



PROCEEDINGS OF

Researchfora

INTERNATIONAL CONFERENCE



Venue: Tashkent, Uzbekistan | Date: 8th-9th November, 2019

Association With



PROCEEDINGS OF
RESEARCHFORA
INTERNATIONAL CONFERENCE
TASHKENT, UZBEKISTAN

Organized by



Date of Event:

8th - 9th November, 2019

Event Co-Sponsored by



Corporate Address

IRAJ Research Forum

Institute of Research and Journals

Plot No-30, Dharma Vihar, Khandagiri, Bhubaneswar, Odisha, India

Mail: info@iraj.in, www.iraj.in

Publisher: **IRAJ**

© 2019, Researchfora International Conference, Tashkent, Uzbekistan

No part of this book can be reproduced in any form or by any means without prior written permission of the publisher.

Type set & printed by:

R. K Printers

Bhubaneswar, India

About IRAJ Research Forum (IRF):

The *IRAJ Research Forum* is an International non-profit academic association under 'Peoples Empowerment Trust' with the stated goals of promoting cooperation among scientists, defending scientific freedom, encouraging scientific responsibility, and supporting scientific education and science outreach for the betterment of all humanity. It is the one of the world's largest and most prestigious general scientific society.

Objective of IRF:

- ❖ To provide a world class platform to researchers to share the research findings by organizing International/National Conferences.
- ❖ To use the research output of the conference in the class room for the benefits of the students.
- ❖ To encourage researchers to identify significant research issues in identified areas, in the field of Science, Engineering, Technology and Management.
- ❖ To help dissemination of their work through publications in a journal or in the form of conference proceedings or books.
- ❖ To help them in getting feedback on their research work for improving the same and making them more relevant and meaningful, through collective efforts.
- ❖ To encourage regional and international communication and collaboration; promote professional interaction and lifelong learning; recognize outstanding contributions of individuals and organizations; encourage scholar researchers to pursue studies and careers in circuit branches and its applications.
- ❖ To set up, establish, maintain and manage centers of excellence for the study of /on related subjects and discipline and also to run self supporting projects for the benefit of needy persons, irrespective of their caste, creed or religion.

About RESEARCHFORA:

Researchfora is a **non-profit organization** that promotes the Engineering and Technology, related latest developments and issues to be discussed and experimented through interactions amongst the researchers and academician across the globe at a common platform in association with **The IIER**.

Conference Committee

Program Chair:

Dr. P. Suresh

M.E, Ph.D. Professor and Controller of Examinations,
Karpagam College of Engineering.,
Coimbatore, India

Conference Manager:

Mr. Bijan Kumar Barik

Mob: +91-9776047497

Conference Convener:

Miss. Sajita Das, Researchfora

Mob: +91- 8895188531

Publication and Distribution Head:

Mr. Manas Ranjan Prusty, IRAJ, India

INTERNATIONAL ADVISORY MEMBERS

Prof. Goodarz Ahmadi,

Professor, Mechanical and Aeronautical Engineering, Clarkson University, USA

Dr Chi Hieu Le,

Senior Lecturer, University of Greenwich. Kent ME4 4TB. United Kingdom

PROF. (ER.) Anand Nayyar

Department of Computer Applications & I.T.KCL Institute of Management and Technology, Jalandhar
G.T. Road, Jalandhar-144001,Punjab, India.

Prof. R. M. Khaire,

Professor, Dept. Of Elex. and Telecommunication, B, V University, India

Dr.P.Suresh,

Professor, Karpagam College of Engineering, Coimbatore, Tamilnadu

Mark Leeson

Associate Professor (Reader)

Area of Expertise: nanoscale communications,

evolutionary algorithms, network coding and communication systems

Dr. P. K. Agarwal

Professor, Deptt. of Civil Engineering, MANIT Bhopal ,Ph. D: IIT Kanpur

M.E: Civil Engg.IIT Roorkee, Membership: Indian Road Congress (IRC), Institute of Urban Transport (IUT)

Shahriar Shahbazpanahi

Islamic Azad University,

Department of Civil Engineering, Sanandaj, Kurdistan, Iran, PhD (Structural Engineering),

University Putra Malaysia, Malaysia

Harun Bin Sarip

Head of Research and InnovationDept, UniKL-MICET

Doctorate: Université de La Rochelle, France

Member: International Society of Pharmaceutical Engineer, Singapore Chapter

Dr. Buchari Lapau

Professor ,Pekanbaru Hang Tuah Institute of Health (STIKes HTP),

Riau, Indonesia

Dr.Bilal Ali Yaseen Al-Nassar

The World Islamic Sciences and Education University (WISE)

Faculty of Business and Finance

Department of Management

Information System (MIS), Amman- Jordan

Dr. Md. Al-Amin Bhuiyan

Associate Professor

Dept. of Computer Engineering

King Faisal University

Al Ahssa 31982, Saudi Arabia

Prof. (Er.) Anand nayyar

Department of Computer Applications & I.T.
KCL Institute of Management and Technology, Jalandhar
G.T. Road, Jalandhar-144001
Punjab, India

Prof. Aleksandr Cariow

institution or Company: West Pomeranian University of
Technology, Szczecin

Dr. P. K. Agarwal

Professor, Deptt. of Civil Engineering, MANIT Bhopal ,Ph. D: IIT Kanpur
M.E: Civil Engg.IIT Roorkee, Membership: Indian Road Congress (IRC), Institute of Urban Transport (IUT)

Dr. VPS Naidu

Principal Scientist & Assoc. Prof., MSDF Lab, FMCD
CSIR - National Aerospace Laboratories, Bangalore, India

Mr. P. Sita Rama Reddy

Chief Scientist ,Mineral Processing Department, CSIR - Institute of Minerals & Materials Technology
Bhubaneswar, India, M.Tech. (Chem. Engg., IIT, KGP)

Dr.P.C.Srikanth,

Professor & Head, E&C Dept, Malnad College of Engineering, Karnataka
Senior Member IEEE, Secretary IEEE Photonics Society,
M.Tech: IIT, Kanpur, Ph.D: In IISc Photonics lab

Prof. Lalit Kumar Awasthi,

Professor, Department of Computer Science & Engineering
National Institute of Technology(NIT-Hamirpur),
PhD, IIT, Roorkee, M. Tech, IIT, Delhi

Dr. Chandra Mohan V.P.

Assistant Professor, Dept. of Mech. Engg., NIT Warangal,
Warangal. Ph.D : Indian Institute of Technology(IIT),Delhi
M.B.A: Alagappa University

Prof. I.Suneetha,

Associate Professor, Dept. of ECE, AITS, Tirupati, India

Dr.s. Chandra Mohan Reddy,

Assistant Professor (SG) & Head,Dept. of Electronics & Communication Engineering, JNTUA College of Engineering, Pulivendula,
Ph.D,J.N.T. University Anantapur, Anantapuramu

Gurudatt Anil Kulkarni,

I/C HOD E&TC Department, MARATHWADA MITRA MANDAL'S POLYTECHNIC

Pasuluri Bindu Swetha

Dept. Of ECE, Stanley college of Engineering & Technology for Women, Hyderabad, India

★ ★ ★

TABLE OF CONTENTS

SI No	TITLES AND AUTHORS	Page No.
01.	The Challenges of State-Centric Security Governance in Indonesia's Post-Suharto Democratic Era ➤ <i>Surwandono, Ali Maksum, Tulus Warsito</i>	1-4
02.	Content Analysis on the Construction of Foreign Affairs between Indonesia and Malaysia in Security Issue ➤ <i>Surwandono, Tulus Warsito, Ali Maksum</i>	5-8
03.	Towards an Alternative Solution in Resolving Conflict Over the Customary Land in Papua, Indonesia ➤ <i>Tri Mulyadi, Kamsi, Surwandono, Trisnoraharjo, Ali Maksum</i>	9-14
04.	Determination of Traffic Safety with Methods Alternative to Traditional Methods ➤ <i>Coruhemine, Tortum Ahmet</i>	15-20
05.	Concrete Mixture with Plastic as Fine Aggregate Replacement ➤ <i>Chien-Chung Chen, Nathan Jaffe, Matt Koppitz, Wesley Weimer, Albert Polocoser</i>	21-25
06.	Influence of the FLC'S Parameters of the UPQC in the Distributed Generation ➤ <i>C. Benachaiba, b. Mazari, m. Habab, c. Benoudjafer, n. M. Tandjaoui</i>	26-31
07.	An Analysis of Mobile Banking Customers for a Bank Strategy and Policy Planning ➤ <i>Behrooz Noori</i>	32-38
08.	Advantage of Make-to-Stock Strategy Based on Linear Mixed-Effect Model ➤ <i>Yu-Pin Liao, Shin-Kuan Chiu</i>	39-50

★★★

EDITORIAL

It is my proud privilege to welcome you all to the Researchfora International Conference at Tashkent, Uzbekistan in association with The IIER. I am happy to see the papers from all part of the world and some of the best paper published in this proceedings. This proceeding brings out the various Research papers from diverse areas of Science, Engineering, Technology and Management. This platform is intended to provide a platform for researchers, educators and professionals to present their discoveries and innovative practice and to explore future trends and applications in the field Science and Engineering. However, this conference will also provide a forum for dissemination of knowledge on both theoretical and applied research on the above said area with an ultimate aim to bridge the gap between these coherent disciplines of knowledge. Thus the forum accelerates the trend of development of technology for next generation. Our goal is to make the Conference proceedings useful and interesting to audiences involved in research in these areas, as well as to those involved in design, implementation and operation, to achieve the goal.

I once again give thanks to the Institute of Research and Journals, Researchfora, TheIIER for organizing this event in Tashkent, Uzbekistan. I am sure the contributions by the authors shall add value to the research community. I also thank all the International Advisory members and Reviewers for making this event a Successful one.

Editor-In-Chief

Dr. P. Suresh

M.E, Ph.D. Professor and Controller of Examinations,
Karpagam College of Engineering.,
Coimbatore, India.



THE CHALLENGES OF STATE-CENTRIC SECURITY GOVERNANCE IN INDONESIA'S POST-SUHARTO DEMOCRATIC ERA

¹SURWANDONO, ²ALI MAKSUM, ³TULUS WARSI TO

^{1,2,3}Universitas Muhammadiyah Yogyakarta

E-mail: ¹surwandono@umy.ac.id, ²ali.maksum@fisipol.umy.ac.id, ³tulusw_umy@yahoo.com

Abstract - In the last five years, the state-centric security policy has been strictly implemented by the government OF Indonesia. The security policy began to increase especially ahead of political events across the country. Series of police-military operations, arrest warrants, and travel bans have been conducted by Indonesia's authority in response to political and security issues. Nevertheless, for security reasons, the government insisted that all actions were taken by state apparatus comply with national laws such as terrorism, counter-coup attempts, hate speech, and violations related to electronic information production and transaction perceived as a threat to national and sovereignty. This paper attempts to examine the Indonesian security governance amid the democratic era and people's high participation, notably in social media.

Keywords - Security Policy, State Apparatus, Democracy, Social Media.

I. INTRODUCTION

Security governance remains a challenge although Indonesia has passed a democratic transition from military rule under Suharto regime to civil-based leadership in 1998. Suharto was perceived as a repressive and authoritarian government who used military to control the country. Under so-called *dwi fungsi* (dual function policy), Indonesian government employed a comprehensive security policy involving the armed forces and the police from the national level to the very lowest office at the district area. All security businesses became the main assignment of the Indonesian armed forces. While the police was merged into one single powerful security body, called the Indonesian armed force or Angkatan Bersenjata Republik Indonesia (ABRI) along with the army, navy, air force (Said, 1997, 2001). During Suharto era, Indonesian police was clustered as a military force in order to strengthen the Indonesian military regime (Siregar, 2008). As consequence, military involvement in the political business and violence culturally spread across the country with various cases. Due to this situation, the state emergency was implemented during Suharto era in order to control national security. The military regime created a very strict and state-centered security policy called as Operational Command for the Restoration of Security and Order (KOPKAMTIB, Komando Operasi Pemulihan Keamanan dan Ketertiban). The KOPKAMTIB was issued by Suharto following Sukarno's order to the armed forces to control national security after the coup attempt by Indonesian communist party (PKI, Partai Komunis Indonesia) in 1965. At the end of Suharto era, KOPKAMTIB was transformed to National Stability Coordinating Agency (BAKORSTANAS, Badan Koordinasi Bantuan Pemantapan Stabilitas Nasional) in 1988. BAKORSTANAS existed only until 2000 before

finally being dismissed by leaders in the post Suharto era due to criticism. All these security policies had placed Indonesia's military government under strong allegation of human rights abuses. The policies were tremendously different with the objective at the early creation to control and to restore national security. The security policy eventually was used by the regime in order to maintain power, to oppress the people, and to control political opponents by deployment of security apparatus. Therefore, this article attempts to examine security policy in the post Suharto in order to have a comparison pertaining security governance between Suharto and his successors after political transformation in 1998 in Indonesia up to now.

II. LITERATURE REVIEW

This paper uses security theory especially related to securitization offered by Buzan, Waever, & de Wilde (1998). The theory emphasizes on who the actor is, what kind of threat, referent object, why, with what results, and under what conditions the aspects of securitization blatantly practiced during Suharto Era (Jenkins, 2010). Many have argued that in the post Suharto era, following political transition in 1998, Indonesia successfully ousted military from politics and retreat to the barracks (Kingsbury, 2003). Nevertheless, even after political transition in 1998, Indonesian regimes in post Suharto era clearly continue to use Suharto style and in some extents modify past order policies to maintain security and political stability. This situation is publicly discussed in social media mainstream. Politics and security are not merely as governance business and secrecy of the elites. Instead, people are becoming more aware due to social media uses that is difficult to control (Pradana, 2017; Siagian, 2015). Therefore, this paper offers scientific contribution specifically on security analysis literature based in social media data.

III. RESEARCH METHODOLOGY

This is a qualitative research combined with quantitative data to examine security governance especially in the post Suharto administration in Indonesia. Using NodeXL this research attempts to analyze Indonesian laws concerning national security governance in the context of state-centric security approach (Buzan et al., 1998). In addition, this paper attempts to link between state-centric security approach and the liberal democratic concept that is still under criticism (Brennan, 2016). Among the

scrutinized Indonesian laws are Law No. 17/2011 on Intelligence Act and Law No. 5/2018 on Eradication of Terrorism Act that have similarities with the acts during Suharto's military regime. Therefore, we divided next section into two main discussions, state-centric actors and people's reactions.

IV. RESULTS

After observing two acts regarding Indonesian security governance, it was revealed that state-centric security actors were dominating.

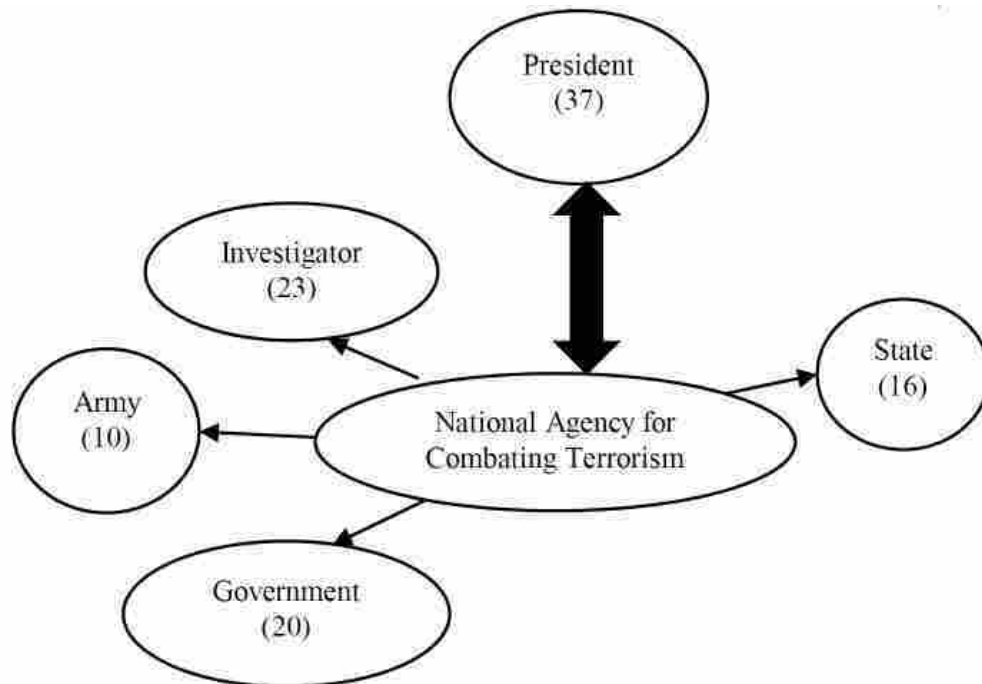


Figure 1. Power distribution on Counter Terrorism Act

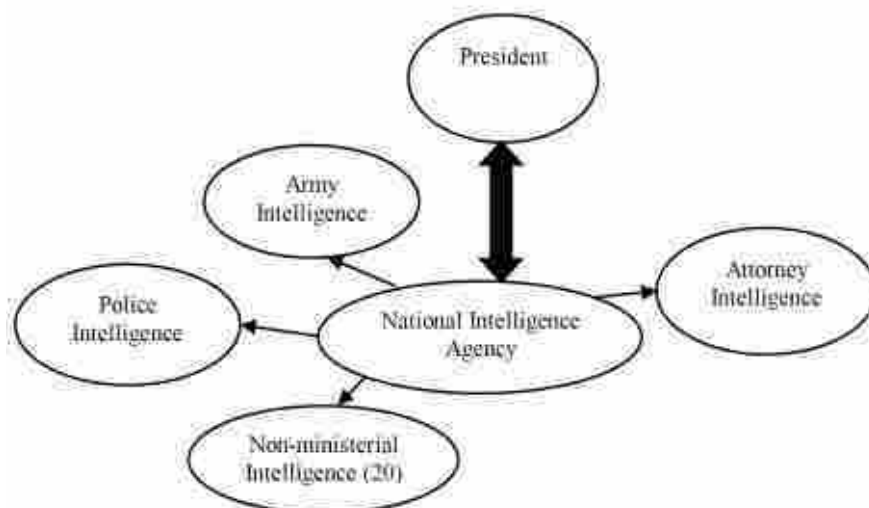


Figure 2. Power distribution on Intelligence Act

Derived from the two acts above (Figure 1; Figure 2), in terms of power and responsibility, President of Indonesia was depicted as the most powerful role

possessing superior command over security governance. Both national anti-terrorism agency and national intelligence agency act directly under

President's supervision. It means, from security perspective, all security agendas employed by government are based on government's perspective (President) on the threat. Interestingly, content analysis on the two acts demonstrates that Indonesian anti-terrorism act is obviously visible in terms of number of words. President is mentioned 37 times in the acts on anti-terrorism, compared to other words. In contrast, Indonesian act on intelligence tends to be blurry and ambiguous in number of words after analysis using Word Cloud generator software.

Specifically, in the Indonesian anti-terrorism act, the president's power and authority has been transformed into a super body such as the National Agency for Combating Terrorism (BNPT, Badan Nasional Penanggulangan Terorisme). While the authority on intelligence matters has been conducted under supervision of National Intelligence Agency (BIN, Badan Intelijen Negara). The two agencies have similar authority to 'translate' president's perspective on threat combined with powerful ability to conduct police-military operation, arrest warrants, investigation, interrogation, travel bans. Nevertheless, the act on national intelligence is seen as 'confusing' due to the authority that also has been divided into four semi-autonomy agencies—Police Intelligence, Armed Forces Intelligence, Attorney Intelligence, Non-ministerial Intelligence, and National Intelligence Agency (Figure 2).

All these agencies have the authority to conduct intelligence operation also based on the government's perspective (President) on specific threat. It means, all these intelligence bodies have the possibility to have their own interpretation, 'disguised information', and lack of coordination among departments.

Moreover, the Indonesian government also issued various regulations in attempt to support the two existing laws. However, the particular rules were seen to contradict democratic values, revive authoritarian style, and tends to 'restrict' people's expression. Some regulations basically are re-definition of 'an ambiguous' laws mentioned in an obsolete national

criminal law called as Indonesian Penal Code (KUHP, Kitab Undang-Undang Hukum Pidana). Specifically, Indonesian authority employs Chapter I on Crimes Against the Security of the State, Article: 104-129 in order to charge perpetrators of 'coup attempts'. Further, Indonesian authority issued Law No. 11/2008 on Information and Electronic Transactions to confine public discussion in social media and internet access. Therefore, the two supporting acts—'article on coup attempts' and 'electronic transaction'—have allegedly violated human rights. The allegation emerged due to 'securitization' of political issues by the government and eventually received strong criticism (Atmaja, 2014; Nurhayati & Suryadi, 2017; Trahjurendra, Hamidi, & Widiarto, 2014).

Social media discussions confirm that Indonesia's security governance remains challenging even after Suharto had collapsed and political transformation has been massively run. This is because social media and digital technology have altered public opinion trend that allow political issues freely discussed in the public space and therefore is difficult to handle. Various regulations are issued in order to maintain national security. Nonetheless, not all security policies receive a positive attention from people. In fact, the policies and law enforcement obtained criticism as well as became a debate in the cyberspace. For instance, in the middle of massive restriction in the social media as well as arrest warrant against activists, the term of 'orde baru (new order)' became publicly discussed in Twitter land. The rise of 'new order' indicated public awareness of the setback of political reformation in 1998 and the ruling government tendency to implement authoritarian style alike with Suharto administration. The increase of 'new order' topic (Figure 3) until becoming a trending topic also depicts how people were eager to retreat back to Suharto era seen as more stable and just. Usually, the term 'new order' is followed by a slogan: 'Pie kabare, le? Enak jamanku to?' (How are you? My era was good, wasn't it?).

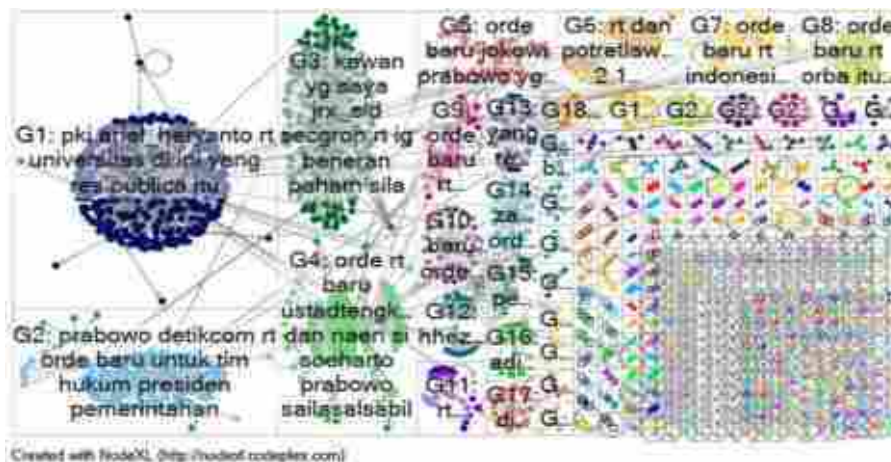


Figure 3. Public sentiment on “orde baru” (new order) in Twitter land using NodeXL

Data of Twitter map show interaction among Indonesians on June 2019 alone during manuscript drafting. The largest box indicates the main influencer that blows the 'new order' to become a primary topic on Twitter. It means that the Indonesian security policy is publicly discussed and inevitably, people are unsatisfied with the policy due to contradiction with democratic values lost during Suharto era. Therefore, the public discussion on 'new order' is arguably a setback and demonstrates people's preference towards the Suharto era which is perceived better than the successor leaders after political reformation in 1998.

V. CONCLUSION

This article concludes that maintaining national security remains challenging for the Indonesian government. Although there was a political reformation after Suharto and the military regime in 1998, the state-centric and violence continue being practiced by new Indonesian governments. The Suharto policy had been dismissed, yet the new policy was not as proper as people's hope. Instead, Suharto ruling is still in the mind of Indonesian policymakers. Moreover, in the middle of the digital era, the implementation of information and electronic act is seen as a restriction against freedom of expression and tremendously paradoxical with democracy. The suspension towards social media accounts and arrest warrants against 'anti-government voices' are terribly unacceptable. Therefore, the discussion on 'new order' in Twitter land became serious evidence that people are unsatisfied with the current security policy. Further, this is also a strong indication that public opinion in social media cannot be neglected from the national security policy-making process. People want to enjoy the freedom of expression which was strictly restricted during the Suharto era.

ACKNOWLEDGEMENT

We would like to thank the Indonesian Ministry of Research, Technology, and Higher Education (KEMENRISTEKDIKTI) for funding this research and the anonymous reviewers of this journal for their useful comments. The views expressed in this article are their own and do not represent the KEMENRISTEKDIKTI.

REFERENCES

- [1] S. Said, *Dwifungsi ABRI: Dulu, Kini, dan Kelak*. Bandung: Mimeografi Seskoad, 1997.
- [2] S. Said, *Tentara Nasional Indonesia Dalam Politik: Dulu, Sekarang, dan Masa Datang*. Jakarta: Pustaka Sinar Harapan, 2001.
- [3] S. N. Siregar, "Evaluasi Sepuluh Tahun Reformasi Polri," *J. Penelit. Polit.*, vol. 5, no. 1, pp. 47–58, 2008.
- [4] B. Buzan, O. Waever, and J. de Wilde, *Security: A new framework for analysis*. Boulder and London: Lynne Rienner Publishers, 1998.
- [5] D. Jenkins, *Suharto and His Generals: Indonesian Military Politics, 1975-1983*. Jakarta and Kuala Lumpur: Equinox Publishing, 2010.
- [6] D. Kingsbury, *Power Politics and the Indonesian Military*. London: RoutledgeCurzon, 2003.
- [7] Y. Pradana, "Peranan media sosial dalam pengembangan melek politik mahasiswa," *J. Civ.*, vol. 14, no. 2, pp. 139–145, 2017.
- [8] H. F. Siagian, "Pengaruh dan Efektivitas Penggunaan Media Sosial Sebagai Saluran Komunikasi Politik dalam Membentuk Opini Publik," *J. Al-Khitabah*, vol. 2, no. 1, pp. 17–26, 2015.
- [9] J. Brennan, *Against Democracy*. Princeton, New Jersey: Princeton University Press, 2016.
- [10] E. Atmaja, "Kedaulatan Negara di Ruang Maya: Kritik UU ITE dalam Perspektif Pemikiran Satipto Rahardjo," *J. Opinio Juris*, vol. 16, pp. 48–91, 2014.
- [11] N. Nurhayati and R. Suryadi, "Democratic Challenges of Indonesia in the Social Media Era," *Diponegoro Law Rev.*, vol. 2, no. 2, pp. 349–358, 2017.
- [12] A. Trahjurendra, J. Hamidi, and A. E. Widiarto, "Politik Hukum Pengaturan Tindak Pidana Makar di Indonesia," *J. Huk.*, vol. Mei, pp. 1–20, 2014.

★ ★ ★

CONTENT ANALYSIS ON THE CONSTRUCTION OF FOREIGN AFFAIRS BETWEEN INDONESIA AND MALAYSIA IN SECURITY ISSUE

¹SURWANDONO, ²TULUS WARSITO, ³ALI MAKSUM

^{1,2,3}Universitas, Muhammadiyah Yogyakarta
E-mail: ¹surwandono@umy.ac.id, ²tulusw_umy@yahoo.com, ³ali.maksum@fisipol.umy.ac.id

The brotherhood relations in traditional and non-traditional security issues between Indonesia and Malaysia show a dynamic, complex, and ambiguous patterns of relations. The aim of this article is to explain the construction of news coverage the Indonesian and Malaysian governments in constructing a message of brotherhood alliance between the two countries. Data were obtained from the official websites of the Indonesian and Malaysian governments and then processed using content analysis. Research results show that the construction of news coverage messages from the Indonesian government is an expression to negotiate a number of private and public problems faced by Indonesia, while the Malaysian government constructs the news coverage message as a process of internal communication with the population.

Keywords - Non Traditional Security, Indonesia Malaysia relations, content of Analysis

I. INTRODUCTION

Indonesia and Malaysia are brotherhood countries sharing similar root. Aspects of the similarity between Indonesia and Malaysia are related to ethnicity, history, and geographical similarities. Allied relations between Indonesia and Malaysia have are dynamic, from the pattern of relations on the basis of cooperation and also on the basis of conflict. The cooperation relationship between Indonesia and Malaysia is marked by the intensive distribution of goods and services, a high traffic migration of the population between the two countries (Elias 2013a), and the cohesiveness of the two countries in counteracting communist influence and threat from the north (Schottmann 2012).

Meanwhile, conflictual relations are reflected in border issues marked by a number of claims for ownership of territories at the border. Conflict between Indonesia and Malaysia is reflected in private issues related to issues of cultural ownership such as batik, traditional arts (Maksum, Ali 2014) and issues around migration, such as the case of illegal migrant workers, and discrimination and criminalization of Indonesian immigrants (Hasanah 2015).

The governments of Indonesia and Malaysia use foreign policy to ensure that the number of occurring conflicts can be managed properly, so it does not escalate into an open war. Both countries tend to develop policies to refrain from responding to a number of public and private issues that are rife in social media and the masses. The choice of words in a number of policy relations is also chosen words that have a moderate meaning compared to words that are critical and provocative (Md. Khalid 2011; Hamzah 2015). Managing conflict issues between countries using ASEAN ways tends to be chosen to manage a number of problems related to the two countries.

II. RESEARCH METHOD

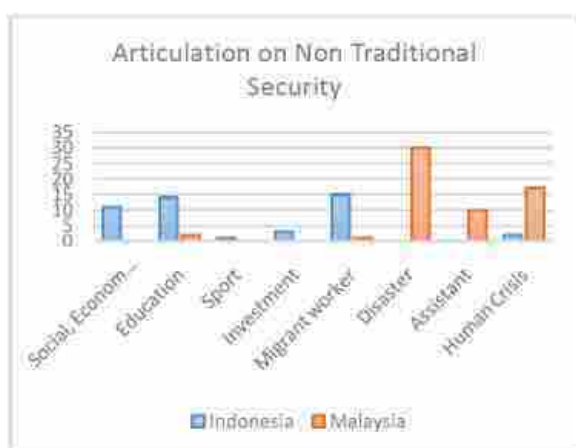
To track the structure of news coverage about the relationship between Indonesia and Malaysia, the sources selected by collecting a number of official news coverage obtained from the Indonesian government website, sourced from the Office of the Indonesian State Secretariat, while the Malaysian government website was taken from the foreign affair office page. The selected documents are reports from early 2017 to mid-2019. The collected documents are then analyzed using content analysis technique (Krippendorff 2004). A number of traced issues are the perception of the two countries in constructing their partner countries in their official news coverage. This perception is related to traditional and non-traditional security issues (Elliott 2015), and how the two countries articulate the protection of their citizens who are currently in the partner country.

A number of variables and indicators used to read architectural perceptions are first, signs related to stakeholders in Indonesia-Malaysia relations, such as Indonesia, Malaysia, government, society, organizations, people, citizens, students, universities, groups, police, military. Second, signs related to the dynamics of the issue with Indonesia-Malaysia relations are divided into two clusters, traditional security issues such as boundary, political, security, laws, maritime, election; and non-traditional security such as social, culture, economy, boundary, education, sports, politics, investment, migrant workers, cooperation, negotiation, discussion, disaster such as victims, help, and crisis.

III. RESULT AND DISCUSSION

Figure 1 shows the structure of the news coverage on the official website

Education in Malaysia

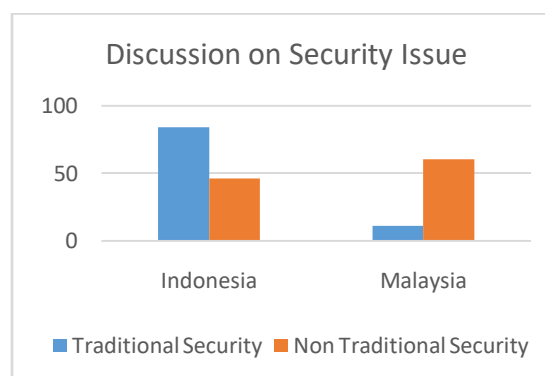


The news coverage structure in non-traditional security issues shows a striking difference. In the structure of the reporting of Indonesia related to Malaysia articulates ideas related to social, economy and culture, education, sports, migrant workers (Kaur 2010) and human crisis. This conversation is related to the large number of Indonesians residing in Malaysia related to this matter. For example, in the migration pattern in the issue of Education, many Indonesian students study in Malaysia but not many Malaysian students study in Indonesia (Mok 2011). The diction chosen by the Indonesian government is the demands and hopes of the Malaysian government to provide opportunities and resolve a number of problems faced by the population and interests of Indonesia in Malaysia.

Furthermore, there are many Indonesian immigrant workers who work in Malaysia and have problems related to private issues in the form of not being paid and getting inhumane treatment. In addition, public issues related to criminal acts and immigration law violations. The many problems faced by Indonesian immigrant workers have caused the Indonesian government to be more involved in providing protection (Elias 2013b).

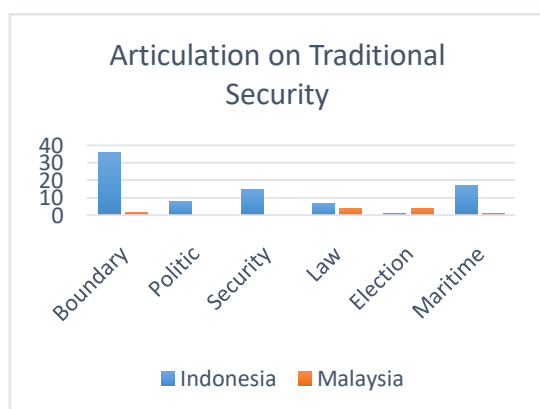
Very different from the non-traditional security issue, the Malaysian government did not mention at all the importance of Indonesia to be fought by Malaysia. The issue of migration of Malaysians to Indonesia is related to the issue of tourism (Goeldner and Gartner 2017), such as the number of Malaysian travelers in Indonesia who were victims in the event of a disaster (James 2018), and not collective socioeconomic issues such as the migration of Malaysian labor migrants to Indonesia for reasons of studying at a number of universities or educational institutions in Indonesia. Even the construction of Malaysian news coverage about Indonesia is more dominated by disaster reporting, so the Malaysian government emphasizes the need for information regarding access to assistance provided by the Malaysian government to a number of Malaysians who are going to Indonesia. The structure of the news

coverage is not to request for help from the Indonesian government to provide assistance and facilitation to Malaysians in Indonesia. As it is known, in the period 2015 to 2018 there were a number of disasters that occurred in Indonesia, and a number of Malaysians who were on vacation then became victims.



Polygon shows that Indonesia perceives that there are many traditional security problems experienced by the Indonesian population residing in Malaysia, as well as a number of interests related to traditional security that must be discussed with the Malaysian government. The problem of traditional security which is the most discussed by the Indonesian government is the problem of border management. The Indonesian government perceives that the Malaysian government has committed a number of violations, so the Indonesian government needs to discuss a number of border disputes proportionally and measurably. The large number of Indonesians as migrant workers in Malaysia makes policy choices for border issues be in such a careful manner. Border management experience related to the Ambalat archipelago conflict in 2008, where using a political approach and mass mobilization and the armed forces have worsened the Indonesia-Malaysia relations which resulted in the large number of illegal Indonesian migrant workers receiving strict legal treatment and action from the Malaysian government. It is very different from the construction of Malaysian news coverage about Indonesia, that the government considers there are acute problems related to non-traditional security issues, such as disaster and disease problems in Indonesia. Disasters in Indonesia that have not been well managed have caused the Malaysian government to persuade and travel warnings, so Malaysians will not travel to Indonesia. Non-traditional issues related to cultural product disputes are not seen as important for the Indonesian government to be resolved within a bilateral framework. Even a number of critical issues regarding the reversal of the Indonesian flag in SEA GAMES, which became an important issue in Indonesia, where the Indonesian government asked the Malaysian government to make an apology, was not taken seriously, and do not want to prolong the

problem. The Malaysian government is more concerned with how the Indonesian government resolves non-traditional security problems such as natural and social disasters, thus making Indonesia a safe country.

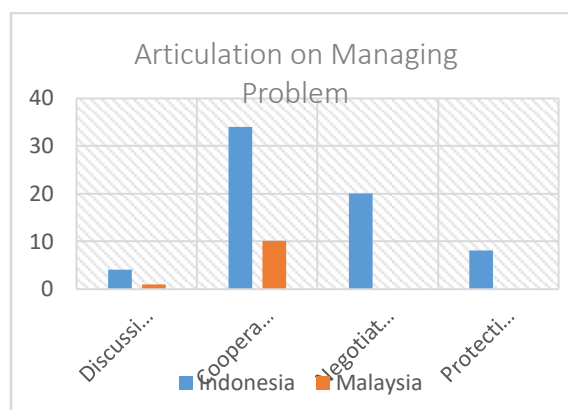


The table shows that the Indonesian government considers it important to discuss the issues of traditional Indonesian security such as borders, politics, security, law and maritime. In Indonesia's perception, in the five traditional security issues, it is very important to discuss and find a formula for solving the problem so as not to disturb the relationship of same root alliance. Indonesia tends to be proactive to invite the Malaysian government to sit together, which is characterized by more proactivity and frequent visits by the Indonesian president to Malaysia to solve Indonesia's problems. The initiative and visit of a number of Malaysian Prime Ministers to Indonesia were more like diplomatic courtesy, with no issues to be discussed at the head of government level.

Maritime issues become traditional security issues related to many maritime problems faced by the Indonesian government with the Malaysian government, from private cases such as cross-border fishing violations from a number of Malaysian or Indonesian vessels to country-level issues in the form of negotiations with continental shelf boundaries in border management issues and rampant piracy events in the South China Sea (Bateman 2014). Malaysia is not too serious in discussing the maritime issue which is one of the axis of President Jokowi's policy articulated very intensively related to many problems faced by Indonesia in maritime management (Laksmana 2018).

The discourse of Malaysian news coverage related to Indonesia is more about the private problems experienced by Malaysian citizens, and the context is temporary. For example, in a legal issue, the Malaysian government needs to remind Malaysian citizens who are facing legal problems because administrative issues need to consult with representatives of the Malaysian government in Indonesia in order to get legal assistance guarantees. The Malaysian government does not urge

the Indonesian government to provide relief to legal problems faced by its citizens. This legal problem is very small, and not a collective issue as is the case with the administrative problems of Indonesians entering Malaysia through illegal means. Likewise, in the election issue, the Malaysian government does not press or intervene, so the electoral process in Indonesia runs fairly and peacefully, but only reminds its citizens that when visiting Indonesia during the general election to be careful and stay away from the area of the political crowd because of the perception that the situation will be dangerous.



IV. CONCLUSION

The process of constructing the structure of the news coverage in the official website of a country is strongly influenced by the behavior and portfolio of a country in the view of partner countries. Indonesia tends to construct Malaysia as a partner in which communication and negotiation needs to be built to solve a number of crucial and acute problems related to traditional Indonesian security and non-traditional security. Meanwhile, Malaysia is constructing Indonesia more to articulate information to Malaysian citizens about the social, political, and economic conditions that occur in Indonesia in order to provide protection on the non-traditional aspects of security.

ACKNOWLEDGEMENT

We would like to thank the Indonesian Ministry of Research, Technology, and Higher Education (KEMENRISTEKDIKTI) for funding this research and the anonymous reviewers of this journal for their useful comments. The views expressed in this article are their own and do not represent the KEMENRISTEKDIKTI.

REFERENCES

- [1] Bateman, Sam. 2014. Security and International Politics in the South China Sea. Security and International Politics in the South China Sea. <https://doi.org/10.4324/9780203885246>.
- [2] Curley, Melissa. 2014. Security and Migration in Asia. Security and Migration in Asia. <https://doi.org/10.4324/9780203934722>.

- [3] Elias, Juanita. 2013a. "Foreign Policy and the Domestic Worker." *International Feminist Journal of Politics*. <https://doi.org/10.1080/14616742.2012.755835>.
- [4] ———. 2013b. "Foreign Policy and the Domestic Workers: The Malaysia-Indonesia Domestic Worker Dispute." *International Feminist Journal of Politics*. <https://doi.org/10.1080/14616742.2012.755835>.
- [5] Elliott, Lorraine. 2015. "Human Security/Environmental Security." *Contemporary Politics*. <https://doi.org/10.1080/13569775.2014.993905>.
- [6] Goeldner, C. R., and William C. Gartner. 2017. "Tourism Development: Issues for a New Agenda." *Journal of Travel Research* 36 (2): 84–87. <https://doi.org/10.1177/004728759703600214>.
- [7] Hamzah, B A. 2015. "Sinking the Ships: Indonesia's Foreign Policy under Jokowi." *Rajaratnam School of International Studies* 1 (016): 1–3. <http://hdl.handle.net/10220/38622>.
- [8] Hasanah, Tunira. 2015. "Potential Social Capital of Indonesian Immigrant in Malaysia: A Preliminary Research." *Procedia - Social and Behavioral Sciences* 211 (September): 383–89. <https://doi.org/10.1016/j.sbspro.2015.11.050>.
- [9] James, Eric. 2018. "Getting Ahead of the Next Disaster: Recent Preparedness Efforts in Indonesia Tr o Getting Ahead of the next Disaster : Recent Preparedness Efforts in Z" 18 (3): 424–29. <https://doi.org/10.1080/09614520802030607>.
- [10] Kaur, Amarjit. 2010. "Labour Migration Trends and Policy Challenges in Southeast Asia." *Policy and Society*. <https://doi.org/10.1016/j.polsoc.2010.09.001>.
- [11] Krippendorff, Klaus H. 2004. *Content Analysis: An Introduction to Its Methodology*. London: Sage Publications.
- [12] Laksmna, Evan A. 2018. "Maritime Security and Indonesia: Cooperation, Interests, and Strategies; Unresolved Border, Land and Maritime Disputes in Southeast Asia: Bi-and Multinational Conflict Resolution Approaches and ASEAN's Centrality." *Bulletin of Indonesian Economic Studies* 54 (2): 270–74. <https://doi.org/10.1080/00074918.2018.1522704>.
- [13] Maksun, Ali, Reevany Bustami. 2014. "Ketegangan Hubungan Indonesia Malaysia Dalam Isu Tarian Pendet." *Kajian Malaysia* 32 (2): 41–72.
- [14] Md. Khalid, Khadijah. 2011. "Malaysia's Foreign Policy under Najib." *Asian Survey* 51 (3): 429–52. <https://doi.org/10.1525/as.2011.51.3.429>.
- [15] Mok, Ka Ho. 2011. "The Quest for Regional Hub of Education: Growing Heterarchies, Organizational Hybridization, and New Governance in Singapore and Malaysia." *Journal of Education Policy*. <https://doi.org/10.1080/02680939.2010.498900>.
- [16] Muda, Muhammad Ben. 2008. "Malaysia at 50: Malaysia's Foreign Policy and the Commonwealth Revisited." *Round Table* 97 (394): 121–35. <https://doi.org/10.1080/00358530701844726>.
- [17] Nugroho, Bantan. 1996. "Indonesia's Foreign Policy and ASEAN." ProQuest Dissertations and Theses.
- [18] Pitsuwan, Surin, and Mely Caballero-Anthony. 2014. "Human Security in Southeast Asia: 20 Years in Review." *Asian Journal of Peacebuilding* 2 (2): 199–215. https://search.proquest.com/docview/1635435414?accountid=11862%0Ahttp://openurl.ac.uk/ukfed:kcl.ac.uk?url_ver=Z39.88-2004&rft_val_fmt=info:ofi/fmt:kev:mtx:journal&genre=article&sid=ProQ:ProQ%3Aasocscijournals&atitle=Human+Security+in+Southeast+Asia%3A+20+Y.
- [19] Saravanamuttu, J, and I S A Studies. 2010. *Malaysia's Foreign Policy: The First Fifty Years: Alignment, Neutralism, Islamism*. Singapore: Institute of Southeast Asian Studies. https://books.google.com.my/books?id=AZ8FUqk4_UcC.
- [20] Schottmann, Sven Alexander. 2012. "Malaysia's Foreign Policy: The First Fifty Years." *Global Change, Peace & Security* 24 (1): 197–98. <https://doi.org/10.1080/14781158.2012.641291>.
- [21] Weatherbee, Donald E. 2018. "INDONESIA'S FOREIGN POLICY IN 2016 Garuda Hovering." In *Southeast Asian Affairs* 2017, 163–76. <https://doi.org/10.1355/9789814762878-013>.

★★★

TOWARDS AN ALTERNATIVE SOLUTION IN RESOLVING CONFLICT OVER THE CUSTOMARY LAND IN PAPUA, INDONESIA

¹TRI MULYADI, ²KAMSI, ³SURWANDONO, ⁴TRISNORAHARJO, ⁵ALI MAKSUM

¹Doctoral Program of Political Islam, Universitas Muhammadiyah Yogyakarta

²Faculty of Law, UIN SunanKalijaga Yogyakarta

³Master of International Relations, Universitas Muhammadiyah Yogyakarta

⁴Faculty of Law, Universitas Muhammadiyah Yogyakarta

E-mail: ¹sh.trimulyadi@yahoo.co.id, ²kamsi@uin-suka.ac.id, ³surwandono@umy.ac.id,

⁴trismoraharjo@umy.ac.id

Abstract - This article aims to examine the customary land conflict in Papua using phenomenology approach. Dualism in the management of the customary land has long become the issue that impedes development agenda in Papua, Indonesia. This article argues that the development process in the third world faces a land-use dilemma. The land management stands between the two dilemmatic regulations namely traditional-cultural law and public law. Using phenomenology strategy the authors deeply collected the data related to customary land among indigenous peoples (Ondoafi) in Papua Indonesia, as well as interpretation towards land governance during land transformation for development. Further, this research enriched by study throughout land governance and law compilations in Indonesia's national legal codification. The study shows most of the land conflicts involving the customary land communities in Papua are rooted in the perception of the conflicting parties towards the land. The adoption of respectful values and decent attitudes toward the land and environment prevailing in the indigenous community to the formal law and regulation especially in Papua are necessary. This article results in the development of the hybrid space to bridge the conflict and enables conflicting parties to live in harmony.

Keywords - Customary Land, Hybrid Space, Papua, Ulayat

I. INTRODUCTION

Communal conflict has become one of the Indonesian Government's concerns in Papua, Indonesia. The genesis of Papuan conflicts can be traced back to the history of West Papuan Integration 1949. The 1949 Round Table Conference, which involved a number of national and international actors, turned out to be unable to fully make the Papuan people willingly join Indonesia. President Sukarno's famous speech 'Trikorat' or 'People's Three Commands' on December 19th, 1961, on one hand, had prevented the Dutch Government from creating a Puppet State in Papua in 1962. On the other hand, the Indonesian Government's response to the disintegration in Papua resulted in the Papuan resistance, which later inspired the establishment of the Free Papua Movement or Organisasi Papua Merdeka(OPM)in 1963. The emergence of Free Papua Movement marked the beginning of the coercive resistance used by several Papuan groups to echo their interest(Heidbüchel, 2007).

Under Suharto's administration, the conflict between the Government of Indonesia and the Free Papua Movement has reached its peak. Under the supervision of the United Nations, the United Nations Temporary Executive Authority or UNTEA and Indonesian Government called for a referendum, which later was known as the 'Act of Free Choice' or PenentuanPendapat Rakyat (Pepera).However, most

voters supported the integration of Papua into Indonesia. Free Papua Movement opposed the result and proposed the second referendum to the United Nations due to the allegation of fraud. The proposal was later rejected by the assembly during United Nations General Assembly (UNGA) in October 1969, thus the term was often misled as to the 'Act of No Choice'(Heidbüchel, 2007).

The conflict blew up after 1969 Referendum. Several groups under Free Papua Movement have insatiably demanded the secession using violent actions; they abducted security personnel and non-indigenous people (migrants), to obtain international attention, causing the Indonesian Government to declare Military Operation Zone or Daerah OperasiMiliter (DOM)on West Papua, from 1978-1998.

The New Order¹ was the worst period for the movement. Papuan resistance was not only caused by the result of the 1969 Referendum, but the 'Land Reform' Policy imposed by President Suharto has also led the resistance to grow. Land Reform, which had been the buzzword since the beginning of Suharto's administration (1965), in fact, remained an

¹In the early days of Suharto in power, he created so-called OrdeBaru or New Order in order to ensure his mission to develop the Indonesian economy. Nevertheless, in fact, the New Order was designed to maintain Suharto's position in Indonesian politics backed by military power. Further, his regime also imposed very strict law including land regulations. For further discussion please see Said (1998).

illusion. The Indonesian Government has limited the meaning of Land Reform into 'large-scale transmigration of Javanese peasants into other regions, and the intensification and commercialization of agriculture (Lucas & Warren, 2013). On one hand, Land Reform was a beneficial solution for the landless farmers in Java to develop better agriculture, on the other hand, indigenous people have depended on forest and shifting cultivation to maintain their livelihoods and cultures (Lucas & Warren, 2013). Such a concept of Land Reform through large-scale transmigration has undoubtedly provoked a number of 'contra-indicative responses' or rejections from indigenous people in West Papua, and other regions; such as Sumatra and Kalimantan.

Most of the land disputes between the central government and indigenous people in Jayapura has transcended into violent conflict. Land acquisition for migrants in the Nimbokrang District, for example, has led to violent conflicts between the government and a number of communities that have occurred since 1990. Land acquisition for migrants in the Nimbokrang District, for example, has led to violent conflict between the government and a number of communities that have occurred since 1990. Some customary groups have sabotaged land in several villages in Nimbokrang District, due to government ignorance regarding the customary law procedures in Jayapura.

Indonesian Government has ensured the social function of the land in Basic Agrarian Law (BAL or UUPA) which has come into the force since 1960, under Sukarno's administration. The principles contained in the law were proclaimed to be the recognition on Customary Law and Customary Community since it introduced the 'Right to Avail' or 'Hak Ulayat' for the community (McCarthy, 2017). Still, the Right to Avail has been merely a 'garnish' in Indonesian Agrarian Law. The law still promotes broader foundation for the government to control and transgress the land, as it is written in the Article 2 (1) of the Basic Agrarian Law; the state has the right to control over land (Basic Agrarian Law, 1960), in line with the Article 33 (3) of Indonesian Constitution, which states that "Land and water and the wealth they contain are controlled by the state and used for the sake of people's welfare (The Republic of Indonesia, 1945)."

After the fall of Suharto in 1998, there has been an increase in awareness of the people of Papua to fight for their demands through the constitutional channel. There have been several attempts made by the Indonesian Government to boost and maintain the integrity in Papua. Under Abdurrahman Wahid's administration, the Indonesian Government has implemented both cultural and constitutional problem solving to spark nation-building in Papua. 2002 was a brand-new start for Papua. On August 16th, 2000, The House of Representative of Irian Jaya decided to change 'Irian Jaya' into 'Papua' (DPRD Irian Jaya,

2000). President Abdurrahman Wahid also allowed the 'Morning Star Flag'—the symbol of Free Papua Movement, to be raised in Papua (Katharina, 2019).

The Indonesian Government further passed Law No 20 of 2001. The law enables Papua to adopt the distinct model of government, or known as the 'Special Autonomy', as it is stipulated in the Law No 20 of 2001, Papua. The law encompasses several aspects of local autonomy—socio-cultural aspects, protection of the right of indigenous people, protection of provincial authority & clean government, financial autonomy, implementation of strategic development sectors, political representation, and resolving human rights violation and promoting reconciliation (Katharina, 2019).

National development has always been the national plan, even since Suharto's administration. Considering that most of the development programs in Indonesia have always been adjusted in Java, equitable development can be a good chance to raise the Papuan economy. Given the geographic condition of Papua which hampers the mobilization of the goods and services, infrastructures are believed to be the way to support the economic development in the Papua.

Infrastructure-driven development has been again the main focus of Indonesia during the first period of Jokowi's administration. The government, therefore, has sought to raise the land acquisition for investors. However, such a shallow 'developmentalist' thinking could not completely solve the complexity in Papua. The National Sports Week venue project which was planned to be completed in 2016. The construction of the venue has raised pros and cons among indigenous peoples, due to the process of land transfer and the unequal distribution of compensation.

The construction of the airport in Sentani District, Jayapura which has been planned to be started in, has also faced the same problem. The legitimate local ondoafi refused the land transfer and demanded the enormous amount of compensation; 156 IDR Billion. However, the formal procedures of land transfer performed by the government and the developer do not comply with the rule of law in Indonesia. The court decisions have only benefited the government, developers, and migrants, but not for the indigenous peoples. The customary authorities would reject the decision made by the district court, hence the trial become meaningless.

The article explains the customary land conflicts in Papua encompassing three sectors of development; infrastructures development, the construction of public facilities, and housing for settlers. The land conflicts in Papua would only become the fuel smouldering Indonesia-Papua relations if it cannot be solved properly. The article offers an alternative solution to break the vicious cycle of the customary land conflict in Papua.

II. METHODS

This study is a qualitative study using the phenomenology approach. Phenomenology is an approach that focuses on life experiences with certain groups. This study focuses on the customary land conflicts that occurred in Jayapura. This study does not use specific populations, but analyzes cases that represent similarities in social conditions (Creswell, 2013). Phenomenological research methods require the experience of the researcher as the first-person (Roth, 2012). The primary data is obtained from the empirical experiences of the researcher, including researcher consciousness, cognition, social interaction—as a member of the indigenous community and the professional notary.

Besides the researcher experiences, primary data were also obtained through interviews with a number of groups and individuals who become first-hand knowledge in this case (Creswell, 2013). The author conducted interviews and focus group discussion with a number of heads of customary communities or called as Ondoafi, the head of tribes, the Customary Council of Sentani Tribes or the Sentani Tribal Council (DASS), and settlers. Secondary data were obtained through analysis of documents and literature. Most of the documents were obtained from a number of land agencies in Jayapura Regency, Papua. The data were gathered, then were analyzed to construct the meaning of a number of cases. The sources of primary and secondary data can be seen in the following table:

Primary Data Resources	
Customary Authorities	Head of customary communities (Ondoafi)
	Head of tribes
	The Customary Council of Sentani Tribes (DASS)
Local Government	The Government of Jayapura Regency
Communities	Tribal Communities (Ohee-Ongge, Kutu, and Peele)
	Non-indigenous people (settlers)
Secondary Data Resources	
Land Agencies	Land Agency of Regional Office of Papua
	Land Agency of Jayapura Regency
Local Government	The Government of Jayapura
District Court	Jayapura District Court
	Land Deed Official

Table 1: Primary and Secondary Data Resources

III. DISCUSSION

Papua: A Sacred Land

Papua is the largest province in Indonesia. Before 2001, Papua is known as the part of Irian Jaya Province—comprising the western and the central hemisphere of Papua Island, while the eastern hemisphere or Papua New Guinea is not part of Indonesia. The total area of Papua reaches 420,540 km² comprising various kinds of topography; spanning from the lowlands, slopes, hills, and mountains. Papua's nature contains various natural resources, causing Papua to become one of the economically valuable provinces in Indonesia.

Based on the latest census, the population in Papua has reached 2.8 million people (BPS, 2012). Compared to other provinces in Indonesia, Papua is the province with the most ethnic groups. Data show that the provinces of West Papua and Papua have 261 ethnic groups, due to the simplification of names for ethnic groups that are actually sub-ethnic and even different ethnic groups (Ananta, Arifin, Hasbullah, Handayani, & Pramono, 2015). The tribes are distinguished based on the language and dialect used by the community (Pemerintah Provinsi Papua, 2016). Custom and tradition are the most important things that affect the lives of the people of Papua. Kinship

on behalf of indigenous communities has a higher priority than religious and political determinants. Customs also influence the Papuan people's arrangement of land and natural resources as a cultural as well as economic assets. The customary regulation comprises governance in the utilization of economic resources such as forests, mines, and farms. Customary authorities are responsible for managing the resources and the land.

A village in Papua is led by an Ondoafi or Ondofoloi; head of the community. Each Ondoafi is assisted by advisers (Abu Afa) and head of the tribe (Kaselo). Ondoafi is often misinterpreted as customary landowners. In fact, indigenous peoples in Papua consider land to be a communal right. A family can access natural resources, such as crops and livestock, but they cannot own land absolutely. Therefore, the customary right is intrinsically identified as the communal right. In Jayapura Regency- the capital of Papua Province, for example, thirteen tribes have been recognized to own the customary land in Jayapura (See Table 2). The land is a combination of residential settlements and conservation land. Conservation areas comprise open areas and wilderness, while 23% of Jayapura is the urban area. The customary community preserve the knowledge regarding the land boundaries, causing the settlers or

people outside the community to be less well informed about the land boundaries.

No	Tribe	Total Area (ha)
1	Skow Sae	656.87
2	Skow Mabo	172.86
3	Skow Yambe	345.72
4	Nafri Warke	864.3
5	Nafri Sembekra	691.44
6	Yoka	587.72
7	Waena	1424.65
8	Tobati Laut –	–
9	Tobati Enggros	2894.30
10	Kayu Batu	2251.12
11	Kayu Pulo Sibi	770.5
12	Kayu Pulo Youwe	616.4
13	Kayu Koso	1695.10
Total		12,970.98

Table 2: Native Tribes and the Area of Customary Land in Jayapura

The customary land conflict has been an issue in some regions or provinces in Indonesia; such as West Sumatra, East and South Kalimantan, West Nusa Tenggara, Bali, West Papua and Papua; and also other countries; Amazon (Brazil), Sierra Leone (West Africa), and the Solomon Islands. The strong bond between the indigenous people and their place or environment has led to what later Tuan conceptualized as topophilia (Tuan, 1990). Conflicts involving indigenous peoples often relate to customary land which is the source of livelihood for its inhabitants (Terre, 2006).

Before Christianity and Islam infiltrated Papuan society, the Papuan people had adopted a belief system that believed in one god. However, some tribes in Papua believe that this divine power is manifested in a number of natural phenomena, such as lightning, rain, waves, and wind. People also believe that the spirits of ancestors who have died reside in inanimate objects, such as rocks, mountains, mountains, rivers, and the sea (Marshall & Beehler, 2011), so interfering the nature, including land is seen as disrespect towards the ancestors. Such animism and dynamism have influenced the life of indigenous peoples in Papua for centuries.

The existence of law and customary authority is aimed to guarantee the existence and culture of indigenous Papuans and their right to carry out the law in accordance with their belief. Such a tradition undeniably influences people's perceptions of the rule of law and customary authority compared to national law. Land and custom are inseparable elements in the lives of indigenous peoples. The relationship of the two forms the concept of the dual (unity of two different elements). The land is "lebensraum" for indigenous peoples; a place for them to live and earn their livelihood. Indigenous people attitudes toward the land are spiritual. They believe that natural disasters, social conflicts, epidemics, and poverty are the curse for the inhabitants for being "disobedient" toward the universe and land. They believe that

conservation forests, large trees, rivers, mountains are guarded by invisible creatures or spirits so that immorality against lebensraum will only lead to disaster. Such a topophilia emphasizes the value of harmony between humans and nature, and the priority of communal interests over one's own interests (Tuan, 1990).

Assessing the Customary Land Conflict in Jayapura, Papua

Indonesia is a country that is vulnerable to agrarian conflicts, given the vast territory of Indonesia and the lack of clarity related to land ownership rights. Law Number 32 of 2004 on the Local Government allows the Local Government to solve the existing agrarian conflicts. However, agrarian conflict often becomes more complex among indigenous peoples. Projects or concessions performed by giant national or international companies are gradually eliminating the right of the indigenous community to claim and avail the land that has been lebensraum for them.

Indigenous people see land as essential. Their belief towards nature has been affecting the discourse on the right to avail. Custom or adat undeniably often creates contradictions and paradoxes in the land conflict and tends to be capitalized by the community to raise questions about history, identity, inequality, injustice, and scepticism on nationalism (Lucas & Warren, 2013).

Agrarian reforms performed since the New Order, under Suharto's administration in 1965. However, the concept of land reform was simply interpreted as large-scale transmigration and transforming land that was originally owned by certain ethnic groups into agricultural land, even mining, which then sparked upheaval between migrants and indigenous people.

The land is the essential and foremost asset for indigenous Papuans. Land cannot be sold or transferred since it is communal ownership. Migrants or settlers should be adopted or become the part of indigenous peoples to cultivate or get the benefits

from the land, and join certain rituals and ceremonies for the family adoption. However, differences in culture, principles, religion, and values often make migrants have to bypass the rituals. Such an incongruity hampers the migrants to diffuse and become part of the indigenous community.

Three districts in Jayapura—Nimbokrang, Genyem, and Namblong—have become shelters for migrants since 1975 (ALDP Papua, 2012). The shelters have later developed into residences, still, the community consider them as the outsiders, as they have not been recognized as the member of the community. The government and stakeholders have so far only performed procedures for purchasing land in accordance with positive law, yet the rituals and ceremonies have been often ignored. However, conflicts have become more massive due to government ignorance regarding the customary law procedures in Jayapura. The government's ignorance of customary authority, customary law, and issues related to the distribution of compensation have made land conflicts in Papua even worse. The existence of Special Regional Regulation No. 23/2008 on Right to Avail cannot accommodate conflicts of interest between indigenous people, central and local government, companies and migrants.

A group of indigenous people have sabotaged the land—especially farms or plantations as a sign of protest. They even demanded high compensation. Some residences have been sabotaged in Benyom Jaya I and Benyom Jaya II Villages. Customary land conflicts also often become a concern for the Corruption Eradication Commission or Komisi Pemberantasan Korupsi (KPK), due to the lack of accountability during the land transfer (Loen, 2019).

The issue of equitable development, which has long been a demand of some Papuans since 1957, has been exacerbated by the emergence of the Free Papua Movement (OPM)—a secessionist movement which demands secession from Papua. The special autonomy that has been in force since 2001, and the separation of Irian Jaya into West Papua and Papua in 2003, has provided some progress in development in Papua. However, this does not necessarily eliminate social conflicts in Papua, especially conflicts involving indigenous peoples. Instrumentation of the positive law, coercive action, criminalization of a number of figures, manipulation, and ignorance have embellished the complexity of the conflict that occurred in Papua.

Since 2011, Papua has been declared as one of the centres of the Indonesian economy. Economic development certainly cannot be separated from infrastructures. In the context of Jayapura, the expansion of the Sentani airport that has been launched since 2011 apparently induces both vertical and horizontal conflicts. The expansion of the Sentani airport which comprising 12.5 HA disrupts land owned by indigenous peoples. An international

standardized airport launched by the Ministry of Transportation since 2011, has disturbed the sago—the staple of native Papuans, plantation. Conflicts involving the government and indigenous people, in the beginning, have been resolved properly. However, it turned out that the Sentani Airport Operational Unit (Unit Penyelenggara Bandar Udara or UPBU) has violated agreements with the community. The government, therefore, was asked to pay compensation for indigenous people in Ifar Besar—one of the villages in Sentani.

Lebensraum for All: A Hybrid Way

Land conflict in Papua is a complex issue involving various actors and interests. However, that does not mean there are no alternatives at all that can be an option for conflict resolution. Given that the root of the conflict is the difference between indigenous peoples, national and regional governments, migrants, and companies in perceiving the "land", and land transfer. Developing a "hybrid space" should be an option to bridge the interests of the actors. The area that is not only being a conservation land for indigenous peoples, but also provides economic benefits. Guadalcanal Plains in Solomon Islands is a good example of how customary land can function as a conservation land and also a commercial plantation (Allen, 2012).

In the context of Papua, hybrid space can be interpreted as an area that is owned by indigenous communities in Papua, land that is protected and conserved by the government, but can also be utilized for other purposes—plantation, public space, ceremonies, infrastructure, and lebensraum for indigenous people and settlers. To develop hybrid space, a policy that encourages four principles is needed—improving the welfare of indigenous people and distributive justice, fostering peaceful society and harmony. Those principles are necessary for resolving land conflicts and disputes.

The governance of hybrid space development should involve various elements, indigenous peoples and customary authorities, governments, developers, migrants, and policies and procedures that are not only in accordance with positive law, but also customary regulations. If there is no customary value included in the regulation, the implementation of special autonomy and the regulation of customary rights become irrelevant. The government needs to substantively adopt adat rituals and procedures as part of customary land governance.

REFERENCES

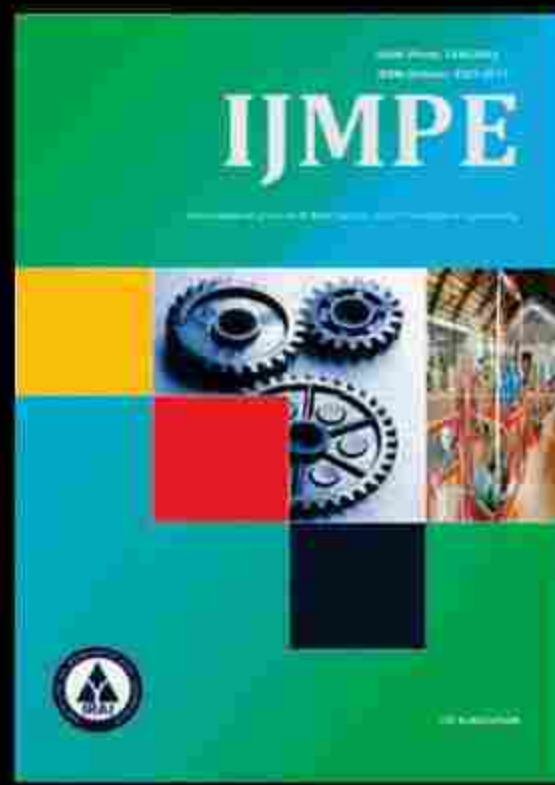
- [1] ALDP Papua. 2012. DAS Grime Minta Masalah Tanah Transmigrasi Untuk Diselesaikan [DAS asked trans-immigrant land disputes to be resolved]. Retrieved 3 October

- 2019, from <https://www.aldp-papua.com/das-grime-minta-masalahtanah-transmigrasi-untuk-diselesaikan-2/>
- [2] Allen, M. G. 2012. Informal formalisation in a hybrid property space: The case of smallholder oil palm production in Solomon Islands: Informal formalisation. *Asia Pacific Viewpoint*, 53/3: 300–313. <https://doi.org/10.1111/j.1467-8373.2012.01489.x>
- [3] Ananta, A., Arifin, E. N., Hasbullah, M. S., Handayani, N. B., Pramono, A. 2015. *Demography of Indonesia's Ethnicity*. Singapore: Institute of Southeast Asian Studies.
- [4] Basic Agrarian Law. 1960 No. 5.
- [5] BPS. 2012. *Penduduk Indonesia menurut Provinsi [Indonesian Population each Provinces]1971, 1980, 1990, 1995, 2000 dan 2010*. Retrieved 18 September 2019, from Badan Pusat Statistik website: <https://www.bps.go.id/statictable/2009/02/20/1267/penduduk-indonesia-menurut-provinsi-1971-1980-1990-1995-2000-dan-2010.html>
- [6] Creswell, J. W. 2013. *Research Design: Qualitative, Quantitative, and Mixed Method Approaches (Fourth)*. Thousand Oaks, CA: SAGE Publication.
- [7] DPRD Irian Jaya. *Pengembalian Nama Irian Jaya Menjadi Papua [Rename of Irian Jaya to Papua]*. 2000.
- [8] Heidbüchel, E. 2007. *The West Papua Conflict in Indonesia: Actos [i.e. Actors], Issues and Approaches*. Gießen, Germany: Johannes Herrmann Verlag.
- [9] Katharina, R. 2019. *Menakar Capaian Otonomi Khusus Papua [Measuring Special Autonomy of Papua]*. Yogyakarta: Yayasan Pustaka Obor Indonesia.
- [10] Loen, A. 2019, July 22. *Sengketa Tanah Hak Ulayat di Papua jadi Perhatian KPK [The customary land disputes in Papua become the KPK's attention]*. Retrieved 4 October 2019, from JUBI website: <https://www.jubi.co.id/sengketa-tanah-hak-ulayat-di-papua-jadi-perhatian-kpk/>
- [11] Lucas, A., & Warren, C. 2013. *Land for the People: The State and Agrarian Conflict in Indonesia*. Athens, Ohio: Ohio University Press.
- [12] Marshall, A. J., & Beehler, B. M. 2011. *Ecology of Indonesian Papua Part One*. Clarendon, Vermont: Tuttle Publishing.
- [13] Mccarthy, J. F., Robinson, K. 2017. *Land and Development in Indonesia*. Singapore: ISEAS-Yusof Ishak Institute.
- [14] Pemerintah Provinsi Papua. 2016. *Sekilas Papua [Papua at a glance]*. Retrieved 19 September 2019, from Pemerintah Provinsi Papua website: <https://papua.go.id/view-detail-page-254/Sekilas-Papua-.html>
- [15] Roth, W.-M. 2012. *First-person methods: Toward an empirical phenomenology of experience*. Leiden: Brill Publisher
- [16] Said, S. 1998. *Suharto's Armed Forces: Building a Power Base in New Order Indonesia, 1966-1998*. *Asian Survey*, 38/6: 535-552.
- [17] Terre, E. R. 2006. *Masyarakat Adat, Eksistensi dan Problemnya: Sebuah Diskursus Hak Asasi Manusia [Indigenous Peoples, Their Existence and Problems: A Human Rights Discourse]*. In *Hak-hak Masyarakat Adat dalam Konteks Pengelolaan Sumberdaya Alam [Indigenous Rights in the Context of Natural Resource Management]*. Jakarta: ELSAM.
- [18] The Republic of Indonesia. *The Constitution of the Republic of Indonesia*. 1945.
- [19] Tuan, Y.-F. 1990. *Topophilia: A Study of Environmental Perceptions, Attitudes, and Values*. New York: Columbia University Press.



JOURNAL PUBLICATION PARTNER

IRAJ INTERNATIONAL JOURNALS

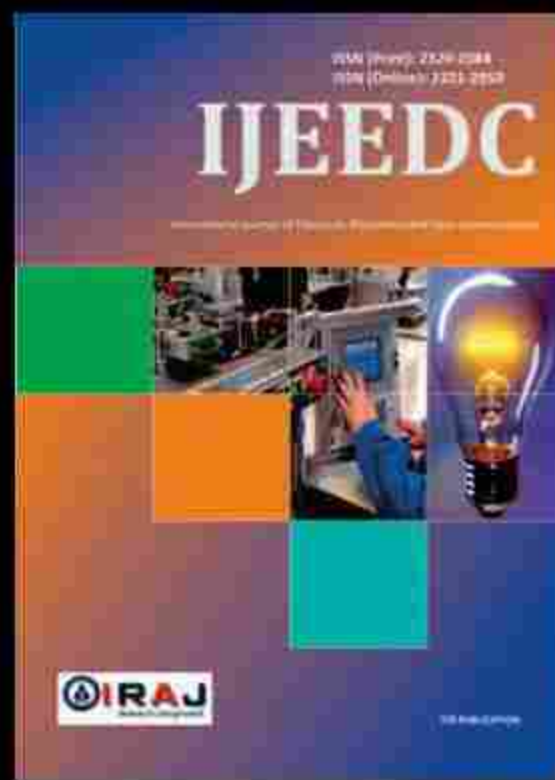


IJMPE

www.ijmpe.iraj.in

International Journal of Mechanical and Product Engineering

ISSN(P):2320-2092
ISSN(e):2321-2071

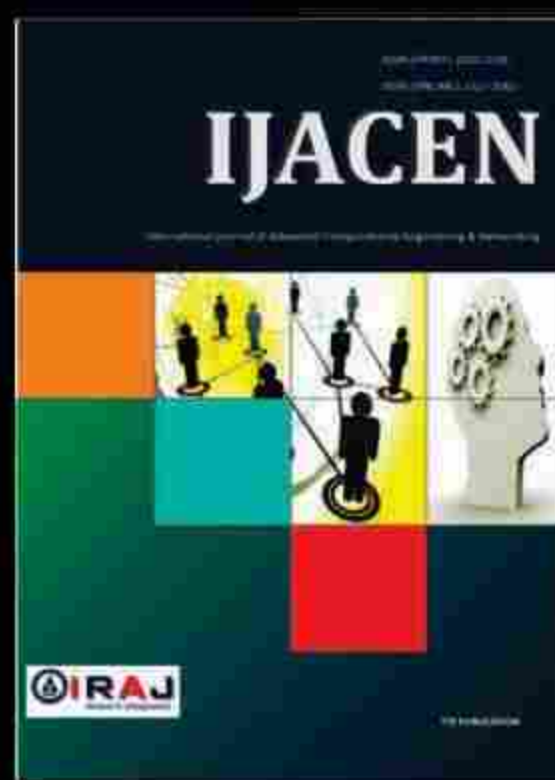


IJEEDC

www.ijeedc.iraj.in

International Journal of Electrical, Electronics and Data Communication

ISSN(P):2320-2084
ISSN(e):2321-2950



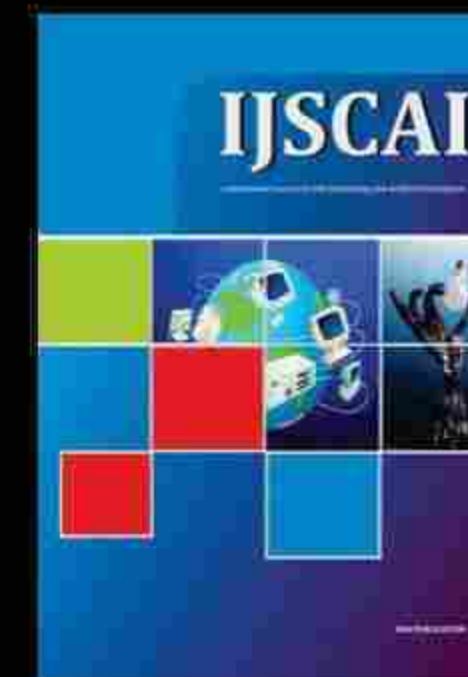
IJACEN

www.ijacen.iraj.in

International Journal of Advance Computational Engineering and Networking

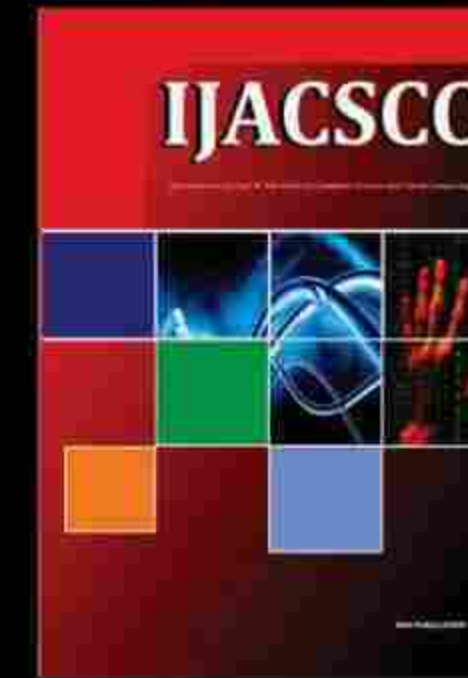
ISSN(e):2320-2106
ISSN(P):2320-2106

Journal indexed in



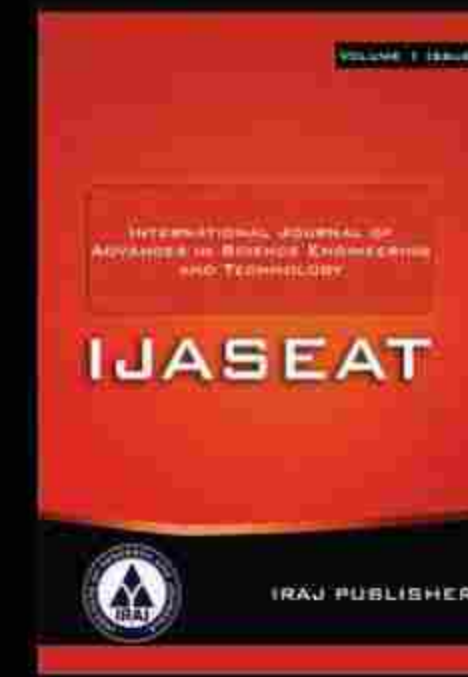
International Journal of Soft Computing And Artificial Intelligence (IJSCAI)

ISSN(P):2321-404X
ISSN(e):2321-4384
www.ijsc.ai.iraj.in



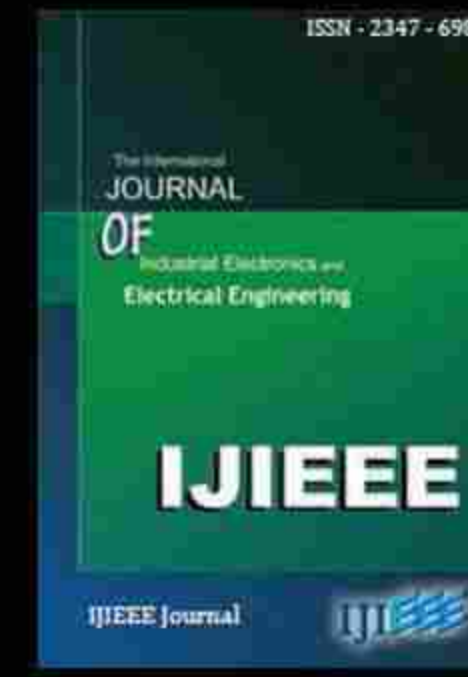
International Journal of Advances in Computer Science and Cloud Computing (IJACSCC)

ISSN(P):2321-4058
ISSN(e):2321-4392
www.ijacsc.ai.iraj.in



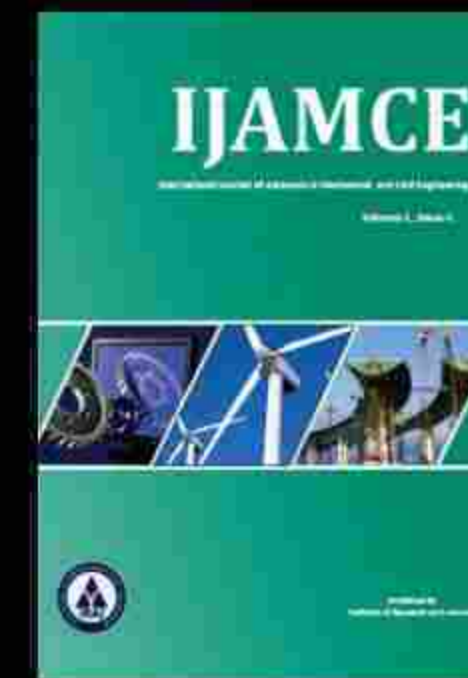
International Journal of Advances in Science, Engineering and Technology(IJASEAT)

ISSN(P):2321-8991
ISSN(e):2321-9009
www.ijaseat.iraj.in



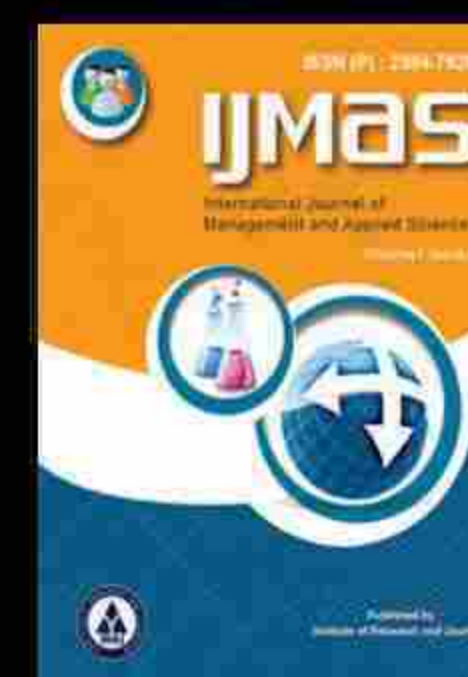
International Journal of Industrial Electronics and Electrical Engineering(IJIEEE).

ISSN(P):2347-6982
ISSN(e):2349-204X
www.ijiee.iraj.in



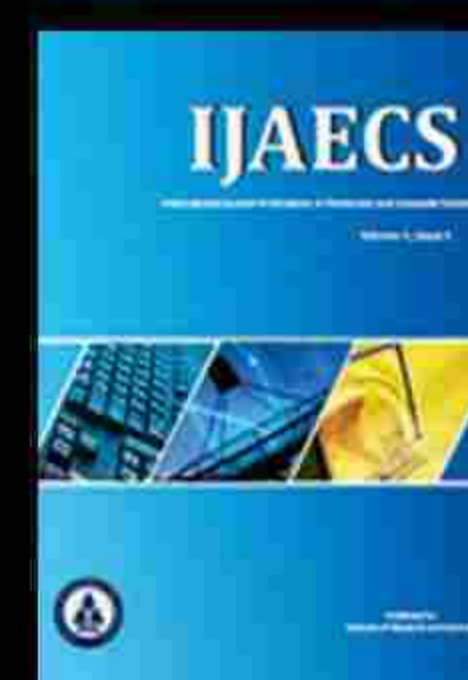
International Journal of Advances in Mechanical and Civil Engineering(IJAMCE)

ISSN(P):2394-2827
www.ijamce.iraj.in



International Journal of Management and Applied Science (IJMAS)

ISSN(P):2394-7926
www.ijmas.iraj.in



International Journal of Advance in Electronics and Computer Science (IJAECs)

ISSN(P):2393-2835
www.ijaecs.iraj.in

IRAJ Journals Listed in University Library

MIT, University of California Berkeley, Stanford, Cambridge, Oxford, Harvard

Visit for Upcoming Conferences- www.researchfora.com

ISBN



This book will be available online at
WORLD RESEARCH LIBRARY
www.worldresearchlibrary.org

