

Border Conflict Areas in Indonesia (The Study on Boundary Conflict in West Sumatra)

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Abstract— Friedrich Ratzel says, "Life is a struggle for grabbing space, where all nations must have a conception of space that contains the idea of the bounds of a region". This statement is reminiscent of humans; the higher the population the less space is available the more open the possibility of conflict of annexation. Activity of human today-on the surface of the ground-will always limited by activity of the other human beings on their land. On the ground where human creates a boundary marker along with the rules to follow and only within the specified border of human breeding and earning a living without edge disturbed as well as disturbing other people. Must not violate or took something from the region has a boundary marker, because it would lead to conflict. Since the emergence of that border problems, human need concepts and theories about it. The border in a simply give the meaning as a symbol of privacy and control over a territory. The border must be maintained, updated and disseminated primarily to future generations to remain eternal. The border has two attribute all at once, fixed and dynamic. The border is dynamic if still available room for change, but can also be fixed if it is limited by the other party. In order to maintain the border there is has been war and in order to achieve peace the border has been changed. Boundary is just an inanimate object that was changed at the will of human. The border is a manifestation of the human will to clarify the powers and identity to their society.

Keywords— Borders; conflict; Indonesia

I. THE CONCEPT OF BOUNDARIES AREA

The border line means as boundaries, while the borders region is an administrative area which is the location of boundary lines are located (Zuharnen, 2010.5). Boundary problems can be assessed by the three fields of science, the first perspective that examines the boundaries of geography with remote sensing with the end result of mapping the territory in its activities. The second perspective examines the legal boundaries of the setting process and assertion borders on the basis of existing legal sources as well as generates new sources of law. The third perspective that examines the boundaries of sociology rather than the interaction between people in the border area in an attempt to reach agreement on the boundaries. All three disciplines are inter-related needs and to one another. An example is the Regulation of the Minister of the Interior Number 27 of 2006 on the Determination and Confirmation of the Village borders. These regulations bring together aspects of sociology in the early stages namely by emphasizing the importance of consensus among community village to eventually produce a map of village boundaries under the guidance and direction of the geographers. Legal aspects as defender and adhesives begin from the consensus process until the birth of map village boundaries.

In line with the opinion above, according to Riwanto Tirtosudarmo (1996), the concept of frontier has two meaning. First, the border as the concept of geography - spatial. According to the concept of geography, border issues have been settled when the two governments have agreed on the border shared. Problems arise precisely when the border viewed from a societal perspective. Border became the social concept when were people discussed who inhabit or across the border. Since that time borders conventional slowly melt. Border acquires a new meaning as social and cultural constructions that are no longer tied to the notion that nature area.

Geographers' interest in reviewing the boundaries of the world is realized by developing the International Boundary Research Unit (IBRU) in 1989 in the Geography Department at Durham University. Research institute has an international reputation at the center of information, consultation and increased expertise in the areas of border and territorial. Its aim is to reduce the conflicts associated with boundary disputes between countries internationally both on land as well as at sea around the world. IBRU work by performing multi-interdisciplinary approach to global in scope, integrating theory and practice in order to provide practical skills in decision-making, management and resolution of disputed border territory (Harmen Coal Mac 13, 2011).

Precisely in Bandung in Indonesia has stood Forum Territorial Review of the Unitary Republic of Indonesia based on the ITB campus and UNPAD. Likewise, in the Yogyakarta-based Gadjah Mada University has also established Center for Border Studies (Zuharnen, 2010.4). Rector of the University of defense in Jakarta namely Major General Dr. Syarifudin Tippe, S.I.P, M.Sc. in February 2011 announce officially CDBR (Border Defense Research Center). Frontier Research Center will examine the problems in the border region of Indonesia. One of the contributions of geographers is produced maps RBI (Digital) Indonesia, which describes the boundaries of national territory as well as international. Although this map continuously in the process of development, being a reference boundaries, especially in Indonesia.

The Policy makers in Indonesia have been working to provide legal certainty in matters of boundaries, both referring to laws that already exist as well as establish new rules in accordance with the aspirations of the community. Regulatory boundaries include two types namely the limits contained in the land boundaries and limits contained in the sea. Determination and confirmation¹ refers to the boundaries at least four sources: public international law, treaties, conventions, and treaties between colonizers with predecessor (Zuharnen 2010.5-6).

TABLE I
THE FOLLOWING SCHEDULE OF REGULATIONS REGARDING THE BOUNDARIES THAT APPLIES IN INDONESIA

Regulation of the land boundary	Regulation of the territorial sea boundary
1. Law no. 32/2004 (Act No. Well development. 22/1999) on Regional Governance ² 2. Permendagri (Minister for Internal Affairs) No. 1 / 2006 on Guidelines for Confirmation of Inter-Regional Boundaries (procedures for determining the above map as well as way of affirmation in the field of land borders as well as the sea) ³ 3. Permendagri (Minister for Internal Affairs) No.27/2006 on the establishment and affirmation of the Village Limits 4. Law No. 43/2008 on Territorial State whose contents include the establishment of the National Border Management (BNPP). Ministry of Interior, Ministry of Foreign Affairs and Defense Ministry, which at this time chaired by the Minister of the Interior. 5. Golkar party group in Parliament commission a proposed bill needs to be compiled on the border 6. Government Regulation Number 78 of 2007 regarding the procedure for the establishment, abolition and merger of regions (chapter 35).	1. Provisions of the International Law of the Sea, which is set in the UN Convention on the Law of the Sea (UNCLOS 1982) that the government of Indonesia has ratified through Law No. 17 of 1985. 2. Prp Law No. 4 of 1960, Indonesia has set the basic point of maritime boundaries as far as 12 miles. 3. Measurement of baseline established in accordance with the provisions of the Geneva Convention 1958 (on Sea Region and Contiguous Zone)

¹ Permendagri (minister for internal affair) no. 1 / 2006 Article 2 (1) distinguish between the determination and affirmation. Determination refers to the delimitation on the map, while the assertion is the determination of boundary points in the field.

² In chapter 7 section two mentioned: Changes in the boundary of an area, change the name of the area, naming the way the earth and changing the name or the transfer of capital that does not result in the removal of an area determined by government regulation (PP) typical of chapter 198 on how to resolve disputes between local good boundaries or other causes.

³ In chapter 1 stated, the boundary dividing the area is the implementation of the authority of a region with other regions.

Delimitation in the land area using two methods; boundary with the natural elements and the boundary with artificial elements. Boundary with the natural elements of nature made the original as boundary markers such as rivers, hills, mountains, and lakes. Making the boundaries of nature as a marker of more favorable for easy identification. The disadvantage is easily shifted due to changes in natural landscapes. The geographers identify the boundaries that uses elements of nature through the analysis fisiografis such as landform, topography, relief and flow patterns. If not found the elements of nature as a boundary marker, then the use of artificial elements such as walls, pillars, monuments, roads, railways, irrigation channels and so on. Government recommendation that each region using Global Positioning System (GPS) for accuracy and limits coordinates. Through Permendagri (Minister for Internal Affairs) No. 1 / 2006 the government provides detailed specifications relating to use of GPS technology as a way of setting boundaries (I Made Andi Arsana in Zuharnen 2010,6).

In this period which is still regarded as the main reference in determining the borders is a book Boundary Making by Stephen B. Jones (1945). Delimitation of the territory consists instead of four stages:

- Allocation, including activity in determining region distribution. At this stage each of the parties should reach agreement in region distribution in general, but also involves political decisions are not easy. Placement area is generally performed under the agreement the parties concerned.
- Delimitation, in which case each party involved experts (legal, socio-political, economic, cultural technique) to determine accurately the position of boundary markers and draw a line above the map. At this stage the agreement document prepared and approved so it can be regarded as imposing.
- Demarcation, namely the assertion boundaries by determining the real position of dots and dashes in the field using appropriate technology and methods, after that proceed with the construction of boundary pillars
- Administration, including maintenance activity to mark boundaries between neighboring regions, in order to create a conducive situation in the border region. This stage is also called as the management or setting the border region.

II. THE BOUNDARY PROBLEM AREAS IN INDONESIA

State of Indonesia has a land area of approximately 1.9 million km². Maintain and manage sea and land boundary issues with neighboring states as well as in the country requires time, effort and substantial funds. The difficulty the government to resolve the border issue between the state, provincial, district, sub district and even village to make borders become one of the major source of conflict between the regions. Border issues with neighboring countries such as Indonesia with Malaysia in Kalimantan, which has been going on for 35 years until now has not been completed as well. The boundary line along the 2004 km only marked by boundary pillars 54 pieces. So is the state of Indonesia - East Timor, along the 316 km land border marked only with 39 boundary pillars. Although the planting of these pillars has

been completed two years ago (2009) some of these pillar will be reviewed. At sea there were 10 countries Courant neighboring waters directly adjacent to the archipelago. They are Malaysia, Singapore, Thailand, India, Philippines, Vietnam, Papua New Guinea, Australia, Republic of Palau and Timor Leste. Based on the identification, a new maritime boundary between Indonesia and Australia which have been fully agreed upon. While maritime borders with other neighboring countries made a new determination of the boundaries Seabed (Continental Shelf) and some of Sea Region boundary. The situation certainly holds the potential conflict, if not done maritime boundary in full delimitation (Light judge, June 2, 2011).

Boundary issues in Indonesia erupted last 10 years more after procurator of regional autonomy policy. Before the reform there were only four additional districts / cities in Indonesia. Some events limit changes occurred in 1990 when the local government of West Sumatra - Jambi - Bengkulu was agreed to review the boundaries of identification at the start than the top of the Bukit Barisan up the west coast in the Indian Ocean. Boundary changes also occur when the proposed Local Government Central Java (3 March 1997) to the province of Yogyakarta Special Region coupled with central Java province. Boundary problems as well as discourses expansion of other areas hardly hit the headlines in various newspapers in Indonesia. The whole province as minors who are still subsidized and controlled in every move

Differed with the post-reform era, the province is considered to be adult children, are welcome to take care of their own households independently and responsibly. Independence was not only break away from the central government but also separated from his siblings alone. This is the idea of splitting the region through policies of Government Regulation (PP) 129/2000 (which updated the PP. 78/2007) on regional growth. Spirit of regional autonomy that emphasizes the people's aspiration has been the main reason for the establishment of district / new city. Recorded during the last 10 years the number of provinces increased from 26 to 33 provinces, of 293 districts to 497 districts / cities. In one of the provinces of West Sumatra namely, the policy of "return to the Nagari" has changed the number of Nagari (village level) of 543 to 625. The entire formation of the provincial, district and village / new Nagari is certainly has changed the boundaries become more and more. New facts on the ground states which have done some little demarcation (affirmation) borders. Some are still overlapping, so the potential for conflict. Overlapping boundaries is due to the diversity of maps on which to base the limit, the mutual claims or beliefs that map version is they who should be the basis in determining the boundaries and instead of the other versions.

The spirit of independence of each region was to be paid handsomely with the occurrence of conflicts between regions. According to data from the Ministry of the Interior until early in 2010 listed 946 boundaries are a source of dispute. The government plans in 2010 to resolve 94 border disputes segment. Based on field and literature research (May 2009) about study on Nagari borders disputes in West Sumatra, two Nagari that were involved in borders disputes, Nagari Sumpur and Nagari Bungo Tanjung situated on the

Tanah Datar area, West Sumatra Province, I discovered that one of the main reasons for the conflict was the different perception parties have on borders as based on the pepatah: aur baririk, parit nan tarantang. This pepatah is understood as the borders between the two adjacent Nagari Sumpur and Nagari Bungo Tanjung.⁴ Aur baririk means spiky bamboo, which was purposefully planted by the ancestors to indicate the boundary of authority and ownership of these ulayat lands. This bamboo usually has three shoots so that the line that connects the three shoots is called aur nan baririk (bamboo shoots in formation). Planting the bamboo not being enough, both ancestors of the two Nagari also agreed to dig a ditch in the ground in which they dug iron to designate the ulayat border. This agreement was made place around 1800. Since then, the penghulu of the two Nagari tried to orally socialize the next pepatah: tutur nan dijawab, waris nan ditarimo (replying word and inherit).

When the Dutch colonizers arrived in Indonesia, they issued an occupation map of the area in the interests of Dutch rule on which the Nagari borders were indicated.⁵ According to Kerapatan Adat Nagari (KAN) Sumpur, witnessed by the assistance resident of Luhak Batipoeuh X Koto on 20 October 20h, 1896, the two Nagari (Nagari Sumpur and Nagari bungo) agreed with the map the Dutch produced, based on "aur baririk parit nan tarantang". Sumpur is convinced that this is the first written proof and therefore forms the ground for the validity of borders between the two Nagari.

Since 1954, the border area has started to develop when people from Bungo Tanjung (Jorong Kapuh) began to settle there and started to use the land for cultivation. Because the population in Bungo Tanjung was denser than that in Sumpur, Sumpur claims that around ten hectare of its land was rented by farmers from Kapuh which was part of the Bungo Tanjung area.⁶ In 1954, Sumpur produced nine rent agreement contracts from nine farmers who used Nagari Sumpur land. This situation continued over the following years, 1956, 1967, 1987 (renting contract), 1988, and lastly 1989. There are as many as 20 letters that constitute the second written proof that the land is owned by the adat people from Nagari Sumpur. As stipulated in these written documents, the people who were originally from Jorong Kapuh always paid rent which amounted to ten percent of the total crops which became a source of income for Nagari Sumpur.

After Indonesian Independence on 8 February 1955, Sumpur restated the border separating the two Nagari by a letter from the local government of Tanah Datar or the Temporary Dictum of the Regent/Head of the Tanah Datar Regency number 1 /1955 dated 3 September 1955 concerning the Agreement on the borders between the two Nagari. For Sumpur, this is the third written proof

⁴ Nagari Sumpur and Nagari Bungo Tanjung are part of two different districts, namely Batipuh and Batipuh Selatan. The people in Nagari Sumpur belong to a different governance system than those of Nagari Bungo Tanjung. Nagari Sumpur originates from the governance system Bodi Caniago while Nagari Bungo Tanjung's governance system is Koto Piliang. Nagari Sumpur is situated on the western shore of Danau Singkarak while Nagari Bungo Tanjung is located in the mountains surrounding Danau Singkarak.

⁵ Map 28-29-30-34 and 94, of a Dutch East Indies topographical map made between 1886 and 1896.

⁶ The mere fact that Kapuh farmers entered the Sumpur area caused controversies. Sumpur said that the ancestors of the Kapuh farmers were leprosy exiles banned to places high up in the hills and that they ultimately rented Nagari Sumpur land. The Kapuh people deny this and say that their ancestors ordered them to use the ulayat land of their own Nagari, namely Bungo Tanjung.

reinforcing the argument that the land being rented by Jorong Kapuh is truly Nagari Sumpur property.⁷

In 1989, a group of Kapuh farmers discontinued to pay the rent to Nagari Sumpur. They took this action on the suggestion of the Chairman of the KAN of Bungo Tanjung and of various Datuk. The reason was that the first written proof, the Dutch occupation map was not based on the pepatah aur baririk parit nan tarantang. On the map, all the borders between the Nagaris are indicated by straight lines whereas the borders of the lands follow the curving contours of the hilly land because. It means that the Dutch map cannot possibly be based on aur baririk parit nan tarantang. Bungo Tanjung has its own sketch of the map that shows that the land the Kapuh farmers use is actually their own land. The sketch (which is undated and anonymous) owned by Bungo Tanjung clearly indicates the location of the aur baririk their ancestors planted to indicate the border between the lands. The controversy about the location of the aur baririk versus the Dutch map became the origin of the prolonged conflict between the two Nagari.

Bungo Tanjung does not accept the validity of the 20 rental contracts signed by the farmers from Kapuh and Kerapatan Adat Nagari (KAN) based on the argument that they were made under duress (witnesses were still alive) and even their authenticity was questioned since they are not the originals. Below follow excerpts from an interview I had with an interviewee from Bungo Tanjung:

“The rental agreements are invalid because they were made under duress and the ninik mamak had not notified the penghulu kaum. The land over which money has been paid to Sumpur is Bungo Tanjung’s own land. From way back, the land was in possession of seven penghulu from Nagari Bungo Tanjung. The natural borders that attest that this is Nagari Bungo Tanjung property is the aur nan baririk, parit nan tarantang. Up to now, the spiky bamboo is still there and also there are still remains of the ditch that was dug by the earliest penghulu. However, some farmers were pressurized and forced to sign the rental agreements.”⁸

The informant related some incidents telling of Kapuh farmers fear each time the Kerapatan Adat Nagari (KAN) Sumpur came to collect the rent. There were repeated violent incidents such as the murder of a Kapuh farmer in 1922. It was only in 1989 that the farmers dared to follow the suggestion of the Jorong Kapuh representative no longer to pay the rent to Sumpur.

In order to invalidate Sumpur’s written proof, Bungo Tanjung tradition figures collected various written statements from other neighborhood Nagari, such as Nagari Padang Laweh and Nagari Pincuran Tujuh. They stated that Nagari Padang Laweh is the border to the south of Bungo Tanjung, Nagari Pincuran in the west, Sumpur in the east and on the north the land of Bungo Tanjung clan. The most authoritative statement on this matter came from Desa

⁷ Photocopies of the map, the nine rent contracts, the letter from Tanah Datar local residence number 1/1955 dated as 3 September have been analysed for this research and are on file with the author.

⁸ Because the conflict is still ongoing, I purposefully hid the identity of my interviewees from both Nagari. The interviews were conducted with these people from Bungo Tanjung on 18 May 2009 at their residence at 14.00 hours.

Pincuran Tujuh. It said that the land of Jambak clan borders on Jorong Kapuh, and not on Nagari Sumpur. This statement nullifies Sumpur’s authority over the 10 ha of land occupied by Jorong Kapuh.⁹ Based on the short exposition stated above, the chart below presents a chart of my own analysis of the borders conflict.

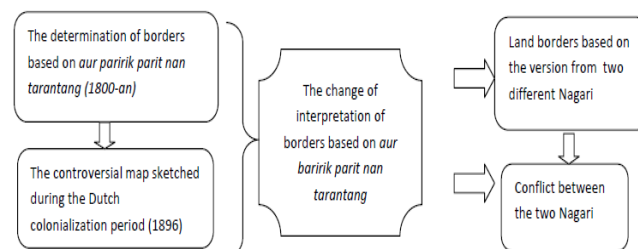


Fig.1. Conflict between Nagari Sumpur and Bungo Tanjung

III. PAGE STYLE

Kjell-Ake Norfquist declared in case of conflict, and then there is a limit of four causes of conflict: first, trans boundary Minorities, second, trans boundary resources, third-An unclear frontier as a result of a colonial situation, the fourth, Implementation Earlier problems of an agreement between the parties (I. William Zartman, 2001, 22-23). It’s mean, that boundary conflict occurs when the first, there minority groups in border areas to the dispute, second, there are significant natural resources, the third, which did not clear the border area is a result of the former colonies, four, contained various implementation problems as consequence of the agreement states that the previous conflict.

The result of the different perception of the borders based on the pepatah “aur baririk parit nan tarantang” is a conflict where Nagari Sumpur accused Nagari Bungo Tanjung of breaking the agreement over the border of the lands made by their ancestors, of denying the validity of the rental agreements and of causing losses of income because the farmers refuse to pay any more rent. Simply said, Sumpur accused Bungo Tanjung of seizing and utilizing land owned by Nagari Sumpur. Bungo Tanjung’ accusation is no less pointed. They insist on accusing Sumpur of perpetrating criminal actions each time they come to collect the rent and by doing so using force and threats. They also accuse Sumpur of having plotted with the Dutch in order to change the borders the lands based on the “aur baririk parit nan tarantang”. The hostility and hate between the elites of the two Nagari has spilled over to the rest of society and may well escalate into a large-scaled conflict. Its mean conflict between Nagari Sumpur and bungo Tanjung because an unclear frontier as a result of a colonial situation.

As mentioned above, in the 1800s, it was very common for ancestors from the two Nagari to determine their land borders by simply referring to “aur baririk parit nan tarantang”. This saying was actually well-adapted to the existing natural phenomenon at the time. Based on the reason that these natural phenomena were considered the most observable and discernable, they were agreed to be the legal borders between the lands. Unfortunately, natural

⁹ Photocopies of the letters used to analyse this research, are on file with the author.

IV. CONCLUSIONS

conditions are prone to changes as a result of earthquakes, wind storms and the movement of the layers of the soil. Over the next 100 years, the saying has become invalid. Thin bamboo as a living plant may also perish because of natural processes or may regenerate into new plants on other locations. The ditch that was constructed in the 1800s may have filled up with soil or have become covered by plants growing on and over it. Therefore, the ditch as the legal land boundary is no longer discernable. Noticing these facts, the author argues that presently, it makes little sense to retain “aur baririk parit nan tarantang” as the base for discovering the borders of the land. Although these natural changes have caused the decreased validity of aur baririk parit nan tarantang, the people still defend their argument that this oral tradition exists. The root of the conflict is therefore the difference in perception about the position of the aur baririk parit nan tarantang between the two Nagari.

This brings me to the conclusion that oral tradition, especially the pepatah aur baririk parit nan tarantang as the recognized basis for the determination of the exact locations of land borders of has some flaws. These flaws became evident when I discovered that various contradictive oral and written data (the oral ones were usually gathered during interviews) both parties used in the conflict. I consider these controversial findings as the weakness of the oral tradition to which local society in west Sumatra still strongly adheres. The weak points of this oral tradition may be summarized as follows:

There is a possibility to redirect land borders. As both Sampur and Bungo Tanjung are in the possession of a sketched map of the borders of their land, accusations were made that the other party had moved the border of their land based on their version of the map. Who had moved these borders was unknown, but the act was clearly a criminal cultural one that had negative impact on various aspects of life. Other cultural criminal acts were that some people sold or rented out land unilaterally. When I asked who those people were, they hid their evidence in order to protect their good name (this kind of accusations emerged from gossip without any concrete proof).

Source of conflict between the Nagari concerning the boundaries include a broad dimensions such as cultural. In late 2014, hoping all the problems of boundaries can be resolved through five stages: (1) Assessment of the legal basis and document boundaries (2) Tracking of natural and man-made boundary markers (3) Installation and measurement of boundary markers (4) Mapping of boundaries (5) Ratification of the border. Negative consequences for the region that borders are not clearly related to the formulation of the General Allocation Fund (DAU), which provided the central government in each region. Clarity area is one of the determinants of the size distribution of revenues from the general allocation fund.

In conclusion, the oral tradition concerning land borders is in various aspects no longer credible, the more so in the absence of written support. Merely relying on oral tradition without ever clearly remapping the borders will potentially result in conflict. Ironically, almost all of the Nagari in West Sumatra (534 in number) do not have clear borders and continue to rely on oral tradition (pepatah) transmitted to them from their ancestors. When a conflict occurs, the people adopt a negative attitude by hiding behind their oral tradition in order to justify their opinion and their way of behavior while at the same time using it to denounce the other. The result is that today, it is impossible to use the adat pepatah aur baririk parit nan tarantang as the basis for the land borders because it is no longer clear which aur or what parit should be regarded as borders. Sources of conflict include the borders of its vast dimensions it turns out, ranging economic, social, and cultural. Although the conflict in averaging the boundary caused by changes in economic value of land, but found other social causes are more decisive than economic reasons. This fact directs that border conflict issues must be resolved with a multidimensional approach to social, economic, political, cultural and technological. The essence of conflict is a border agreement, which include: agreement on a base map that will be used to be our work together. Both parties must agree to use the same map. If this has been achieved then the technical issues limit the assertion actually very easy on the finish. Changing patterns of think also be done by no longer think of power as a purpose of live but rather think of peace as a more noble purpose.

REFERENCES

- [1] Zartman, I. William, 2001, Preventive Negotiation. Avoiding Conflict Escalation, Rowman & Littlefield Publishers. Inc, Maryland, USA, 2001
- [2] Imawan, Riswanda, 2003, Berita Perbatasan, Direktorat Jenderal Pemerintahan Umum Depdagri, Jakarta.
- [3] Zuharnen, 2010, Konflik Batas Wilayah, pidato kenaikan pangkat Lektor Kepala, Fakultas Geografi Universitas Gadjah Mada, Yogyakarta.
- [4] Riwanto Tirtosudarmo, 1996, Demografi Politik Pembangunan Indonesia dari Riau sampsai Timor Timur, Pustaka Sinar Harapan, Jakarta
- [5] Norfquist, Kjell-Ake, 1992, Peace after War: On Condition for durable inter-state Boundary Agreements, Uppsala Universiti.
- [6] Pratikno, 2002, (Tesis), Manajemen dan Kebijakan Keuangan Daerah, Pasca Sarjana Magister Administrasi Publik, Universitas Gadjah Mada, Yogyakarta.
- [7] www.bataswilayah. (Harmen Batubara Mac 13, 2011).
- [8] www.bataswilayah (Cahaya hakim, 2 Jun 2011).
- [9] Interview with informants from Bungo Tanjung, Nagari Bungo Tanjung, on may 18th, 2009 at 02:00 am at the interviewee house at Lubuk Buaya Padang.