues.

The conflict between citizens that occurred was initially caused by misunderstanding among youth, influenced by alcoholic liquor, which was then interfered by other people outside the two villages provoking and participating in supporting each group so that it expanded into communal conflict between two villages and among people with different ethnic and religion. This is very dangerous and destroys the unity and integrity of the nation which might disturb public order and security. Therefore, communal conflict resolution highly needs to be done.

The government, the Police and the Armed Forces of Mataram have undertaken a preventive effort to gather community leaders, religious leaders to jointly seek solutions to stop and reconcile conflicting peoples, by providing understanding and enlightenment that can generate awareness for the masses about the importance of tolerance in societies with different understanding and background.

The social phenomenon of Karang Mas-Mas and Tohapti people is in line with the opinion of Peter M. Blau (1977) stating that the State structure is the quantitative deployment of community members in various state positions which affect the relationship between them (including conflict). The main characteristic of the structure is the existence of various levels of inequality or diversity between parts and consolidations that arise in the common life, thus it influences the degree of relationship between the sections in the form of domination, exploitation, conflict, competition and cooperation. Blau further grouped the basis parameters of the differentiation of the structure into two, namely nominal and gradual. Nominal parameter divides community into sub-divisions based on a fairly clear basis, such as religion, race, sex, occupation, clan, workplace, residence, politic, affiliation, language, nationality and so on. This grouping is somehow gradual and will give generate into various "classes". On the other hand, gradual parameter divides the community into groups of countries on the basis of statuses that create class distinctions, such as education, income, wealth, prestige, power, authority, intelligence and so forth. On the basis of the country structure mentioned above, it may be mentioned that interactions for life can occur between groups, either nominally or gradually; not only internally but also externally. Interaction between sections in the life of the state on the basis of nominal or gradual parameter can lead to conflict between individual members of various "classes" and "layers". Hence, the conflict keeps developing if the peace is not immediately achieved from the two groups by the state apparatus.

The head of the district police of Cakranegara stated in the interview on October 19, 2013 the initial process of communal conflict.

- In both villages, throwing stones were still occurring towards the house of the residents of Karang Mas-Mas and Tohapti, North Cakra, Cakranegara.
- After the persecution against one of the residents of Karang Mas-Mas named Sulaiman who passed away, almost every night there was always a throwing against the houses of Hindus who live in Karang Mas-Mas and Tohapti.
- On Tuesday, March 5, 2013 with a span of time between 1.00 pm until 5.30 pm stones were thrown towards the home residents of both villages even with enough/high intensity.
- At approximately 1:50 pm, a stone throwing by a group of youth from Karang Mas-Mas was located in the alley/border between Karang Mas-Mas and Tohapti causing 6 houses damaged.

Chronology of the occurrence of communal conflict between Tohapti and Karang Mas-Mas people at 1.30 pm WITA as follows:

- On Thursday and Friday, February 14-15, 2013 at around 1.30 pm an incident of throwing happened to some Hindu homes that live in border/reside in Karang Mas-Mas which caused 5 (five) houses damaged.
- Saturday, February 16, 2013, at around 2.30 pm happened 2 times throwing a Molotov cocktail on the house of a Hindu.
- On March 28, 2013, there was mistreatment of one of the citizens of Tohapti done by residents of Karang Mas-Mas.
- On Thursday, March 07, 2013, at 10:30 pm there was a fight between the residents of two villages and intercropping action between Hindus and Muslims causing the Hindus suffered injuries due to the arrow and died and some were injured by sharp weapons.
- Mataram Police chief at 1.30 pm dismissed it until the situation could be controlled by the Police and in the communal conflict there were several members of armed forces and police officers who became victims of throwing.

Conflict Resolution Efforts between Muslims and Hindus in Cakranegara Urban Village

On December 23, 2012 at 4:45 pm located at Masussalam Mosque, Karang Mas-Mas, mediation was conducted to prevent the widespread of cases of persecution that resulted in the death of Suleiman. The meeting was attended by Cakranegara district head, Karang Mas-Mas head, Head of Public Relations of Mataram Police, Cakranegara Police Headquarters, Commander of the army administrative unit at Cakranegara, members of the Police and Karang Mas-Mas people about 60 people.

The requests submitted by the community include:

- The Muslims want tolerance from Topahti to not play gamelan/gong when the Muslims pray.
- The youth want the sale of alcohol produced traditionally or by factory traded in the neighbourhood to be disciplined.
- The youth of Karang Mas-Mas want other perpetrators of violent acts which caused Suleiman die to be immediately arrested.

On Sunday 14 April 2013 at around 5:30 pm at Bale Sangkep, Universitas 45 Mataram, Jl. Imam Bonjol Cakranegara, a meeting was held between several residents of Karang Mas-Mas with representatives of Tohapti residents of North Cakra. It was also attended by: Cakranegara District head, rector of University 45, North Cakra Head, Cakranegara Police Headquarters, Commander of the army administrative unit at Cakranegara, Tohapti Chief, Karang Mas-Mas Chief, parents of conflicting victims with 12 residents of each neighborhood.

In the attempt to resolve the communal conflict mentioned above, based on Peter Lovenheim's opinion in Djatmika (2008), mediation becomes a process and as a process, which can be used for almost all types of disputes (communal conflict). Mediation works very well because mediation looks to the future, not the past. The criminal law sees backward to identify who is right and who is wrong, while mediation looks forward to find a solution whereby the parties can adapt. In law, the court uses its power to order a decision; while in mediation, the disputing parties authorize themselves to find their own solution. This model is a program for deflecting offenses from prosecution or judiciary in a more flexible and informal society procedure and often involving elements of mediation or negotiation, "Traditional village or Tribal moots". According to this model, the whole community meets to resolve the conflict among the citizens. This model exists in some less developed countries and in rural/remote areas. In line with these developments, Abdullah (2008), said,

"Dispute resolution is one of the most important legal aspects that human beings need to achieve in social life, leading to the development of various legal institutions, customs or traditions of dispute resolution mechanisms in the cultural practices of the community, both in developing countries and developed countries".

Furthermore, Bronislaw Malinowski in functional theory made an ethnographic description. He stated humans in meeting the needs individually through social life is organized in law or certain values. In this regard, the ultimate goal they will achieve is a collective agreement. The agreement with which they reach these objectives is attained on the basis of the common values that are applied. This is an organized system of objective social activities (which are based on common values and mutual agreements). These shared values and objectives can be articulated more concretely into norms. The principles of integration will be reflected in social institutions and this is the basic human needs. These principles of integration are part of the basic-needs.

Based on the concept of Parsons (1951), every social system needs functional requirements. Among the requirements, it is explained that social system must be able to adapt to the environment and to the demands of transformation on every condition of the adaptation. Subsequently, the action of the citizens is directed to achieve the goal. The other requirement is that in the interaction of citizens there must be at least a degree of solidarity, in order the structure and social system to function (integration). What Parsons said seems sufficiently relevant to be implemented as the basis in analysing local conflict structurally and functionally. In addition, knowledge of social conflict will be more adequate by comprehending the concepts.

In conflict there is a crime, therefore it is necessary to use Penal means, that is a means of applying the rule of Criminal Law in order to overcome crime and Non-penal means that is facilities outside the rules of Criminal Law which are also in the framework of crime prevention including communal conflict in North Cakra, Mataram.

Barda (1996) stated, "The policy or effort to overcome the crime is essentially an integral part of Social Policy which leads to social defence and social welfare". National development in

the field of law which is a social policy has a purpose that is not just so that the rule of law is applied every time a case occurs and needs to achieve prosperity and social protection.

Studying communal conflicts can be understood as one form of criminal policy or action which is essentially an integral part of social welfare. Therefore, it can be said that the main purpose of criminal politics is the protection of society to achieve community welfare. Criminal remedies can be broadly divided into two, "penal" (criminal law) and "non-penal" (outside of criminal law).

It can be roughly distinguished that the effort to overcome crime through "penal" is more concerned with the nature of "repressive" after the crime occurs, while "non-penal" path is more focused on the "preventive" (Prevention/appointment/control) before the crime occurs.

CONCLUSION

The factor causes communal conflict on December 19, 2012 was triggered by a personal problem between Suleiman and Komang fighting using sharp weapons causing Suleiman's death. It was continued by a communal conflict on Thursday and Friday, February 14-15, 2013 at around 1.30 pm WITA, throwing against several houses of Hindu resident living in the Karang Mas-Mas. On March 5-7, 2013, there was a fight between causing Adi Suparte wounded and Made Ardiana die, which was extending into communal conflict and violent acts.

As the effort to resolve the communal conflict between Muslims and Hindus, on Sunday, April 14, 2013 at 5:30 pm WITA at Bale Sangkep of University 45 Mataram, Jl. Imam Bonjol Cakranegara, a meeting was held between several community leaders of Karang mas-mas and Tohapti, mediated by the government and Police to make peace while perpetrators of acts of violence and murder are processed by criminal law.

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