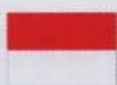




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CONFLICT RESOLUTION BASED ON LOCAL WISDOM IN INDONESIA

St. Laksanto Utomo

Email: laksanto@gmail.com

Abstract

Pattern of conflict resolution for one region could not be applied to others. Therefore, it should be carefully observed and analyzed it before stepping into the completion of particular conflicts. It is not only adopting the universal theory of conflict, but also use the local paradigm that objectivity remain in the framework of conditions, values, and the livelihood of locals. The local culture that is more appropriate to nation characters is the difficult to find. Therefore, national identity as the value of community identity, it should be built firmly and deeply internalized. The values of local wisdom are not outdated outmoded values that must be neglected, but it should be to synergize with universal and modern values. However the construction of national identity through the revitalization of the local culture, an understanding of local cultural philosophy to be done. Therefore, improvement in learning the local culture is necessary.

Keywords: conflict resolution//conflict management// customary law

A. Introduction

Indonesia consists of various ethnic, language, culture and civilizations, so that it has pluralistic identity. Pluralism in Indonesia is supported by various indigenous people long before Indonesia's independence. They own customary law community is a group of men living in a region that has a structure, with officials, have properties, acting as a single entity to the outside world.¹ Constitutionally under Article 18 and paragraph (2) of the 1945 Article 18 B (1) The State recognizes and respects units of regional authorities that

are special and distinct, which shall be regulated by law. (2) The State recognizes and respects traditional communities along with their traditional customary rights as long as these remain in existence and are in accordance with the societal development and the principles of the Unitary State of the Republic of Indonesia, and shall be regulated by law.

It is almost impossible to avoid conflict from society. As long as people still have interest, desire, and ideals conflict always "follow them". Therefore, in an effort to achieve what they want must be no obstacles, and they should be removed. Will possibly occurs conflicts of interest between the individual and the group, or

¹ Mahadi, 1991, *Uraian Singkat tentang Hukum Adat, sejak RR. Tahun 1854*. Bandung: Alumni.

group by group. If this is the case, then the conflict is something that necessarily happens in society.²

Conflict is the friction between the two camps or was attributed to differences in values, status, power, resource scarcity and uneven distribution, which can cause deprives relative³ in the community. Cultural conflict is a type of conflict occurs when different cultural values have a collision. Cultural and multi-dimensional conflicts recently is not happen incidently. However, an accumulation of imbalances in putting the rights and obligations that are likely not properly met. Conflict and human life is not possible to be separated and both are together because of differences in values, status, power, and resource limitations it does certainly exist in society. Conflict will always be found in human life or community life because of subsistence man to make efforts in the implementation is always faced with a number of rights and obligations. If the rights and obligations can not be met, then most likely the conflict occurred.

The practice of state violent and intolerant is sarcastically 'exemplary' to society. When people watch television newspaper, and other media range of news of violence for just trivial reasons. People murdered by their own neighbors only as being witchcraft allegation. There are fathers who can kill or rape their own daughter. There is also tons of news about sadistic murder and burglary tragic stories.

Local wisdom such as the values of humanity, solidarity, fraternity and other model of attitude is gradually wringled.

² Geoge Ritzer dan Douglas J Goodman, *Teori Sosiologi Modern* (Jakarta: Prenada Media, 2004), hal. 154.

³ *Deprifasi relatif* adalah kesenjangan antara apa yang diharapkan oleh masyarakat dengan kenyataan yang didapat.

Ideology and vision that emphasizes economic growth and physical development, and material compared with the spirituality of indigenous (local wisdom) propagated by the government apparatus, in many ways influenced the way of thinking and attitudes of most community members. Now the success of a person is no longer measured by the extent to which the social role and dedication in the community, but the wealth. In many communities now been poisoned by modernism consumer culture, selfish and practices justifies any means. The values of modernity were to shift the cultural wisdom of local communities. Clash of values was not uncommon to make people began experiencing an identity crisis.

B. Discussion

Indonesia is a country with diverse ethnicities. This diversity is characterized by a heterogeneous society quantity, which live scattered across archipelago ranging from the rural to the urban areas. Some of these factors are all the potential to be the cause of social conflict. In addition to a sense of nationalism is also reduced, the current Indonesian society is confronted with social inequality as their social stratification. Social stratification is not only focused on the fulfillment of the needs that are economical, but usually are political.

The more difficult to find job opportunity, the absence of equal treatment before the law, and a number of violations of human rights, the widening social inequality, the more potential to drive a conflict. Various social movements emerged in response to these conditions, with a variety of forms, for example: nuances racist, the desire to secede from Indonesia, and others. Social movement's raises problematic on ideological, political, economic,

social, cultural and security overlap.

This condition is triggered either conflict between community members, as well as with other community groups. Conflict is generally driven by the differences in the characteristics that brought the individual in an interaction. Among them are these differences are related to the physical characteristics, intelligence, knowledge, customs, beliefs, and so forth. Conflict is contrary to integration, because integration runs as a cycle in society. Controlled Conflict generally results in integration, but otherwise imperfect integration can create conflicts. Minnery⁴ defines conflict as an interaction between two or more parties are interdependent with each other but separated by goal difference in which at least one of the parties aware of these differences and take action against such action. In the sociology of conflict is also called conflict or contradiction, where the dispute is a form of competition that develops negatively. This means that the parties intend to harm or trying to get rid of the other party. The dispute is an attempt elimination of the presence of the other party. This understanding is in line with the opinion of Soedjono,⁵ the dispute is a form of social interaction in which one party trying to knock the other party or trying to eliminate rivals.

In the midst of a wave of violence, greediness and the crisis of local cultural identity that has been ravished humanity and solidarity all over country, there are still forces that continue to be maintained to strengthen the exemplary and wisdom among indigenous Musirawas peoples South Sumatra (South Sumatra). Wisdom

resolves conflicts, disputes through a humanitarian approach and brotherhood that is very noble Indonesia also has potential conflicts that could lead to national disintegration, namely inter-ethnic conflict, religion, race, class, central-local, civil-military, government agencies,. In addition, there are potential conflicts that characterize the implementation of regional autonomy, such as conflicts between local governments (mutual borders), conflicts between locally-based people's power against government officials, conflicts between local governments and the central government, and so forth.

Generally, conflicts of identity in a society tend to be more complicated, lasting and difficult to manage, and the conflict is characterized by primordial issues is more time consuming because it is very emotional. To overcome it all, there is no direct solutions because it always appears different among powers complex interactions in addition to the social condition different location. The pattern of conflict resolution in the region could not be applied in other areas. Therefore, a decisive step in the completion of the events of the conflict need to be observed and analyzed, not just based on the theories of universal conflict, but it is also necessary to use local or national paradigm that objectivity remain in the framework conditions, values, and the livelihood of our people.

Supporting aspects to analyse conflict resolution includes: actors, issues, motives, scope, other business has ever seen, the type of conflict, direction potential, the nature of violence, the region, the phase and intensity, capacity and its source, the tools, the circumstances conflicting relationships, and so on. The way of conflict resolution is more appropriate to use settlement models tailored to regional

⁴ John. R Minnery, 1985. *Conflict Management In Urban Planning*. Brookfield: Gower Publishing Company. Hal. 35.

⁵ Soedjono. 2002. *Misteri di Balik Kontrak Berma-salah*, Bandung: Mandar Maju. Hal. 158.

conditions and local culture.⁶ Ideally when the settlement is made based on community initiative that still adhere to local customs and be aware of the importance of local culture in maintaining and ensuring integrity.

Among the local wisdom that has been preserved, among others Dalihan Natolu (Tapanuli), betang (Central Kalimantan), Manyama Braya (Bali), Saling Jot and saling pelarangan (NTB), sire you in sun, ingsun yo siro (East Java), alon-alon waton kelakon (Central Java / Yogyakarta), and basusun betel (Malay / Sumatra). Traditions and local wisdom that still exist and prevail in society, has the potential to be able to encourage living peacefully in harmony. That's because local wisdom essentially teaches peace with each other, the environment, and the Lord.

Probably the most appropriate conflicts resolution is using local knowledge as long as it is already deep-rooted in the community and it is just a profane oriented, but also sacred oriented so that its implementation can be more quickly and easily accepted by society. With local indigenous conflict resolution is expected to be quickly realized, acceptable to all groups.

Indigenous conflict resolution using customary law by exploring the community values, and applying them fairly and wisely. In this type resolution customary no one wins or loses, but strived to balance the disturbed recovered, and the disputing parties can relate harmoniously.⁷ A village head not only in charge of administrative matters, but also have a respon-

sible to resolve disputes that arise in communities where customary law or jurisdiction.⁸ In other words, the head of the village run affair as a justice of the peace village (dorpsjutitie). For that reason he will try to:⁹

- Receive and study the complaint submitted to him.
- Ordered the leaders to investigate the case, by contacting the parties concerned.
- Organizing and setting up trials in village hall.
- Inviting the village elders would accompany the presiding head of the village, and others as necessary.
- Inviting the disputing parties and witnesses .
- Opening the trial and offered peace between the two parties, if deemed necessary may be carried out closed hearing.
- Examine the case, hearing the testimony of witnesses, opinions village elders, village heads and other concerned.
- Consider and issue a decision based on the agreement of both parties.

The function of village head in dispute settlement act as justice and peace keeper, as well as neutral intermediary who help disputed parties through negotiation or consensus. In this case the head of the village did not have the authority to decide. The village head only helps the disputing parties in finding a solution that is mutually acceptable. Dahrendroof men-

⁶ Konjtaraningrat, Manusia dan Kebudayaan di Indonesia (Jakarta: Penerbit Djambatan, 1993), hal. 31.

⁷ Reily, Ben. 2000. *Demokrasi dan Konflik yang Mengakar: Sejumlah Pilihan Negosiator*. Jakarta: International IDEA. Hal. 78

⁸ Alo Liliweri, Prasangka dan Konflik: Komunikasi Lintas Budaya Masyarakat Multikultur (Yogyakarta: LKiS, 2005), hal. 249.

⁹ Geoge Ritzer dan Douglas J Goodman, Teori Sosiologi Modern (Jakarta: Prenada Media, 2004), hal. 154.

tions that efforts to resolve the conflict with the indigenous customary law approach that is based on the principle of harmonious, inappropriate, and barrel. Can be described as follows:¹⁰

- a. The principle of togetherness
In terms togetherness (*rukun*) is working principles serves as guidelines in the conflict resolution. It is closely related to to live together with peers, to achieve a society that is safe, peaceful, and prosperous. Application of the *rukun* principle of the indigenous conflict resolution intended to restore the original state of life, status and honor, as well as the establishment of harmonious relations among villagers.
- b. Principles properness
Proper here is refering to natural decency and common sense, which is addressed to an assessment of an event as well as the state of human actions. The proper principles approach meant that indigenous conflict resolution can maintain the good name of the individual, behaving in a respectable or socially acceptable way. So that no one feels downgraded or debased status and honor.
- c. Principles of harmony
In customary law, these principle used in traditional actual resolve conflicts wisely, so that the parties concerned and the indigenous peoples satisfied. This approach is conducted with respect to place, time, and circumstances (*desa, kala, patra*) so that the verdict against indigenous conflict accepted by the parties and the public.

Customary law and local wisdom

¹⁰ Dahrendorf, dalam Sosiologi Ilmu Pengetahuan Berparadigma Ganada (Jakarta: Rajawali Press, 1998), hal. 34.

are rooted in the local community cosmology. It is a local community perspective about themselves and the environment as well as the relationship between them. Before analyzing the pattern of settlement, it is necessary to understand the cosmology community as the foundation of philosophical mindset, words, and deeds pattern of society in the region. And, in every socio-cultural change, they always move to the rhythm of the cosmological community. Cosmology serves as a rhythm that guides the motion of the community action to achieve harmony. It should be presupposed that the society as a living organism.¹¹

Local knowledge is considered as one of the alternative solutions in conflict resolution. Local policies are rooted and are considered sacred; its implementation can lead to more efficient and effective because it is easily accepted by society. Local knowledge has the potential to encourage people's desire to live in harmony and peace. Traditions and local culture generally does teach peace to live in harmony with their social environment.¹² Basically it is the local wisdom that a tradi-

¹¹ Wessing, Robert, 1978, *Cosmology and Social Behavior in a West Javanese Settlement*. Ohio University Center for International Studies, South-East Asia Series, No. 47. Athens Ohio: Centre for Southeast Asian Studies.

¹² Simon Fisher, *Mengelola Konflik: ketrampilan dan Strategi Untuk Bertindak* (Jakarta: The British Council, Application of local wisdom is not easy, because so many of the values from the outside that is currently widely diadospi by the people of Indonesia. However, opportunities to promote local wisdom as conflict resolution is also still there. This is in accordance with the opinion of Vivienne say that the cultural element as a potential area of local wisdom as it has proven its ability to survive until now. The fourth characteristic is exemplified by her local knowledge is a potential force for conflict resolution. Burton argues that local knowledge has the following advantages: 2001), hal. 14.

tion for generations. It contains a norm that teaches harmony and unity in civic life.

Approach local knowledge cannot be equated between the regions to other areas. However, local wisdom remains cored on a cultural approach, utilizing local values and culture that has been owned by the local community. As was stated by Swarsi Geriya, that local knowledge is composed of values, ethics, and behaviors traditionally institutionalized. This indicates that people who live together in the guidance of a value system, will complement their rules with a number of local policies are entrenched. The goal of course to anticipate the misunderstanding problems.

Local knowledge as the most powerful way to find a solution in resolving the conflict. The condition is done by inviting the community involved in the conflict to discuss and negotiate the desires of each against the other party. This will provide a lasting influence on the settlement of which is considered possible and appropriate, and can be used as an early warning of the conflict (conflict early warning system).

Implementation of local wisdom is not easy, because so many values from outside that currently many diadospi by the people of Indonesia. Nevertheless, opportunities to promote local wisdom as a conflict resolution are still present. This is in accordance with the opinion Vivienne said that the element of potential regional culture as local wisdom because it has been tested its ability to survive until now. The four characteristics of local wisdom exemplified by him is a potential force for conflict resolution. Burton¹³ argues that

local wisdom has the following advantages:

Application of local wisdom is not easy, because so many of the foreign values currently being adopted by Indonesian. However, opportunities to promote local wisdom as conflict resolution are also still there. This is in accordance with the opinion of Vivienne¹⁴ say that the cultural element as a potential area of local wisdom as it has proven its ability to survive. The fourth characteristic is exemplified by her local knowledge is a potential force for conflict resolution. Burton¹⁵ argues that local knowledge has the following advantages:

- a. Survives from outer cultural influence;
Typical local knowledge resistances to foreign cultures. Besides not easy to be influenced by foreign culture, local wisdom tends to preserve and maintain the group members to remain subject to the rules applicable. Various local rules that bind are not regarded as something that is restrictive, but be a form of respect for the values of noble ancestors.
- b. Accommodate Cultural Affairs
Local knowledge does not reject foreign cultures, but sought to accommodate it to be in harmony with the local culture. The goal is to maintain local values in order to continue to grow, especially for strengthening the next local generation. I enriches the values of local wisdom.
- c. Integrate Cultural Elements;
Foreign cultures, more and more into the territory of Indonesia, it should be

¹³ Burton, John. 1990. *Conflict: Resolution and Provention*. London: MacMillan Press.

¹⁴ Jabri, Vivienne. 1996. *Discourse on violence: Conflict analysis reconsidered*. Manchester: Manchester University Press.

¹⁵ Burton, John. 1990. *Conflict: Resolution and Provention*. London: MacMillan Press

adapted to the local culture that is not destructive to the life of Indonesia. The trend is occurred a lot of groups of people who adopted it, but it would be better to be adapted so as not to conflict with the local culture itself. For adopt can be interpreted as an act of receiving the full arrival of foreign culture, not customize and integrate it into their own culture.

d. Ability to Control;

Local wisdom in addition to maintaining the members of the group can also be used to control the intention to commit destructive acts. The patterns formed in the local wisdom points to the value of togetherness, family, cooperativeness and willingness to resolve the problems with the deliberations. The pattern is very potential to prevent, reduce and even overcome social conflicts that occur at this time. Back on the local knowledge means indicates the strength of our own nation in solving the problems faced.

e. Directs Cultural Development;

Gradually people are getting lost their identity, lead to the strengthening of local knowledge needs to be done. Because local knowledge is able to redirect the identity of Indonesia in accordance with its cultural diversity. The existence of local knowledge can not only be used to resolve the conflict, but also provide enrichment to the cultural values of the sublime.

Although there are advantages for the settlement of social conflicts, but in fact local knowledge can only be done when the conflict has reached stage III or IV. In addition to be completely neutral mediated between conflicting sides, local knowledge will also not be efficiently done if the social conflict they involve

political and military power. Local wisdom in both of these steps can be done by turning on and rebuild social relations in the region, according to the culture of each to the smallest unit ie the village

Conflict is not always negative consequences for society, as it can be well managed. Actually, it can produce positive things. For example, as drivers of change in society, updating the decision quality, innovation and creativity, as a means of evaluation, and so forth. However, do not rule out the possibility that if the conflict is not managed properly, it will cause a negative impact and harm to society.

It necessary to note that in resolving the conflict we must understand the complexity of the conflict at hand. Everyone should be aware that every conflict has a complexity of each so can not simply apply the theory to solve it. All also have to remember that in additional measures; in fact the community also has its own culture in solving the problem. Nevertheless, conflict resolution neglects the local customs and culture.

C. Conclusion

Indonesia has the potential for quite latent conflict, if it not managed carefully could lead to disintegration, the potential for conflict between tribes, religion, race, class, central-local, civil-military, government agencies or states, powers, society, etc. In addition, there are potential conflicts that characterize the implementation of regional autonomy, such as the local intergovernmental conflict (about each other), the conflict between locally based people power against government officials, conflicts between local governments and the central government, and so forth.

The models of conflict resolution in the region could not be applied to other.

Therefore, a decisive step in the completion of the problem need to be observed and analyzed, not only based on the theory of universal conflict, but should also use the local paradigm that objectivity remain in the framework conditions, values, and the livelihood of locals. Important factors that became the basis of the analysis and resolution of conflicts among them concerning: the stakeholders involved, the phase-level conflict, issues and causes, types of conflicts, the direction or policy areas, the potential resource, violent nature, region, capacity and tools, and communication and relationships among conflicting parties. In response to the conflict settlement required more precise by applying a solution model tailored to regional conditions and local culture.

Development efforts identity of Indonesia, including appreciation in the value of culture and language, the values of

social solidarity, kinship and love for the homeland perceived to be fading. The local culture is more in keeping with the character of the nation is getting harder to find, therefore, national identity as the value of community identity should be built firmly and deeply internalized. How, by instilling the values of local wisdom early on to the younger generation through the pattern of socialization and education based on local wisdom. It should be understood, the values of local wisdom is not outdated outmoded values so abandoned, but is expected to synergize with universal values and modern values. As a follow up the construction of national identity through the revitalization of the local culture, an understanding of local cultural philosophy to be done. Therefore, improvement in learning the local culture is absolutely necessary.

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