

Resolving Inter-Ethnic Conflicts in Mimika Regency, Papua

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Abstract— According to the warring tribes that tribal wars are natural so it can't be avoided from any problems in human life in the world including the tribes that fight in Mimika. For the sake of war between tribes is to dominate other tribes, just a fight between tribes to determine who is strong and who is weak or who wins and who loses in the war. On the other hand, looking for evidence of who is right and who is wrong, then also more tribal wars because they still hold grudges. The purpose of this research is to understand the process of inter-tribal war and conflict resolution in Mimika Regency. While the research procedures in this study are research methods, research focus, research subjects, data sources, time and place of research, data collection techniques, data analysis techniques, and data validity checking techniques. To resolve tribal war conflicts, resolve through two legal approaches, namely positive law (written law) and customary law (unwritten law). However, the majority of the community considers that they do not agree with resolving tribal war conflicts through customary law, because the settlement by customary law is temporary or only for the short term.

Keywords— Conflict resolution and inter-ethnic conflict.

I. INTRODUCTION

Conflicts involving indigenous tribes with migrant tribes, or with security forces, generally intersect with different perspectives on a case/object. The triggers are sometimes personal, but in the process it extends to involve the community. Especially for conflicts between indigenous tribes, from several cases that have occurred, the triggers of conflict are centered on the issue of women (dowry, elopement, adultery), pigs (theft) and the struggle for economic land (funds, gold pans, fighting over agarwood, fighting over land). For the settlement of tribal wars, one must carry out several processes, whether the settlement is through positive legal processes or customary law or written or unwritten law. Based on the current facts, the settlement that dominates is through customary law at the community level itself. The community took the initiative to end the war because: the victims were balanced, experiencing hunger, boredom, being able to pay their heads, wanting to be safe even though holding a grudge would one day explode or being safe by forcing themselves and other agreements taken together by both parties. The existence of mediation as a form of alternative dispute resolution mechanism is not a strange thing, because the method of conflict resolution is part of social norms that live, or at least, have lived in society. This can be traced from the fact that people's lives are more oriented towards balance and harmony, the essence of which is that everyone feels respected, valued, and that no one's interests are defeated. However, this balance and harmony experienced erosion (erosion) when the modernization process took place (Rahardjo, 1984:xviii).

The inter-ethnic conflict resolution model in Mimika Regency uses the customary law model because the community considers customary law to be a faster resolution process than positive law. In addition, the position of the government and the police as a mediator to resolve inter-tribal conflicts, so that the resolution of inter-tribal conflicts is more of a government role as a mediator. The model of cultural pluralism, in multiculturalism and cultural pluralism, conflicts often occur because each ethnic group does not recognize the cultural differences that exist in society. As a result, each ethnic group will elevate its ethnicity to a superior level and make other ethnic groups inferior. This pluralism model can help us to do conflict resolution. For example, to reduce inter-ethnic conflict, individuals or groups are invited to give a certain reaction to the influence of the social environment by adopting the new culture, that is inter-ethnic assimilation. Besides assimilation, the factor that enables us to resolve inter-ethnic conflicts is accommodation. In the accommodation process, two or more ethnic groups who experience conflict must agree to accept cultural differences, and the change in acceptance must go through the creation of common interests. With accommodation, people of different ethnic or ethnic groups can recognize different cultures in the same society (Liliweri, 2005: 321).

Generally, conflicts about identity in a society tend to be more complicated, long lasting and difficult to manage, while conflicts with primordial characteristics are difficult to resolve because they are very emotional. To overcome it all, there is no elixir recipe that immediately heals because there are always complicated interactions between different forces in addition to the variables of social conditions in the Mimika Regency area. The pattern of conflict resolution in one area may not be applied in another. Therefore, in determining the steps for resolving various conflict events, it is necessary to observe and analyze, not only based on universal conflict theories, but also to use the local paradigm of Mimika Regency so that objectivity remains within the framework of the conditions of values and the order of life of the Mimika community. Factors supporting the analysis of conflict resolution include: actors, issues, causal factors, scope, other existing businesses, type of conflict, direction/potential, nature of violence, area, phase and intensity, capacity and source, tools, circumstances. conflicting relationships, and so on. The way to resolve conflicts is more appropriate if you use settlement models that are adapted to the conditions of the region and the culture of the Mimika community. Ideally if the settlement is carried out at the full initiative of the indigenous peoples who still adhere to local customs and are aware of the importance of local culture in

maintaining and ensuring the integrity of the Mimika Regency community. Among the local wisdom that has existed since the past and has been preserved and maintained until now is mutual cooperation and cooperation to solve or solve problems. It is very appropriate to resolve conflicts by using customary law that applies in the community because so far it has been entrenched in society. Therefore, customary law is something that has taken root and is usually not only profane-oriented, but also sacred-oriented so that its implementation can be more quickly and easily accepted by the community and recognized by positive law and local governments. With this customary law, it is hoped that conflict resolution can be realized quickly, can be accepted by all groups so that it can become peaceful and harmonious.

II. RESEARCH METHOD

The research approach that has been used to achieve the research objectives is qualitative with the type of phenomenological research. The researcher chose the type of phenomenological research, because he wanted to examine public awareness both individually and in groups towards the attitudes and behavior of inter-tribal wars and also the understanding of the community in interpreting tribal wars themselves. In this writing, the author tries to collect data from various sources, including conducting interviews with the community, library books, reports, results of previous research, statements, experiences both seen, heard, and felt, print and electronic media, and other sources related to inter-tribal wars and conflict resolution in Mimika Regency, Papua Province. Qualitative data collection is by focusing on the actual types of data and the collection procedures. However, data collection involves much more than that. Data collection includes seeking permission, implementing good qualitative sampling strategies, developing ways to record information, both digitally and on paper, storing data, and anticipating ethical issues that may arise. In this study, the researcher also used an unstructured interview technique, because according to the researcher this technique was very easy and free or not strict in conducting a dialogue between the researcher and the key informants and the subjects, then writing things related to the research problem and analyzing the data. By using an interview guide like this, it is possible to find out the way of thinking of the actor or key informant and the subjects and the underlying reasons according to the problem of inter-tribal wars that often occur in Mimika Regency.

III. RESEARCH RESULTS

1. Legally Positive Tribal War Conflict Resolution

From year to year since 1997 until now, the tribes who inhabit Mimika Regency, Papua almost every week there is a civil war or inter-tribal war in Mimika Regency, but the war is difficult to resolve or prevent. Although inter-tribal war conflicts were successfully stopped by the local government, security forces (police and TNI), as well as the church, it was only temporary or short term. Meanwhile, long-term settlement is difficult to achieve, because the implementation of tribal war settlement carried out by the provincial and district governments, security forces, the church, and other elements

does not approach through positive law, even though the expectations of society in general are that the perpetrators must be arrested and then prosecuted according to the laws in force in this country, because our country is a country of law. Therefore, the existing laws in this country must be used properly. The great desire and hope of the Mimika community is that the local government, both executive and legislative, work together to formulate Regional Regulations (Perda), then certain articles regulate the settlement of inter-tribal wars and the perpetrators must be subject to the maximum legal process, taking into account that other communities want war by itself afraid it will happen again. For the settlement or handling of every inter-tribal war in Mimika Regency, where the local government, DPRD, and security forces actively voice and come directly to the location of the war, but before coming to the war site, usually hold a meeting to discuss the handling strategy by gathering or involving each party. Each perpetrator or organizer of the war, tribal chiefs, the church, traditional institutions, and so on then descended to the site of the war to have a dialogue with the two warring camps. Those who were also present at the site of the war were the provincial government, the district government, the provincial and district parliaments, the TNI-Polri, the church and others. But especially for the security forces (TNI-Polri) almost every day the war came to the war site to secure the course of the war. The local government and security forces (TNI-Polri) take part and participate or are directly involved in the settlement or peace of tribal wars under customary law. For example, settlement or peace between each warring faction through broken arrows (*mang namok puguwin*) and pig arrows (*japu kot ogomuwin*). In this procession, the local government and security forces took over to shoot arrows in order to advance to the peace process, the two warring factions were directed to shake hands. Then they signed a statement from each of the perpetrators of the inter-tribal war (*wemum*) in front of the Regent, DPRD, Kapolres, Danrem-Dandim and other Muspida.

2. Settlement of Tribal War Conflicts by Customary Law

In the settlement of inter-tribal wars carried out by the people of the central highlands of Papua, after the inter-tribal wars are over and then make an effort to resolve or end inter-tribal war conflicts according to customary law, they are required to follow several processes or stages according to their customs.

The first stage, build communication. At this stage, each actor or war organizer (*wemum*) builds active and dynamic communication with each other, especially with regard to how to make peace with the victim's family. Thus, by building good interaction and communication, peace can run well and smoothly. The second stage, count the death toll to determine whether it is balanced or not (*medogowin*). *Medogowin* is a process to ensure that how many people died in the war, both in camp A and in camp B, if it turns out to be balanced, then the next process is prepared to break arrows. If the death toll is more or not balanced, then the highest decision rests with the victim's family (*kogom pingam namum*) and each of the organizers or perpetrators of the war (*wemum*), but also among the highest decisions rests with the victim's family (*kogom*

pingam namum). . Regarding the higher death toll, each war organizer (wemum) offered to the victim's family (kogom pingam namum) to pay the head after peace, if accepted by the victim's family, the peace process continued. But it turned out that the offer was rejected by the victim's family (kogom pingam namum), so the war could continue. The death toll in war must be balanced or equal in the two warring camps, for example the two warring camps have two (2) people killed each, then the two sides jointly make a decision to immediately end or stop the war. But then the death toll in the war turned out to be not balanced or not the same in the war, so it is rather difficult to immediately end or stop the war between tribes, because of that the war continues until the death toll must be balanced or the same then try to end the tribal war.

Certain conditions and circumstances; the two warring factions or one of their factions both took the decision to stop the inter-tribal war, to stop it either temporarily, then resume it and also stop it for good. The war is stopped even though the death toll has not been balanced or not yet the same, for example, three (3) people are killed in the other side, while the fourth four (4) people are killed, but in their decision to stop or end the inter-tribal war by considering certain conditions and circumstances, for example, the two warring factions and also the victim's family experienced: defeat from the opposing camp, boredom, hunger, the intention of holding a grudge and then one day it will surely take revenge, forcibly stopped by the police, both parties agreed to pay the death toll, the willingness or sincerity of the parties involved. victims' families, and other considerations that made them have to stop the war. However, in this way, there is no solution for the accumulation of vengeance, especially for the faction that suffered defeat in the tribal war.

The third stage, broken arrows (mang namok puguwin). The traditional peace procession between the two warring factions in Mimika Regency, Papua, was successfully carried out. Both camps agreed to end the customary war and promised not to do the same thing on behalf of the group. The procession of breaking arrows in front of the Mimika Regent Eltinus Omaleng, the chairman of the Mimika DPRD Elminus B Mom, and the Mimika Police Chief AKBP Yustanto Mujiharso, both camps from each group carried out the traditional procession of broken arrows. The procession of breaking arrows is carried out in five stages, namely splitting wood and installing stakes, war actors (Woemum) running towards each stronghold, shooting piglets and the core of the ritual is breaking arrows.

Image: Peaceful Broken Arrow Procession in Mimika District



Source: Greetings Papua 19 April 2018

The fourth stage, pig arrows (japu kot ogomuwin). Pig arrows (Japu kot ogomuwin) is one of the peace processes that must be carried out by each warring faction and face each other with the aim of simultaneously shooting pigs, then they have determined a certain location for the implementation of the pig arrow procession, which brings three pieces of wood, then one sticks on the right and the other on the left. The distance between each wood is about 5-10 meters. Then in the middle of the two woods, the other wood crosses above the middle of the two woods that have been installed before. After that, two pigs that are still alive put or hang on the wood that has been crossed earlier, a distance of about 4 meters. Concretely, in Mimika Regency, after three months of conflict, the two opposing camps in Kwamki Narama District, Mimika Regency, Papua finally made peace. The peace procession is carried out through a traditional procession, namely the arrow of a piglet to death. The arrow of the piglet, which is a customary condition for peace, is carried out by each Woemum or war actor from the two warring camps and witnessed directly by the Mimika Regency regional government and the Puncak Regency government. Also present in the procession were Puncak Regent Willem Wandik and Mimika Regent, represented by Mimika Deputy Regent Yohanis Bassang, as well as representatives of DPRD members from each district.

After the arrow of the piglet died on the spot, the procession was continued with greetings by both sides as a sign of the re-establishment of friendship. Then proceed with the signing of the agreement contained in the peace agreement between the two camps by each representative of the perpetrators or war organizers (woemum). Including the general chief of each district. The essence of this peace process is that after signing the peace agreement, the two parties are no longer allowed to attack each other that causes casualties. If this happens, then the security forces will take firm action by processing the law on the individuals who carried out the attack. Both sides also agreed that if a criminal act occurs, it will not involve the camp or group, but the person who did it who will be individually responsible. The fifth stage is a special group meal for men or hand washing (Menowe nowin/menagao buliwin). In this stage it must be carried out by men only, not involving women and children, then this event is taken over directly by the perpetrators or war organizers (woemum), the event takes place at night around 07 pm until morning. The event of eating together with several pigs, technically entering through the front door after eating pork and then the fat is smeared all over the body, all this process is served by the woemum after that it comes out through the back door, alternately until all participants in the war must be completed, the event takes place until the next morning. At night everyone is quiet, they are assigned the task of taking the blood of pigs and then putting it or placing it along the roads and paths or locations which during the war they passed, put the blood of pigs in secret, because people don't know it. surroundings. This is an act for purification of blood so that citizens are free to carry out activities without any ties. The sixth stage is a joint meal for women or for the public (In nowe nowin). events to feed women (in nowe nowin). In this regard, then the next day to feed the women (in nowe nowin) or including children. For the

implementation of the event to feed women and children, the preparation of around 50 pigs or even more. Therefore, for them, as perpetrators or organizers of war, they are not allowed to eat. The stone-burning event takes place around seven in the morning until noon or until it's finished, the event of feeding the women (in nowe nowin) is common, anyone can eat, whether it's a woman or a man.

The seventh stage, close the pond (boneil awuwin/hibo dogomawin). Covering the pool is an obligation that must be carried out by the perpetrators or organizers of the war (woemum). This implementation is part of cleansing the blood or purifying the blood if it is not so, then the consequences are very large for generations to generation because it must be done according to custom, because it is the most important part of saving their generation. Besides cleaning the traditional house (hibo). The eighth stage, pay the head (mehao Jagawin). Paying the head is something that must be done after the war is over. To determine the amount of money to pay the head it depends on the victim's family. In accordance with the request from the victim's family, the provisions for the amount requested are not the same between one victim's family and another victim's family. Based on the experience that has been witnessed together in the recent head payment in Mimika Regency, it has reached Rp. 755,000,000; (seven hundred and fifty five million rupiah) and also one of the victim's families who have determined or asked to pay the perpetrator or organizer in the amount of Rp. 2,500,000,000 (two billion five hundred million rupiah).

Image: Peace Procession Paying Heads in Mimika District



Source: Greetings Papua 19 April 2018

TABLE 1. Paying the Heads of the Deaths in the Tribal War in Mimika County

No	Year	Tribal War	Total Pay Head
1	2006	Dani-Damal	Rp. 300.000.000; head
2	2013	Dani-Moni	Rp. 2.500.000.000; head
3	1997	Dani-Amungme	Rp. 3.500.000; head

Source: Results of interviews and personal observations

Based on the data in the table above, it shows that from year to year the demand for head payments for one person is increasing until now. The total demand for money is equivalent to money to build a district but spend it on the head. Number 3 in the table above, a war occurred in 1997 between the Dani tribe and the Amungme tribe in the Freeport area, then the Dani tribe suffered arrows to death in early 2018. So the victim's

family demanded or asked to pay the head of Rp. 3.500,000,000; (three billion five hundred million rupiah), although the war took place in 1997, the demands to pay it are adjusted to current developments. Pay the head of Rp. 3,500,000,000; pay openly, but other than that pay secretly Rp. 500,000,000; including 4 shells and dozens of pigs. If cashed it can reach as much as Rp. 4,000,000,000; (four billion rupiah) more. The handling of tribal war conflicts is not only from one side, but must involve all elements of society, namely the local government, NGOs, church leaders, traditional leaders, tribal leaders, community leaders, and so on. He also explained several things that he thought were the solutions for handling conflicts in this area, including:

- The law must be enforced, the perpetrators of tribal or civil war conflicts must be arrested and sent to prison (given a life sentence) in accordance with the applicable laws and regulations.
- The authorities may not release or release the perpetrator, if the perpetrator's family comes to pay to be released from prison.
- The local government (Bupati) may not provide funds to "pay the head" because the funds are for regional development, not for paying the head.
- Stop drinking because conflicts often occur, the problem starts with alcohol
- Lack of supervision and security from the local government and security forces.
- When a conflict occurs, it must involve all elements of society, not just one party.

In handling inter-tribal wars, the community agreed and said firmly that the local government (Bupati) should not give money to people in conflict to "pay their heads". According to them, conflicts often occur and continue because of the weakness and negligence of the regional government, in this case the Regent as the regional head. Positive law is important to implement, therefore positive law must be enforced, it is not allowed to prioritize or apply customary law (unwritten law), because we consider that the resolution of tribal war conflicts through customary law is not guaranteed for the long term, because conflict resolution is through customary law. only short term.

IV. CONCLUSION

According to the warring tribes that tribal wars are natural so it can't be avoided from any problems in human life in the world including the tribes that fight in Mimika. For the sake of war between tribes is to dominate other tribes, just a fight between tribes to determine who is strong and who is weak or who wins and who loses in the war. On the other hand, looking for evidence of who is right and who is wrong, then also more tribal wars because they still hold grudges. Therefore, with the prolonged conflict in Mimika Regency, it is necessary to have a settlement or peace in the inter-tribal war in Mimika. To resolve tribal war conflicts, resolve through two legal approaches, namely positive law (written law) and customary law (unwritten law). However, the majority of the community considers that they do not agree with resolving tribal war conflicts through customary law, because the settlement by customary law is temporary or only for the short term.

Therefore, positive law or national law must be enforced and perpetrators must be processed by applicable law

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