

INDONESIA:
MANAGING DECENTRALISATION AND CONFLICT
IN SOUTH SULAWESI

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INDONESIA: MANAGING DECENTRALISATION AND CONFLICT IN SOUTH SULAWESI

EXECUTIVE SUMMARY AND RECOMMENDATIONS

What has been the impact of Indonesia's radical decentralisation program, launched on 1 January 2001, on conflict prevention and management? This case study of the district of Luwu in South Sulawesi finds results that have thus far been positive. But it remains an open question whether these results are sustainable – and whether Luwu's success is transferable to other parts of the country.

Indonesia devolved a wide array of powers to districts and cities – the second tier of local government after provinces – accompanied by substantial fiscal transfers from the centre. The legislation on which this decentralisation was based also allowed for the creation of new regions by dividing or merging existing administrative units. In practice, this process known as *pemekaran* has meant not mergers but administrative fragmentation and the creation of several new provinces and close to 100 new districts.

With some of those districts drawn along ethnic lines and vastly increased economic stakes for local political office, there have been fears of new conflicts over land, resources, or boundaries and of local politicians manipulating tensions for personal political gain. The decentralisation process, however, has also raised the prospect of better conflict prevention and management through the emergence of more accountable local government.

To examine how these hopes and fears might play out, ICG put under the microscope of intensive field study an area prone to conflict which underwent administrative division. Luwu, in South Sulawesi, was chosen for two reasons. First, it was one district in 1999, divided into four by 2003. Secondly, it shared many characteristics of areas

that erupted in violence in the post-Soeharto era: tensions between migrants and indigenous groups; competition over resources, particularly land and mineral wealth; and significant communal violence. It became the focus of national attention in 1998 when protracted inter-village violence was brought on by land disputes, social and economic frustrations (peaking in 1998 when cacao prices hit a record high), and the general climate of lawlessness then prevailing.

In Luwu, at least, *pemekaran* has had a mostly positive impact, in large part because it allowed an effective district head to emerge. Luwu also benefited from the fact that ethnic identity there was too fragmented to be a significant basis for political mobilisation by unscrupulous local politicians. What also helped prevent conflict emerging was the common resentment, among members of the Luwu elite, of the South Sulawesi provincial elite, and a common desire to break away from South Sulawesi to form the new province of Luwu.

Beyond these local factors, however, several more general conclusions about decentralisation and conflict may be drawn:

- ❑ Lack of clarity in the laws governing decentralisation, together with the reluctance of agencies of the central government to give up power, inhibits the ability of local governments to prevent or manage conflict effectively.
- ❑ The success of a new district in preventing or limiting conflict depends in large part on the capacity, commitment, and connections of the district head (*bupati*) concerned.

- ❑ There is a fundamental contradiction between the retention by the central government of control over police and other security functions and the responsibility for law and order of district heads under the decentralisation laws. Police can only be deployed effectively to address conflict if they are accountable to and funded by local government.
- ❑ Effective management of land disputes is critical to conflict prevention.
- ❑ Strengthening the criminal justice system is key to establishing and maintaining peace between parties to a conflict. "Peacemaking" through traditional ceremonies is not enough.

RECOMMENDATIONS

To The Indonesian Government:

Concerning Decentralisation Legislation

1. Keep authority to manage and administer land affairs at the district level and ensure that local government has the capacity and the mechanisms for regularising extra-legal land ownership and resolving land disputes.
2. Amend Ministry of Home Affairs Decree 64/1999 to enable autonomous village government to formulate development strategies that can prevent tensions and conflict.
3. Ensure that regulations passed at the district or provincial level are scrutinised by the central government to protect migrants from outside the region from discrimination.

Concerning Security Arrangements

4. Improve intelligence and criminal investigation capacity at the district level and increase personnel and resources available to the sub-district police, particularly in conflict areas.
5. Devolve authority over policing from the centre to the provinces or districts in return for local budgetary support so that accountability of the police can be increased.
6. Establish a regional ombudsman who will work with the district council to oversee the

local police and punish unprofessional, incompetent or criminal conduct within the police force.

7. Incorporate burden sharing arrangements between the central government, national police and local government into all relevant legislation such as the National Police Law (Law 2/2002) and Decentralisation Law (Law 22/1999), with a clear delineation of responsibility and liability to make them binding.
8. Train community liaison police officers with a particular view toward preventing gang violence.

Concerning Legal Reform

9. Ensure prompt processing of cases and appropriate sentencing in the regional courts when outbreaks of communal conflict occur.
10. Provide legal aid assistance to villagers in land disputes, including paralegal advice at the village or sub-district level on the status of land claims with the assistance of legal aid non-governmental organisations (NGOs).
11. Ensure that out-of-court dispute resolution by village or sub-district heads of land disputes involving individuals is witnessed by community and *adat* (traditional, often ethnic- or clan-based) leaders to prevent subsequent challenges.
12. Encourage more out-of-court settlements brokered by local government and community leaders as long as compensation awards are fair and the settlements are acknowledged.

Concerning Pemekaran

13. Ease the burden of the *pemekaran* process on the host region by not requiring it to support the new region in all cases, formalising revenue-sharing agreements between both regions during the transition and imposing sanctions if they are broken.
14. Re-examine and tighten *pemekaran* criteria with more weighting given to the economic viability of both host and breakaway regions as well as security considerations.

Jakarta/Brussels, 18 July 2003

INDONESIA: MANAGING DECENTRALISATION AND CONFLICT IN SOUTH SULAWESI

I. INTRODUCTION

Indonesia's "Big Bang" decentralisation process launched in January 2001 generated hopes that more accountable local government would mitigate the conflicts that wracked the country in the aftermath of President Soeharto's downfall. It also raised fears that increased competition for resources at district level and the emergence of local identity politics would exacerbate old tensions and provoke new ones.

This report is a case study of the impact of decentralisation on a conflict-prone area of South Sulawesi. It examines the consequences of decentralisation for law enforcement, land management, and local governance. It suggests that the administrative fragmentation process known as *pemekaran* can produce useful results, but much depends on the capacity of local leaders.

The districts comprising the former kingdom of Luwu in South Sulawesi became the focus of national attention when violent and protracted inter-village violence broke out in 1998 after the fall of President Soeharto. These were portrayed in the national press as communal conflicts, with implied Christian-Muslim cleavages, between migrants and indigenous groups. The primary causes were far more complicated: disputed land ownership, social and economic frustrations, and the 1998 cacao boom, as well as a general climate of lawlessness.

In 1999 as conflicts in Luwu raged, the transitional government under President Habibie embarked on an ambitious decentralisation program that promised better services by bringing government closer to the people. As part of that process, the sprawling district of Luwu underwent a process of administrative division known as *pemekaran*. In April 1999, it split into two, Luwu and North

Luwu. The former district capital, Palopo, became a municipality – equivalent to district status – in 2002. In January 2003, East Luwu split off from North Luwu, bringing the tally of districts to four. All four now aspire to break away from South Sulawesi and form a new province of Luwu, based loosely on the territory of the former kingdom.

Decentralisation and the associated process of *pemekaran* pose two questions. First, would decentralisation lead to better conflict prevention or management due to better service delivery, especially in law enforcement? Would more accountable local government and greater public participation in local affairs act as a safety valve leading to the mediation of disputes before they erupted in violence? Or would leaders in the newly empowered districts seek to mobilise political support along fault lines of old conflicts?

Secondly, would *pemekaran* exacerbate old tensions and cause new ones by increasing competition over resources among new districts? Would competition over resources like PT Inco, the world's second largest nickel mine, lead to tensions and possibly conflict between North and East Luwu? Thus far, such concerns have not been realised in Luwu primarily because of the pattern of local power relations and the presence of a larger common goal that unites the four districts: the formation of Luwu province. The local political elite has seen *pemekaran* as a way for more people to enjoy the fruits of office and benefit from fiscal transfers from the centre. In addition, some newly empowered district officials have given a high priority to security issues and implemented policies that have helped restore public order. There were more demonstrations and disputes in 2002 than in 1998 but they were manifestations of greater local participation in government and were peaceful.

The report outlines the main features of the regional autonomy laws, the national political context within

which *pemekaran* has occurred and some negative consequences associated with this process. It examines the history of conflict in Luwu and the inter-village conflagrations between 1998 and 2002, identifying land, social problems and weak law enforcement as the root causes. It assesses to what extent decentralisation has affected policing, land management and the performance of local institutions with a special interest in building social capital.

The short-term impact of more resources and greater local autonomy on conflict prevention has been generally positive. However efforts by the central government to restrict district authority in key areas such as land and policing, as well as new types of land conflicts unleashed by regional autonomy, raise questions about how sustainable Luwu's stability will be.

II. DECENTRALISATION

Indonesia's decentralisation process, based on two 1999 laws, was launched in January 2001. It radically redefines the roles of the central and regional governments in financing and delivering public services and was implemented so rapidly, and with such minimal preparation, that it has become known as the "Big Bang" approach to devolution of government authority.

Law 22/1999 on Regional Government devolves most functions of government to Indonesia's districts and municipalities except for five powers reserved for the centre: defence and security, justice, international relations, monetary and fiscal affairs and religion. The centre was also given a specific role in other matters: state administration, national planning, fiscal balance, strategic technology, national standardisation, and natural resource utilisation. Municipalities (*kotamadya*) are the urban equivalent of districts (*kabupaten*) and enjoy the same powers and responsibilities. Each *kotamadya* is administered by a mayor (*walikota*) and has its own municipal council; districts are administered by the *bupati*. Throughout this report, "district" will be used to refer to both *kabupaten* and *kotamadya*.

The province's role has been reduced to overseeing province-wide services such as roads and physical infrastructure, managing inter-regional cooperation, and providing services requested by local governments. Drafters of the decentralisation laws diminished the role of the provinces to prevent them from becoming too powerful and independent – districts and municipalities are smaller and easier to control.¹ Villages enjoy greater autonomy under the new laws and are no longer under the authority of sub-districts. They can raise funds, draw up their own budgets, pass village regulations and have the final word on external projects without higher approval.² In practice, however, most villages lack

¹ The provinces, including Sulawesi, had been the centre of regional unrests in the 1950s and the military did not want this to recur. This is also why decentralisation in Indonesia stops short of federalism seen in conservative circles as a prelude to secessionism. ICG interview with Ryaas Rashid, former Minister of Regional Autonomy and one of the drafters of the decentralisation laws, February 2003.

² The sections of Law 22/1999 outlining village governance are in paragraphs 93-111.

the financial and human resources to exploit this autonomy, so the district government is still the key provider of services.

Implementing regulation 25/2000 further clarifies the division of functions and authority between centre, province and local government, defining the areas for which districts are responsible, but does not define specifically what the districts' functions in those areas are.³ As a result, responsibility for mining, coastal zone management and natural resource management – key revenue generating areas – remains unclear.

Law 25/1999 deals with how decentralisation is financed. In essence, districts have far more authority than before to make decisions on government spending but little power to raise their own revenues.⁴ Most revenue comes from transfers from the centre, known collectively as the Equalisation Fund. This is made up of general allocation funds (*dana alokasi umum* or DAU), special allocation funds (*dana alokasi khusus* or DAK), the sharing of resource-based revenues and taxes (for example, if the district has resources such as forestry, minerals, or oil and gas) and borrowing.⁵

The process has taken off rapidly, without fully developed implementing guidelines, monitoring and evaluating systems, clear lines of authority between different levels of government, or supervision from Jakarta. Virtually overnight 1.9

million of 2.2 million central government staff were transferred to local government without a breakdown in service delivery.⁶ Regional spending as a proportion of all government spending rose from 17 per cent in 2000 to over 30 per cent in 2001 and is likely to rise to 45 to 50 per cent as district functions, service standards and the cost of effective service delivery become clearer. Central fiscal transfers are based on estimates at present.⁷ In an unlikely turn of events for a country that used to be synonymous with highly centralised authority, Indonesia is set to become one of the most decentralised countries in the world – on paper at least.

³ The areas include: health, education and culture, agriculture, land, public works, communication, industry and trade, capital investment, the environment and labour.

⁴ Law 34/2000 on regional taxation gives the district the right to raise local revenues by taxing almost anything as long as it does not duplicate the central government's taxation program. Because the most significant taxes such as property and income remain under central control (despite the fact that districts get most of the revenue from the former), many districts have resorted to "nuisance taxes" for revenue raising.

⁵ The DAU is the minimum 25 per cent net share of total domestic revenue granted to local government. Of this amount 90 per cent goes to the district governments and 10 per cent to the provinces. The DAK is an earmarked grant to finance special needs/categories defined as national priorities and beyond the discretion of local government. Local shares of natural resource revenue have been increased by fixed percentages, so that 80 per cent of revenue from forestry, fishing, mining, 15 per cent of revenue from oil, and 30 per cent of revenue from gas are to be retained by the regions of origin.

⁶ "Widjajanti I Suharyo, Indonesia's Fiscal Decentralisation", UNSFIR Working Paper: 02/07, August 2002.

⁷ Ibid.

III. PEMEKARAN

Articles 5 and 6 of Law 22/1999 allow for the creation of new regions – sub-districts, districts, municipalities, and provinces – by dividing or merging existing administrative units. The procedures for doing this are set forth in Regulation 129/2000. The regulation states that the objectives of any change in regional boundaries or in the status of a region (moving from a sub-district to a district, for example) should be to enhance delivery of services, speed up democratisation, facilitate the realisation of a region's potential, enhance law and order, and improve communications between the centre and the regions.⁸ Thus far, the emphasis has been solely on dividing existing units into smaller ones, in a process known as *pemekaran*, literally “blossoming”.

Under the terms of Regulation 129, advocates of a new district must demonstrate that it is a viable entity, in terms of economic resources, regional potential, population size, geographic area, and political and cultural conditions.⁹ They must also gain the approval of both the district from which they wish to separate and the relevant provincial government, as well as the Ministry of Home Affairs and the Indonesian parliament.¹⁰ Thus far, Jakarta has worried more about procedure than viability, and some would-be *bupatis* have effectively bribed their resource-poor districts into existence.¹¹

When Regulation 129 was first passed, the Ministry of Home Affairs and the Regional Autonomy Review Commission (Dewan Pertimbangan Otonomi Daerah or DPOD, a body set up under

Presidential Decree 49/2000 comprising all relevant ministries) evaluated all *pemekaran* proposals and then drafted the relevant bills for the approval of the Indonesian parliament (Dewan Perwakilan Rakyat or DPR).

If the DPOD was slow to act on the proposals, advocates for new districts could appeal to the Indonesian Parliament's Commission II on Legal and Home Affairs to exercise the parliament's right of initiative in speeding up the process and endorsing the bills. By 2002 and 2003, however, advocates were beginning to exploit the changing balance of power between the executive and the legislature, going directly to the Commission and bypassing Home Affairs and the DPOD. Although the latter still carried out technical assessments of candidate regions, this became a formality once the applicants had secured DPR support both in initiating and overseeing the legislative process. In the January 2003 round of *pemekaran* approvals, seventeen out of the 25 would-be districts benefited from the DPR exercising its right of initiative.

Since Regulation No.129 went into effect, 57 new districts and 18 municipalities have been created increasing the total number of regions in Indonesia by 40 percent between 1998 and 2003. Many more applications are pending¹²

This process of administrative fragmentation has generated both enthusiasm and concern. For some groups, *pemekaran* offers a way of gaining access to political power that they have never had before. Advocates of the new district of Mamasa in South Sulawesi, for example, noted that members of the dominant ethnic group there, the Mandar people, had never held senior positions in the South Sulawesi provincial government. They wanted to create Mamasa first, and then use that as the springboard for creating the province of West

⁸ “Persyaratan Pembentukan Dan Kriteria Pemekaran, Penghapusan, Dan Penggabungan Daerah”, Peraturan Pemerintah Republik Indonesia No.129 Tahun 2000, Bab II (2).

⁹ “Persyaratan/Kriteria, Indikator, Dan Sub Indikator” sets out seven criteria, nineteen indicators and 43 sub-indicators for determining a would-be district's viability in “Cara Penilaian Pembentukan, Pemekaran, Penghapusan Dan Penggabungan Daerah”, Lampiran, Peraturan Pemerintah Republik Indonesia No. 129 Tahun 2000.

¹⁰ North Luwu became a new district in April 1999, even before Laws 22 and 25 were passed, and benefited from the momentum generated by the pro-decentralisation climate at the time. In effect, the old application for district status submitted in 1963 was “reactivated”.

¹¹ For a vivid account of the lengths the would-be *bupati* of candidate district TojaUna-Una has gone to, see Margot Cohen, “The Great Indonesian Carve-Up”, *Far Eastern Economic Review* 29 May 2003, pp. 48-51.

¹² In 1998 Indonesia had 292 regions. As of this writing, it has 410 districts; 86 municipal cities; and 33 provinces, three of which have not been officially inaugurated. Applications for 27 further districts are pending and expected to be approved by the end of 2003. For a national study of *pemekaran*, see Fitria Fitriani, Bert Hofman and Kai Kaiser, “Unity in Diversity? The Creation of New Regions in Indonesia”, a forthcoming paper from the World Bank office, Jakarta.

Sulawesi, as a way of giving the Mandar a chance to come into their own.¹³

It provides others a chance to recreate the boundaries of old kingdoms or sultanates, generating a local pride that gives the leaders who may emerge more of a stake in the development of their own regions. Toja Una-Una in Central Sulawesi is one example.¹⁴

In some cases, the administrative efficiency argument is the strongest. Proponents of turning the island of Flores into a new province, separate from the province of Nusa Tenggara Timur, argue that they presently have to travel to the provincial capital of Kupang in West Timor to take civil service exams, get contracts authorised and so on, though it would be far easier to do these things on Flores itself. The same efficiency argument is being used by the Megawati government to justify the division of Papua into three provinces, although the real reason appears to be to weaken the pro-independence forces.¹⁵

There are also instances of negative consequences of *pemekaran*, including new sources of conflict. The North Maluku conflict broke out in 1999 in part as the result of the government's decision to split Maluku province into two.¹⁶

Luwu, with a history of rebellion and conflict, a large international mining corporation, a significant transmigrant population, and close proximity to Poso, where one of the country's most virulent communal conflicts erupted, went from being one district to four in the space of three years. Would *pemekaran* lead to resource competition, ugly struggles over new district-level offices, or new disputes over land and regional boundaries? Would it play any role in reducing violence or lead to better management of some of the tensions that had emerged in the past? Or would it have no effect whatsoever? To answer these questions, it is important to understand some of the sources of past conflict.

IV. HISTORICAL OVERVIEW

Luwu's main claim to fame is as South Sulawesi's oldest Bugis kingdom. From settlements in Malili (East Luwu) and Malangke (North Luwu), the kingdom grew until at the height of its power, from the fourteenth to the sixteenth century, it stretched from the mountain ranges in the northwest bordering Central Sulawesi, Mamuju and Toraja in the west, across the central plains eastward towards Kendari in Southeast Sulawesi, and along the coastline of the Bone Gulf to Siwa.¹⁷

As it expanded, the kingdom absorbed non-Bugis communities, giving Luwu its current mix of twelve ethnic groups and nine dialects.¹⁸ Today, the people of Luwu or Luwuans (*orang Luwu*) have both a regional identification with the boundaries of the old kingdom and an identity rooted in *adat* – the traditions of a local, territorially rooted community. Four ethnic groups are particularly important to the history of conflict in Luwu: the majority To'ala (roughly 50 to 60 per cent) from the central valley including the sub-districts of Sabbang and Baebunta and the royal towns of Palopo and Malangke; the Rongkong and Torajans from the north-western and western highlands; and the Bugis from surrounding districts such as Bone, Soppeng and Wajo.¹⁹ The Rongkong and To'ala consider themselves Luwuans; Torajan identification is somewhat more complicated.²⁰ Bugis from other districts are not

¹³ ICG interview, Makassar, 10 June 2002. At the time this report went to press, the campaign to create West Sulawesi looked likely to be successful by late 2003.

¹⁴ Cohen, "The Great Indonesian Carve-Up", op. cit.

¹⁵ See ICG Indonesia Briefing, *Tensions on Flores: Local Symptoms of National Problems*, 10 October 2002 and ICG Indonesia Briefing, *Dividing Papua: How Not to Do It*, 9 April 2003.

¹⁶ ICG Asia Report No.10, *Indonesia: Overcoming Murder and Chaos in Maluku*, 19 December 2000.

¹⁷ Darmawan Ma'sud Raahman, "Identitas Budaya Luwu: Tinjauan Ringkas" in *Kedatuan Luwu: Perspektif Arkeologi, Sejarah dan Antropologi*, edited by Moh. Ali Fadilah and Iwan Sumantri, Lembaga Penerbitan Universitas Hasanuddin (Makassar 2000).

¹⁸ In the royal courts of Palopo, Malili and Malangke, a courtly version of the Bugis language was used but in the more far-flung reaches of the kingdom, local dialects prevailed.

¹⁹ While the majority of indigenous inhabitants of the central plains/lowlands are To'ala, they are generally identified by place names, e.g. Baebuntans or people of Sabbang. Because of their distinct language and territorial origin, however, the Rongkong and Torajans do not adopt the place names of their settlements.

²⁰ Although Toraja was part of the Luwu kingdom, it was always considered culturally distinct by the rest of Luwu. Torajans were not as deferential to the Datu (ruler) of Luwu as the other communities, and their loyalty was suspect in Luwu eyes. This was reinforced by religious differences – Toraja is predominantly Christian – and the suspicion that the Torajans were not as committed as the rest of Luwu during the struggle for independence against

considered to be Luwuan, underscoring that ethnicity is not the determining variable in identity formation in Luwu.²¹

About 80 per cent of Luwu is Muslim. The highland communities in the west, northwest and east, including Torajans and Pamonans, tend to be Christian or followers of indigenous beliefs. The Rongkong are evenly divided between Christian and Muslim.²² The To'ala are Muslim. In spite of Muslim dominance, some sub-districts have significant Christian communities including Sabbang (nearly 50 per cent) and Limbong (50 to 60 per cent) in North Luwu and Walenrang (33 per cent) and Lamasi (33 per cent) in Luwu.²³

A. DUTCH RULE, INDEPENDENCE AND THE DARUL ISLAM REBELLION

The ruler (*datu*) of Luwu, believed to be of divine descent, shared power with a high council of *adat* leaders from the constituent ethnic communities that acted as his cabinet. The kingdom was a confederation, comprising three main districts and smaller administrative units that enjoyed considerable autonomy and were governed by their own *adat* leaders and councils. Luwu society was feudal and hierarchical. This social order remained largely undisturbed through much of the Dutch colonial period until 1905-1906, when Dutch troops

were sent to Sulawesi to force local chiefs to hand over political authority to the Netherlands.²⁴

Luwu retained a semi-independent status as a *swapraja* or autonomous kingdom, divided into the three districts or *onderafdeling* of Makale (in Toraja), Masamba (North Luwu) and Malili (East Luwu) until 1959. Increasingly, however, the King of Luwu and many members of the aristocracy disapproved of the Dutch transmigration policy that relocated 25,000 Javanese between 1938 and 1941 to the relatively sparsely populated region.²⁵ They also resented the domination of the local civil service by Javanese and Minahasan Christians from North Sulawesi – a practice that began soon after the Dutch assumed authority.²⁶ Andi Djemma, the ruler of Luwu, led a guerrilla army in the jungle against the Dutch in 1946 and was jailed and exiled from Luwu as a result.

Indonesian independence, however, proved to be a bitter pill for many in Luwu. Soekarno had promised Andi Djemma that Luwu would get special territory status in recognition of its contribution to independence; it never happened.²⁷ Jakarta continued with many Dutch practices that had alienated Luwu such as transmigration and choosing Javanese for prominent administrative positions.²⁸

But most important was its refusal to incorporate the South Sulawesi irregular guerrillas, led by Kahar Muzakkar, a Luwu native, into a single brigade of the new Indonesian army. Their resentment led Muzakkar and his men to rebel and proclaim the Islamic state of Indonesia in August 1949. After 1952, when Muzakkar made contact with the leader of a rebel movement known as

the Dutch. The feeling that Toraja was not a part of Luwu resurfaced when it became a separate district in 1957, and old suspicions returned when it attempted but failed to incorporate Walenrang within the new district and consequently access the Bone Gulf. ICG interview with local historian and members of the Luwu Province Committee, Palopo, 29 April 2003.. See also Lahadjji Patang, *Luwu Dalam Pembangunan*, C.V. Usaha Makmur Palopo, 1982.

²¹ Bugis from other districts are considered to be culturally inferior to Luwu, and there is little sense of kinship; the To'ala, the dominant group in Luwu, are racially similar to the Torajans and speak a similar dialect but do not consider themselves related to the Torajans and insist on being identified as Luwuans.

²² ICG interview with Rongkong community leaders, October 2002.

²³ ICG interview with official from Kantor Statistik Kabupaten Luwu, October 2002; ICG interview with local NGO called Lembaga Advokasi Dan Pemberdayaan Rakyat Luwu (Baperlu). Baperlu's information is based on archive material from another agency, Kasi Bimas Kristen Protestan Kabupaten Luwu, April 2003.

²⁴ Lorraine Aragon, *Fields of the Lord* (Hawaii, 2000), p. 100.

²⁵ There were fewer than 400,000 inhabitants in Luwu; see Barbara Harvey, *Pemberontakan Kahar Muzakkar: Dari Tradisi ke DI/TII*, Jakarta: Pustaka Utama Grafiti, 1989, p. 61.

²⁶ Earliest civil service records date back to 1909, cited in *ibid.* p. 54.

²⁷ ICG interview with local historian Andi Anton Pangerang, Palopo, 25 April 2003.

²⁸ Barbara Harvey, *op. cit.* chapter 6, pp. 189-210.

Darul Islam in West Java, the South Sulawesi rebellion took on the name of Darul Islam as well.²⁹

The Darul Islam rebellion initially had widespread support in South and Southeast Sulawesi, although more because of grievances against Jakarta than support for an Islamic state.³⁰ That support evaporated in many areas as the rebellion devastated the region.³¹

After Muzakkar joined forces with the Darul Islam movement, the local Rongkong in one of the north-western highland bases of Muzakkar's forces (DI/TII) in Limbong were forced to convert to Islam, and many were killed in the process.³² Pagan sites and regalia that had spiritual significance for the people of Luwu were destroyed. Throughout Luwu, a scorched earth policy laid waste to roads, irrigation systems, bridges and agricultural plots. Unable to farm or live without harassment from the rebels and government soldiers, thousands fled or were relocated by government forces, as occurred to the Rongkong in Limbong.³³

In 1954 government forces relocated 9,000 Rongkong from the highlands of Limbong in North Luwu to the plains of present-day Baebunta-Sabbang where they would be easier to protect. Hundreds died in the first year because of the harsh conditions: extreme weather, disease and insufficient food. Most of the land in Baebunta was virgin forest but there were also cultivated plots abandoned by previous owners who had fled for safety. This was not an isolated case. Government forces also relocated the inhabitants of Seriti village in the south of Luwu to Lamasi sub-district in the

north, on the border with present-day North Luwu. In the following years, the resettled community expanded, formed new villages and was considered an encroacher on local territory by the indigenous villagers of To'Lemo in Lamasi.³⁴ Uncertainty over the status of land would later lead to disputed claims and inter-village violence in both areas. The displacement of people within Luwu as well as in and out of the region would lead to great confusion in later years over who was a migrant and who was "indigenous".

Administratively, Luwu remained a single unit. In 1959, when a reorganisation of local government took place, there was a possibility for East Luwu and North Luwu to become districts. But the local elite, including political and *adat* leaders, were holding out for special territory status and were reluctant to "break up" the kingdom of Luwu into separate districts. In addition the ongoing Darul Islam rebellion was preoccupying local as well as central government, so the Luwu district council did not act.³⁵ In 1963, the Luwu district council and the South Sulawesi provincial parliament supported the formation of two new districts based in Masamba and Malili on the grounds of facilitating economic development.³⁶ But again, with all attention directed to crushing the revolt, the central government failed to respond.

With the end of the rebellion in 1965, the idea of dividing Luwu was revived, this time together with a proposal for a new province of Greater Luwu. However when the Luwu *bupati* (district head) put the proposals before the then Home Affairs Minister in a public speech during a visit to Palopo in 1967, both he and the head of the district council were transferred to other posts.³⁷

²⁹ ICG Indonesia Briefing, *Al-Qaeda in Southeast Asia: The Case of the "Ngruki Network" in Indonesia*, 8 August 2002, p. 4.

³⁰ Interviewees in Luwu ranging from local aristocrats to religious and community leaders, including Kahar Muzakkar's son, Muzakir Muzakkar, told ICG that Kahar Muzakkar saw Islam as a way of mobilising support in South Sulawesi to resist government from Jakarta. According to them, this rather than an Islamic state was his goal. Palopo, 28 April 2003.

³¹ Kahar Muzakkar remains a hero to many in South Sulawesi to this day. The rebellion ended in 1965 after Muzakkar was shot and killed by the Indonesian army.

³² ICG interview with Rongkong community leader, Salassa, North Luwu, October 2002.

³³ ICG interview with Rongkong community leaders in October 2002 as well as local historians Muklis Paeni and Andi Anton, February 2003, April 2003.

³⁴ ICG interview with Luwu NGO, Lembaga Advokasi Pemberdayaan Rakyat Luwu (Baperlu), Palopo, 26 April 2003.

³⁵ ICG phone interview with local historian Andi Anton Pangerang, 16 April 2003.

³⁶ ICG interview with North Luwu *bupati*, Jakarta, February 2003.

³⁷ Ibid. In a subsequent interview, an advocate for the creation of Luwu province told ICG that it was also believed in Luwu that the South Sulawesi provincial government was against losing Luwu and urged Jakarta to reject the proposal. Palopo, 26 April 2003.

B. NEW ORDER DEVELOPMENT

The beginning of Soeharto's New Order administration followed closely on the end of the Darul Islam rebellion. Three features of the Soeharto years stand out: the focus on economic development, the influx of migrants into Luwu, and the imposition of a top-down uniform administrative system that undermined traditional authority.

Economic development became the top priority of the national and district governments as well as the local elite within Luwu. The rebellion had left Luwu ravaged, impoverished and in no position to resist the central government's development policies, including transmigration. That program settled agricultural migrants, primarily from Java, Bali, Lombok and Nusa Tenggara Timur, in designated sites, especially Sukumaju, Mangkutanah, Tomoni and Bone-Bone sub-districts in the east of North Luwu. Between 1969 and 1975, 24,200 migrants were settled in these areas.³⁸ The local elite, because of the associated infrastructure development as well as the opportunity for personal enrichment, came to view transmigration more positively.

The national transmigration program spurred some *adat* leaders to help their own community by relocating Luwu natives farming in remote and difficult terrain to more fertile land in the plains that might otherwise fall under the program. Other *adat* leaders, however, were more interested in making a profit and focused on selling land to outsiders. Many village and sub-district heads, *adat* leaders as well as sub-district police and military functionaries, sold land to local (or spontaneous) migrants from within South Sulawesi, particularly Torajan and Bugis migrants from neighbouring districts. Unlike the national transmigration program that resettled migrants in designated new sites away from local villages, spontaneous migration followed no master plan, and migrants established themselves in or close to existing settlements – one reason why spontaneous rather than government-sponsored migrants feature in local conflicts. By 1999, the migrant population accounted for 25 per cent of North Luwu's

population, with 10 per cent hailing from elsewhere in South Sulawesi.³⁹

Changes in the political economy of Luwu brought new waves of migrants. In July 1968, the Indonesian government awarded a contract to International Nickel of Canada (PT Inco) to develop what was believed to be a vast nickel deposit in Soroako, in what is now East Luwu. The company was given the authority to explore over six million hectares of land in South and Southeast Sulawesi. Exploration began the following year, and construction in the early 1970s of roads, buildings, an airstrip, and other facilities, requiring a huge labour force – mostly from outside the area.⁴⁰ While thousands of workers left after construction was completed, others, from Java, West Sumatra, and other parts of Sulawesi, stayed on as employees of the mine or in services and businesses associated with it. The construction of the mine was also accompanied by massive land expropriation by the government that left some lasting scars but has not given rise to any of the land-associated conflict that has taken place in Luwu.

Cacao production also transformed the area. In 1978, the official agricultural extension service chose Palopo as a cacao production centre. This set the stage for what locals still refer to as the Bugis and Torajan "invasion", when North Luwu became a pioneer cacao-growing area.⁴¹ By the mid-1990s, the belt had spread northwards to Central and North Sulawesi, and North Luwu was less of a magnet for new settlers. By then land prices had risen dramatically: new trunk roads from Palopo to Masamba and eastwards towards Wotu and Malili linked previously inaccessible areas to markets, making land more attractive. The success of cacao as a cash crop also opened the eyes of locals to the true value of their land.

³⁸ Muriel Charras, *De La Forêt Malefique A L'Herbe Divine*, Editions de la Maison des sciences del'homme (Paris, 1982), pp. 108-109.

³⁹ ICG interview with head of community relations, Municipal Police, January 2003, and 1999 voter registration figures.

⁴⁰ Kathryn M. Robinson, *Stepchildren of Progress: The Political Economy of Development in an Indonesian Mining Town* (Albany, 1986), pp.101-103.

⁴¹ ICG interview with North Luwu *bupati*, January 2003. See also Francois Ruf, "From Tree-Crop Planting to Replanting 1997: A New Turning-point in the Sulawesi Cocoa Boom?", paper presented at ASKINDO/CIRAD workshop, 4 November 1997, Jakarta.

In general, cacao farms were established at the initiative of Bugis migrants but in North Luwu, three groups were particularly successful: Bugis, Torajans and Rongkong. In 1998 when cocoa prices reached an all-time high on world markets just as the rupiah exchange rate was plummeting, cacao farmers in North Luwu saw prices for their crops increase overnight by 300 to 500 per cent.⁴² As an elderly Rongkong man who had been displaced from Limbong to Sabbang-Baebunta in 1954 told ICG, “We sold everything we had, even gold, just to buy food from the locals when we were starving. Now we have better houses and motorcycles because we work hard on our farms every day.”⁴³

Analysts of conflict in many areas of Indonesia have pointed to the disruptive effect of local government laws adopted in 1974 and 1979 that in many areas turned traditional authority figures into the lowest rung of the New Order bureaucracy. In Ambon, West Kalimantan, Central Kalimantan and elsewhere, the obligation to represent New Order interests (and those of the ruling party, Golkar) often undermined the authority of local leaders. Luwu was no exception. Local historian Andi Anton Pangerang, who hails from a prominent family of *adat* leaders, told ICG that the system of government-appointed officeholders practically destroyed Luwu’s governance and value system, and that the inter-village conflicts of the 1990s occurred in this cultural and political vacuum.⁴⁴

V. CONFLICT IN LUWU

A. EARLY OUTBREAKS

Conflict was common in Luwu in the 1970s and 1980s, often involving migrants and locals. In 1976 the first outbreak of fighting between locals and Javanese transmigrants occurred in the densely populated sub-district of Bone-Bone although other less densely populated transmigrant sites were not affected.⁴⁵ A decade later, the combatants were Torajan and Bugis spontaneous migrants competing to buy land for cacao plantations.⁴⁶

In the 1990s, conflicts erupted between gangs of youths in neighbouring villages but they were highly localised, and excessive consumption of alcohol was often a factor.⁴⁷

In 1998 the violence escalated dramatically in frequency and magnitude. Residents of Luwu cited as many as 40 to 50 incidents of violence between 1998 and 2000, with twenty cases, in 2000 alone.⁴⁸ By contrast between 1990 and 1997, there were only fifteen gang fights.⁴⁹ Violence beginning in 1998 featured major conflicts involving entire villages. These were portrayed in the national press as communal conflicts between Torajans migrants and locals, implying indigenous-migrant as well as Christian-Muslim divisions.

The truth was far more complicated: land, social and economic frustration, weak law enforcement leading to vigilantism and the free-for-all climate of the immediate post-Soeharto period were far more important factors.

⁴² Francois Ruf and Yoddang Cirad-Tera, “The Impact Of The Economic Crisis On Indonesia’s Cocoa Sector”, in Pantjar Simatung, Sahat Pasaribu, Sjaiful Bahri, Randy Stringer (eds.), *Indonesia’s Economic Crisis: Effects on Agriculture and Policy Responses*, CASER (Bogor, 1999), p. 289.

⁴³ ICG interview October 2002.

⁴⁴ Everyone ICG interviewed in North Luwu echoed this view. Even local NGOs suspicious that revived *adat* councils might become a vehicle for the local aristocracy agreed that authentic *adat* leaders were needed.

⁴⁵ Muriel Charras, op. cit., pp. 122-127.

⁴⁶ ICG interview with *adat* leader from Soroako, April 2003.

⁴⁷ Gang fights were often sparked by trivial altercations between individuals, e.g. a youth at a wedding party taking offence because he was given a smaller helping of food, followed by exchanges of insults or a failure to give way on the road, or assaults on individuals who happened to be passing through “enemy territory”.

⁴⁸ “Luwu Utara Lautan Api”, *Kompas*, 25 June 2000.

⁴⁹ ICG interview with local NGO Lembaga Advokasi Dan Pemberdayaan Rakyat Luwu (Baperlu), Palopo, 26 April 2003.

B. MAJOR OUTBREAKS, 1998 - 2002

The conflicts that erupted between 1998 and 2002 took place mainly in four sub-districts: Baebunta, Sabbang, and Malangke in North Luwu and Lamasi in Luwu. These sub-districts share certain characteristics: mixed villages with high concentrations of spontaneous migrants (mainly Torajan or Bugis) or resettled locals (primarily Rongkong). Most had an ethnic dimension, although the causal factors were complex. In some cases, the fighting involved locals against settlers; but conflict also involved violence between indigenous villages, and opposing gangs were as often as not mixed rather than segregated along ethnic lines. In fact some local analysts are coming to the conclusion that suspicion of neighbouring villages rather than ethnicity or religion per se might explain the pattern of conflicts.⁵⁰

1. 1998

Baebunta Sub-District. On 11 September, a fight broke out between two motorists, a local Baebuntan and a Rongkong from the village of Salassa, over the right of way. On the night of 12 September, hundreds of ethnic Baebuntan youths, armed with homemade guns known as *papporo*, Molotov cocktails and machetes, descended on Salassa, and local Rongkong youth emerged to defend their village.⁵¹ The sub-district police intervened and asked the Rongkong to return to their houses, which they did only to find themselves attacked again by the Baebuntans, who this time penetrated the village and set it alight.

The police were completely overwhelmed and radioed for reinforcements from district headquarters in Palopo, 70 km. away. Three squads from Luwu police headquarters and one company from the district military command (KODIM 1403 Sawerigading) in Palopo were able to restore order the following day. The military in particular had a quelling effect on the mob, much to the relief of the

villagers who hugged the soldiers and started cheering, "Long live ABRI...only the military can restore order...don't leave us..."⁵² Four hours later, the KODIM soldiers relinquished control to the police. There were no arrests, although some rioters were arrested for possessing weapons. There were four dead, 36 wounded, 230 houses burned and 150 families left homeless.⁵³ Although the Rongkong of Salassa had been the target, the fires also destroyed houses belonging to Baebuntans in the neighbouring village.

Sabbang and Lamasi Sub-districts. On 24 October, a fight broke out between a gang from Kalotok village, Sabbang sub-district, and one from Pongko, Lamasi sub-district, following a scuffle between two youths two days earlier. Hundreds of youths armed with *papporo*, machetes, spears, arrows and other weapons clashed on the bridge linking the two sub-districts. The arrival of the Sabbang and Lamasi sub-district police, reinforced by the sub-district military command (KORAMIL) forced them to retreat by dusk. Although there were no fatalities, scores were injured, and traffic on the trans-Sulawesi highway came to a complete halt.⁵⁴

A drunken brawl involving a few youths at an intersection on 16 November escalated in the following weeks leading to a show-down between five villages in Sabbang on 7 December: Dandang, Kalotok, Pompaniki, Kampung Baru and Mari-Mari.⁵⁵ While primarily indigenous To'ala villagers live in Dandang, the other four have a high proportion of settlers from Toraja, Bastem and Rongkong. Of all the conflicts from 1998 to 2002, this was the largest, and the joint presence of district police from Luwu, an army company from Kodim 1403 Sawerigading, and a Brimob squad dispatched from Pare-Pare was insufficient to prevent violence. The district police said that a joint military-police force of at least 500 was needed to search the houses in the five villages for weapons and that logistical support and provisions would also be required if forces were to be stationed in the area to prevent further outbreaks of violence.

⁵⁰ ICG interviews with local NGOs such as Baperlu and Wahana Transformasi Dan Informasi Rakyat as well as intellectuals such as local historian Andi Anton Pangerang, Palopo, 26 April 2003.

⁵¹ "Rusuh di Luwu, Baebunta Jadi Lautan Api", Pedoman Rakyat, 13 September 2002. *Papporo* is a locally assembled version of the bazooka made from steel pipes and ignited by a fire-charge using ammunition such as nails, glass shards and other sharp objects.

⁵² "Sudah 4 Tewas, 36 Luka dan 230 Rumah Dibakar", Fajar, 15 September 1998.

⁵³ Ibid.

⁵⁴ "Perang Kelompok di Perbatasan Lamasi Sabbang", Pedoman Rakyat, 25 October 1998.

⁵⁵ ICG interview, Kampung Baru, North Luwu, October 2002.

Neither was forthcoming, and sporadic clashes continued.⁵⁶

Coordination between the police and military was also lacking. The military maintained that it could not shoot at rioters because it had not received orders from the provincial command. In contrast, the rioters were very well organised and even used code language to distinguish fellow gang members from foes or the security forces.⁵⁷ It took three days for the security forces to restore order, and they seized hundreds of weapons from the rioters. Three people were killed, scores were injured and 42 houses set ablaze. A rumour of an imminent copycat attack by indigenous villagers on Torajan migrants in Padang Sappa village and sub-district led hundreds of Torajans to flee their homes.⁵⁸

Outbreaks of violence in Sabbang and Lamasi sub-districts continued well into the middle of 1999, claiming 26 lives and destroying 400 houses.⁵⁹ In addition, hundreds of Torajans from Luwu fled to the neighbouring and predominantly Christian district of Toraja, giving the conflict ethnic, migrant vs. local, as well as religious dimensions.⁶⁰

2. 1999 – 2001

Baebunta Sub-district. Conflict in the sub-district, now part of the newly created North Luwu district, erupted again when a fight broke out between Rongkong and Baebuntan youth gangs from the villages of Salassa and Sabbang on 29 December 1999. Fellow Baebuntans from Radda village arrived to help their friends, and the fight spread to Baebunta village. Two Baebuntans were killed and about 100 houses were burned.⁶¹ What had begun as a fight between two youth gangs engulfed all four villages. A joint security task force requested by the North Luwu *bupati* and authorised by the

regional police and military commands to shoot quelled the conflict itself relatively quickly.⁶²

The frequency of conflict between Baebunta and Salassa prompted a visit to both villages on 31 December 1999 by the regional military commander, Major General Agus Wirahadikusumah. The Baebuntans told him that the conflicts would cease if the ethnic Rongkong settlers left Baebunta.⁶³ Although the Rongkong had been resettled in the area since 1954, they were still seen as encroachers and troublemakers.⁶⁴

On 25 August 2000 the sub-district erupted again. A drunken dispute at a wedding party in Dusun Tepo involving a youth from neighbouring Dusun Malangeng resulted in a Malangeng gang burning seventeen houses in Dusun Tepo. The next day, a gang from Tepo retaliated by burning twenty houses in Malangeng.⁶⁵ Press accounts did not state the ethnicity of the gangs involved.

Lamasi and West Malangke Sub-districts. Lamasi sub-district bordering Luwu and North Luwu went up in flames between 4 and 5 January 2000 with 101 houses destroyed and four fatalities.⁶⁶ A few days later, the conflict spread to the villages of Wara and Cennning in the adjacent sub-district of West Malangke, injuring scores of people and destroying 143 houses including a Torajan *adat* house as well as three houses of worship (both Muslim and Christian). Thousands of people had to seek shelter in Masamba and Palopo, the administrative centres of North Luwu and Luwu respectively.⁶⁷ In both sub-districts, the affected villages had a mixture of locals and migrants, with a larger concentration of Torajans in West Malangke.

On 12 August 2001 a fight broke out between youths from the villages of Cennning and Waelawi in West Malangke. Cennning had a large population of Torajan migrants whereas Waelawi

⁵⁶ “Perang di Luwu Gunakan 12 Macam Senjata, Palopo Selatan Diisukan akan Diserang”, Binabaru, 11 December 1998.

⁵⁷ Ibid.

⁵⁸ Ibid. Although the source of the rumour was identified as the village head, no action was taken against him.

⁵⁹ Apart from this major conflict, Dandang and Kampung Baru villages were involved in three other clashes in 1998.

⁶⁰ “Dari Aksi Preman Kristen sampai Golok Orang Gila”, Suara Hidayatullah, October 2000.

⁶¹ ICG interview, October 2002.

⁶² ICG interview with North Luwu district chief, February 2003.

⁶³ ICG interview, October 2002.

⁶⁴ The Baebuntans claim that if the Rongkong left, there would be no one left to fight, and peace would be restored. The Rongkong believe that the Baebuntans want the land they have farmed for the past 50 years.

⁶⁵ “Luwu Utara Lautan Api...”, *Kompas*, 25 June 2002.

⁶⁶ “Dari Aksi Preman Kristen sampai Golok orang Gila”, *Majalah Suara Hidayatullah*, Oktober 2000.

⁶⁷ Ibid. *Majalah Suara Hidayatullah*, October 2000.

was primarily an indigenous To' Wara village.⁶⁸ The sub-district police went to contain the dispute, fired warning shots at a house in the belief the ringleaders were present and killed a five-year old child instead. That night an enraged mob of about 500 burned police headquarters in Malangke to the ground. Two Brimob squads and the North Luwu police turned up shortly afterwards to contain the situation. Police-community relations remained poor until the policemen involved in the shootings were dismissed. The community then rebuilt the police headquarters.⁶⁹

Padang Sappa Sub-district.⁷⁰ The conflict between Padang Sappa and Buntu Karya villages in Luwu on 29 August 2001 that resulted in nine deaths and destroyed 78 houses was not the year's most serious but local NGOs and community leaders told ICG that it showed how interested parties in land disputes could exploit local gang culture to pursue other agendas.

At the heart of the conflict was state land occupied by the sub-district market and claimed by a local clan headed by Andi Syair Bin Massiwa. During the Darul Islam rebellion, his family left the area but returned with the restoration of stability during the New Order to find that the district government had appropriated its land. In 1998, the post-Soeharto political context encouraged it to seek redress by bringing the claim to the district court, which ruled in its favour in 2001. Local NGOs and community leaders claim that the previous sub-district chief (*camat*), who wanted to overturn the district court's decision by appealing to the provincial court, deliberately sowed seeds of conflict by telling Torajan settlers in adjacent plots

that Andi Syair's claims would not stop with the market but would also threaten their land.

Relations between Andi Syair's village, Padang Sappa, and neighbouring Buntu Karya, which was predominantly Torajan, became particularly tense as a result. On 1 August, Rais, a local from Buntu Karya, picked a fight with a member of Andi Syair's clan in the market.⁷¹ This led to a fight between gangs from both villages that resulted in Andi Syair's death. In the following weeks, local government attempted reconciliation. Both villages and the sub-district authorities including the police and military agreed to expel anyone who tried to exacerbate the situation. Unfortunately, the authorities dismissed several ensuing incidents that were deemed dangerous by the villagers. On 29 August, Buntu Karya village attacked Padang Sappa. The mob included locals, Torajans and hired thugs from as far a field as Sabbang sub-district and Toraja district.⁷²

There are contested reports that on the night of the attack, a special call to prayer at the Padang Sappa mosque exhorted the faithful to stand up to their oppressors and attracted a large turnout, including many outsiders. The sub-district police chief was informed and told that an attack involving both villages was imminent but he failed to act. The call to prayer was mentioned in the Luwu district head's report, but local NGO activists claim that the attack was planned well in advance and not a reaction to events at the mosque as implied in the report. They believe that religion was not a factor in this conflict though the focus on it conveniently deflected attention from the main instigators (locals) and reinforced local prejudices against Torajans.

3. 2002

East Malangke Sub-district. The year saw recurrent violence in East Malangke, North Luwu. Longstanding hostility between youth gangs of Dusun Buloe, Cappasolo and Padang in Benteng village boiled over when a member of a prominent Padang family was stabbed by a gang of four from

⁶⁸ The To'wara are concentrated in the former royal courts of Palopo and Malangke, speak a courtly version of Bugis and consider themselves to be closely related to the Luwu royal family.

⁶⁹ ICG interview with North Luwu district council member, Jakarta, November 2002.

⁷⁰ The following account comes from various sources: "Penjelasan Bupati Luwu Tentang Kasus Padang Sappa Dan Langkah Langkah Penangan Yang Telah Dilakukan"; accounts of the conflict at a meeting convened by the local daily, *Palopo Pos*, attended by journalists, NGO activists and community leaders, Palopo, 26 April 2003; the family of the *adat* leader who bequeathed the land to Andi Syair's family, Palopo, 27 April 2003, and the director of NGO Wahana Transformasi dan Informasi Rakyat, who played an active role in the attempted peacemaking between both villages, phone interview, 16 May 2003.

⁷¹ Rais was a local and not a Torajan migrant. ICG sources believe that he was acting on the former *camat*'s orders.

⁷² ICG interview with the director of the local NGO Wahana Transformasi dan Informasi Rakyat, 16 May 2003.

Cappasolo on 12 March.⁷³ Padang and Buloe have high concentrations of migrants from Toraja and Bastem, whereas Cappasolo has indigenous To'Ware villagers. The head of Malangke sub-district immediately mobilised all village chiefs as well as community leaders to avert any retaliatory action by youth gangs, but two days later the plantation house of a Cappasolo villager was burned to the ground. On 16 March, realising that the situation was deteriorating, a joint team of village, sub-district and community leaders met with the youth gangs to persuade them to cease their feuding. The gangs ignored them because they already had received reinforcements from outside the village and could not risk "losing face" by calling off the planned attacks. That very day, four plantation houses were burnt in Cappasolo.

Early in the morning of 17 March, the Cappasolo side launched a counter-attack and burnt four houses belonging to villagers from Padang and Buloe. Alerted by the Malangke sub-district chief, a contingent from the North Luwu District police together with municipal and sub-district police arrived that afternoon and detained four Cappasolo youth while Malangke sub-district officials met separately with community leaders and *dusun* heads from both sides to hear their version of events.⁷⁴ Between 18 and 20 March, the police conducted a weapons search and established posts in the area, and on 27 March, a team of community leaders, after consultations, drew up an agreement binding all three *dusun* to keep the peace.⁷⁵

It was agreed that all displaced persons should return to their homes, those involved in the conflict should be handed over to the authorities, youth gangs should surrender their weapons, and external reinforcements should leave Cappasolo, Buloe and Padang. Victims were not to seek compensation, as it was feared this would perpetuate the cycle of violence. In addition, youth gangs from each *dusun*

were asked to select a leader who would be responsible for the behaviour of his gang.⁷⁶

Three months later, Dusun Cappasolo, Buloe and Padang were ablaze again. The ostensible cause was the failure to stick by the terms of the March peace agreement. On 16 June community leaders from Padang headed by Larampa, the grandfather of the stabbed youth, approached their counterparts from Cappasolo asking for ten million rupiah (U.S.\$1000) in damages – something the agreement expressly forbade, and the Cappasolo side refused. At dawn the next day while the Cappasolo men were fishing, Lababa led an armed attack on the village, leaving four people dead, three severely injured and 58 houses damaged. Over 100 people sought shelter in Palopo.⁷⁷ When the Cappasolo men returned, they retaliated and burnt 80 houses in Padang and 30 in Buloe. Close to 900 people fled to surrounding sub-districts such as Masamba, Baebunta, Sabbang and Bone-Bone. Material losses were sixteen billion rupiah (U.S.\$1.8 million).⁷⁸

The North Luwu Police, backed up by reinforcements from Luwu, arrived shortly after the attacks and were able to prevent retaliation, cordon off both villages and detain four people. In spite of police success in quelling the conflict, the situation remained tense, and rumours were rife that further attacks were imminent. The North Luwu *bupati* inspected the site on 19 June and authorised security reinforcements.⁷⁹ Apart from maintaining order and investigating, the security personnel were mainly stationed in six strategic posts in the vicinity to prevent recurring attacks.⁸⁰ Nevertheless,

⁷³ Malangke Sub-district report to North Luwu District Head no. 045/53/KM, 4 April 2002.

⁷⁴ Municipal Police report no. 300/84/Kesbang – PP to North Luwu District Head, 18 March 2002.

⁷⁵ *Dusun* or sub-villages are smaller units within the village or *desa* and form the most basic group unit in rural Indonesia. The size of a *dusun* can vary from 50 to 100 families, with its own leader who reports to the *desa* or village head.

⁷⁶ Proceedings from the meeting of community leaders of Dusun Cappasolo, Dusun Padang and Dusun Buloe, 045/53/KM attachment, 4 April 2002.

⁷⁷ "Dua Dusun di Luwu Utara Masih Tetap Mencekam", *Koran Tempo*, 21 June 2002.

⁷⁸ According to reports by the North Luwu District Head no. 100/219/Bina P.B. Bang Wil., 17 June 2002 and the North Luwu District Secretary no. 300/294/Kesbang-PP, 8 July 2002. A local NGO, LSM Leskop, criticised the local government for failing to take inventory of the damage a week after the event had taken place and estimated losses of close to 3 billion rupiah (U.S.\$400,000).

⁷⁹ These included 30 Brimob officers from Baebunta sub-district, 30 men from Luwu district police, twenty from Malangke sub-district police, twenty from North Luwu district police, fifteen intelligence and criminal investigation officers as well as 30 soldiers from the district military command. *Palopo Pos*, 21 June 2002.

⁸⁰ "1500 Warga Benteng Mengungsi", *Palopo Pos*, 26 June 2002.

villagers from Cappasolo continued to leave the areas. To counter their fear, close to 100 security personnel remained in the area in the following weeks. Some of the displaced did trickle back but in smaller numbers and at a slower rate than in the past.⁸¹ It was not reassuring that only four people had been arrested while other identified ringleaders remained at large.⁸²

Baebunta Sub-district. On 30 September 2002, conflict broke out again in the sub-district, in Dusun Karombing. In mid-September, the corpse of a man named Ketto from Tobua had been discovered. The Tobuans believed that Karombing villagers were responsible and wanted revenge. Some 300 crossed the river separating the villages by boat in a dawn attack, burning 29 houses before being chased back to Tobua, where the Karombing villagers burned eight houses in retaliation.⁸³ Two people were killed, and three were injured.⁸⁴

According to the South Sulawesi police chief, it was a straightforward inter-village conflict between Karombing and Dusun Tobua in Lamasi. The victims in Karombing and the local police saw the incident quite differently. To begin with, the attackers were not primarily from Tobua and included youth gangs from nearby villages, who had gathered in Tobua before crossing over to Karombing.⁸⁵ Secondly, the attack was obviously planned, as certain houses in Karombing that had special markers were spared.⁸⁶

Tomoh, the leader of a Bugis clan from which some of the victims came, claimed that local youths from Karombing took part in the attack and that the groups involved would frequently gather to drink in the houses that had been spared.⁸⁷ He also alleged that the owner of one boat used in the attack, a Karombing native, now lived in West Malangke

and had been a ringleader in the Cappasolo-Padang conflict in June 2002. Tomoh also revealed that the same youth gangs, who were primarily locals, had been stealing cacao pods from his land and that he had reported them to the police to no avail. He had arranged for Brimob personnel to sleep in his field house to scare away the thieves around the same time that Ketto's corpse was discovered. This increased his unpopularity with the locals in Karombing, and rumours that he was responsible for Ketto's death circulated. The attack on Karombing occurred a few days after the Brimob personnel left the village. Tomoh was convinced that the local youth gangs were trying to force him and his clan to leave Karombing. The sub-district police chief concurred.⁸⁸

⁸¹ "Situasi Terakhir Kasus Cappasolo", report by North Luwu District Secretary No. 300/294/Kesbang-PP 8 July 2002.

⁸² "Petugas-Wartawan 'Kepung' Wilayah Kerusuhan", *Palopo Pos*, 22 June 2002.

⁸³ "Luwu Utara Rusuh, 37 Rumah Terbakar, 1 Tewas", *Koran Tempo*, 2 October 2002.

⁸⁴ Report by North Luwu District Secretary no. 300/378/Kesbang-PP, 5 October 2002.

⁸⁵ ICG interview with sub-district police chief, October 2002.

⁸⁶ Plastic bottles painted black were hung from the eaves of the houses.

⁸⁷ ICG interview, October 2002.

⁸⁸ Even though a particular group of Bugis migrants were targeted, indigenous villagers in Karombing also lost field houses in the attack – one reason why both indigenous as well as migrant communities eventually resist attacks of this nature.

VI. CAUSES OF CONFLICT

There is a major difference between local and national perceptions of the conflicts that raged from 1998-2002. By 2000, when the Maluku and Poso difficulties were at their height, the Indonesian media tended to portray any eruption of conflict involving different ethnic groups as being caused by longstanding ethnic and religious tensions. The deadly attacks by Dayaks on Madurese in Central Kalimantan in 2001 reinforced this tendency.⁸⁹

But in Luwu residents focused more on land disputes, social problems, weak institutions and inadequate law enforcement. They dismissed primordial religious or ethnic hatreds as causes because conflicts did involve participants of the same ethnic and religious groups. They perceived land disputes as the real cause. They emphasised that the greater number of Torajan migrants involved in inter-village conflict compared to Bugis migrants had more to do with competition for land than religion: most Torajans are farmers, whereas a larger number of Bugis migrants are traders.⁹⁰

A. LAND DISPUTES

Disputes over land began to surface in the 1990s. The Rongkong who were resettled during the Darul Islam rebellion, as well as spontaneous migrants (Torajans and Bugis) who planted cash crops like cacao in the late 1970s, were beginning to enjoy the results of their labour, and land hitherto deemed worthless was seen as valuable. Children of locals who had sold their land for a pittance began to challenge the sales.

The absence of land certificates or deeds of sale and dishonest brokering by village heads who sold land they had no right to further complicated the question of ownership. For most of the Luwu population, land ownership according to customary law is proven by natural markers such as trees or other landmarks; the presence of traditional food crops such as sago; or witnesses to the fact that the land in question was cultivated before 1960, the

year Indonesia's Agrarian Law regulating land ownership went into effect. Transmigrants who arrived in Luwu as part of the government program from 1969 onwards received land certificates, but those resettled as a result of the Darul Islam rebellion did not. That transmigrants have certificates for their land is a reason why they do not feature in most conflicts. The Rongkong, in particular, were often treated unfairly, in some cases having to repurchase land they had already paid for from local owners or pay compensation repeatedly.⁹¹

The frustration stemming from land disputes helped turn seemingly trivial incidents into major confrontations. These often involved the children of local owners who sold their land without documenting the sales and of buyers who did not follow any legal procedures because they wanted to close deals quickly or did not know better. Fights between Rongkong and Baebuntan youth in North Luwu would often begin with insults: Baebuntans would accuse Rongkong of sharp practices, who would retort that locals were lazy and extorting money instead of working for a living. As a result of these incidents, the sense of insecurity in Baebunta and Sabbang sub-districts was so high throughout the 1990s that villagers could not sleep soundly and were afraid to go to their fields.

Problems have also arisen as the result of local boundary changes within Luwu over the past decades. Baebunta sub-district is an example. Formerly comprising the four villages of Salassa, Tarobok, Kariango and Lassa, it was merged into two villages, Salassa and Baebunta, in the 1980s. This resulted in the creation of new villages and hamlets as well as the "disappearance" of old ones, producing uncertainty over boundaries and the exact location of plots. The sub-district police chief believed that the conflict in Karombing in Baebunta sub-district in 2002 was a result of this.⁹²

The sub-districts of Sabbang, Lamasi and Malangke have also been conflict-prone. These lie on the border separating Luwu from North Luwu, and there have been disputes over the exact location and ownership of land with accusations of land

⁸⁹ For analysis of communal violence in Kalimantan, see ICG Asia Report No. 19, *Communal Violence in Indonesia: Lessons from Kalimantan*, 27 June 2001.

⁹⁰ Phone interview with NGO activists working on land issues in North Luwu, 27 May 2003.

⁹¹ ICG interview with Rongkong community leaders as well as the Baebunta village head, who is a native.

⁹² ICG interview, October 2002.

grabbing or land “vanishing” as a result of new boundaries.⁹³

It is worth noting that all land-related conflicts from 1998 to 2002 involved transactions between individuals, i.e. resettled natives and “spontaneous” migrants on the one hand and local villagers on the other. Other land disputes in Luwu not related to the conflict described above involved concessions to private companies or expropriation for commercial purposes that pit villagers against different actors: private companies, local government, the police and *adat* leaders.

In 1974, 68 people from Soroako, in what is now East Luwu, whose land was appropriated by the state and leased to PT Inco, the mining corporation, failed to receive their share of the compensation that PT Inco had paid the local government. The case festered for 28 years until it was resolved in 2002.⁹⁴

The villagers of Wewangriu and Pongkeru villages in Malili sub-district, East Luwu, are contesting the license of PT Latunrung Cacao plantation (HGU No. 15/HGU/1989), claiming that the company failed to compensate farmers whose plots were within the original 999.8 hectare concession and that it illegally occupies 3,000 hectares including the assets of farmers in the area such as fish ponds. PT Latunrung says that it has signed agreements to prove that it has compensated the farmers but they reject this, asserting that the company colluded with the former village head to fabricate the agreements.⁹⁵ Farmers have accused the village head and Malili sub-district police of intimidation on behalf of PT Latunrung.⁹⁶

In Barammase village, Walenrang sub-district, Luwu, a three-cornered dispute over the status of a former rubber plantation has developed between the district government, the Bulu *adat* leadership and the farmers who have been working the land. The Bulu *adat* leaders claim that the land belongs to their clan; the district government rejects their claim because the last king of Luwu signed the land over to the district government in 1997 (20/DEPAL/VIII/1997, 27 August 1997), and it has decided to build a road race circuit on the site to generate local revenue. The Barammase farmers oppose the race circuit development and claim that they received approval from the village head to farm the land in 1980 because the plantation had ceased to be productive. They were supported by a South Sulawesi provincial ruling that landless villagers could cultivate idle land and more recently by the Luwu *bupati* Khamrul Kasim's decision in 1999 that they could carry on working their plots (SK No 590/80/Tata Pem).⁹⁷

The dispute escalated in 2002 when Barammase villagers destroyed 90 per cent of the track under construction claiming that the constructors had trespassed, that they had not been consulted on the race circuit development in accordance with regional autonomy law, and that their fields had been damaged.⁹⁸ To muddy the waters further, former local government functionaries had marked plots in the other areas on the site for sale.⁹⁹

Villagers from Battang village, Telluwanua sub-district, Palopo have successfully pressured the district government not to approve the renewal of PT Hasil Bumi Indonesia's license on the grounds that the concession encroaches on protected *adat* land and plots belonging to villagers who fled during the Darul Islam rebellion.¹⁰⁰ They add that the company has not contributed to the village in any way since it took over the concession in 1972 and has violated the terms of its license by

⁹³ A former member of the DPRD's Commission A, which deals with security and government, said that public misunderstanding of what new administrative boundaries meant for land ownership (nothing at all) was probably being exploited in land disputes and an unforeseen consequence of *pemekaran*.

⁹⁴ ICG interview, October 2002, with Soroako NGO activist, Andi Baso, who has waged a long campaign to gain proper compensation and better living conditions for communities affected by PT Inco's activities since 1974.

⁹⁵ See “PT Latunrung Dituding Kuasai Lahan Masyarakat”, 19 June 2002, *Palopo Pos* and “Absen Rapat Dijadikan Bukti Persetujuan”, 28 October 2002, *Palopo Pos*.

⁹⁶ “Datang Terima Wang Gantirugi, Ditangkap Polisi”, 29 October 2002, *Palopo Pos*.

⁹⁷ See “Petani Barammase Unjuk Rasa”, 28 February 2003, *Palopo Pos* and “Tanah Adat Diserahkan ke Pemkab”, *Palopo Pos*, 18 June 2002.

⁹⁸ “Petani Bongkar Arena Road Race”, 29 May 2002, *Palopo Pos*.

⁹⁹ “PPBM Siap Perang Pertahankan Hak”, 11 October 2002, *Palopo Pos*.

¹⁰⁰ See “Warga Battang Berontak”, 8 August 2002, *Palopo Pos*; “Pemkab Luwu tak Perpanjang Kontrak HGU”, 9 September 2002, *Palopo Pos*; “Ratusan Warga Battang Hadang Hakim PTUN”, 1 March 2003, *Palopo Pos*.

switching crops from cloves (as stipulated in the licence) to cacao and vanilla. However, because the licence was approved by the central government, the Luwu *bupati* claims that a ministerial decision from Home Affairs is necessary before PT HBI can be forced to vacate the land. In the meantime, the company has taken the district government to the provincial court for not approving the renewal of its license. The situation is potentially explosive and could well lead to more inter-ethnic conflicts because PT HBI is owned and staffed by Torajans, and locals claim that Torajan thugs have been hired to intimidate them.¹⁰¹

Finally, disputes have arisen because village heads allocated land belonging to villagers displaced during the Darul Islam rebellion to transmigration projects that began in 1969. The original owners returned in the 1970s when Luwu was stable to find their land occupied. This type of dispute is rare, and ICG was informed of only one case: in North Luwu, Lara village, Baebunta sub-district.¹⁰²

B. SOCIAL PROBLEMS

The most common social factors cited by Luwu residents to explain the fighting were hooliganism, and envy between economically successful migrants and resettled farmers on the one hand, and local farmers, on the other.

Local accounts of the conflict stress a gang culture based on village loyalty and fuelled by long-standing vendettas that are stoked by any new altercation, however trivial.¹⁰³ Luwu's size and relative inaccessibility still mean that gangs who know the terrain have the upper hand over a small police presence. Local NGOs stressed that youth unemployment and underemployment, the absence of "bridging" local organisations that could promote integration between different villages and

communities, and the availability of alcohol were major problems in conflict-prone areas.

Another important factor that residents of North Luwu cited was the fact that relocated and spontaneous migrants have fared better economically than local farmers. They planted cash crops, especially cacao, in the late 1970s and gained from the higher prices a decade later compared to locals who stuck to traditional crops like rice and fruit trees. The price of rice in particular is fixed by the state, meaning low returns for local farmers. It is hard to pinpoint why local farmers have not been as successful. It is true that spontaneous migrants like the Torajans and Bugis who flocked to North Luwu from the late 1970s onwards were able to buy larger plots of land because they had more capital (obtained by selling their land in Toraja or Bone/Soppeng, which was more expensive than land in Luwu).

The Rongkong, however, were not cash rich, have smaller plots and have still prospered. Locals themselves admit that they are less conscientious farmers, visiting their smallholdings only once a week compared to the Rongkong, Bugis and Torajans, who work their land daily.¹⁰⁴ A more telling reason may be lack of knowledge. Compared to most native farmers, migrants are better informed about new crop types and methods of cultivation. Education of local farmers may well go some way towards easing tensions between economically disparate groups and is one of the district government's priorities.¹⁰⁵

The onset of the Asian monetary crisis in 1997-1998 that had a devastating effect on Indonesia in general had the reverse effect on Luwu and was a conflict trigger. As noted above, record-high prices for cacao in world markets meant astronomically high revenues for Indonesian cacao farmers when converted into the depressed rupiah rates then prevailing.¹⁰⁶ For the first time in North Luwu in particular, successful cacao farmers – disproportionately Rongkong, Bugis and Torajan – could afford to build brick houses and buy motorcycles and other luxury items. Luwu's

¹⁰¹ Interview with NGO Wahana director, 15 May 2003.

¹⁰² ICG interviews with the local land office, local NGOs, October 2002. Confirmed by North Luwu *bupati*, February 2003.

¹⁰³ For example, a local NGO activist who has been working with youth gangs and was familiar with the 1998 conflicts told ICG that enmity between Dandang and Kampung Baru villages in Sabbang sub-district dated back to 1981, when a wrecked car belonging to a Dandang local was not adequately compensated by the Kampung Baru settler deemed responsible.

¹⁰⁴ ICG phone interview with a native NGO activist in Masamba, North Luwu, March 2003.

¹⁰⁵ North Luwu's budgets for 2000, 2001 and 2002.

¹⁰⁶ Francois Ruf, "L'avenir Des Cultures Perennes En Indonesie: Cacao Et Clou De Girofle Apres La Tempête Monétaire", *Revue Tiers Monde* no. 162, April-June 2000.

“brown gold” prosperity in 1998 also encouraged the return of locals who had sold their land and left in previous years when they thought the land was worthless but now wanted a share in the wealth.¹⁰⁷ As a result of these factors, social envy and land disputes rose.

A contributing factor to the social envy is the sense of internal social hierarchy harking back to royal times. The sub-districts of Sabbang and Baebunta were a single administrative unit when Luwu was a kingdom and remained so until the 1980s, so ties between both communities are strong. Baebunta was a main district within the ancient royal federation of Luwu, and Malangke was one of the royal courts of the Luwu kingdom. As a result, the local communities in these areas have an elevated sense of their social importance and look down on the Rongkong highlanders from the northwest as socially inferior and backward.

Similarly, they hold the Christian Torajan highlanders in low esteem because their addiction to gambling frequently reduced them to slave status in the past. That Torajans eat pork and consume alcohol are considered further signs of primitive appetites. The economic success of these groups is particularly hard for the locals of Baebunta-Sabbang and Malangke to bear. Many also complain about Torajan pig breeding, which lowers land prices because Muslims will not buy surrounding plots. To compound matters, pig enclosures are generally located on riverbanks and pollute the drinking water sources of Muslim villages downstream, which locals find unacceptable.¹⁰⁸

C. THE POST-SOEHARTO CONTEXT

The atmosphere of the immediate post-Soeharto period may have also exacerbated tensions. People were watching demonstrations, rioting and conflict on national television on a daily basis, and this may have emboldened local youth gangs.¹⁰⁹ After 1999-

2000, conflict in neighbouring Poso as well as in Maluku made people feel generally more insecure, more likely to believe rumours of imminent attacks and more likely to arm themselves. There were rumours of individuals turning up in Luwu with large sums of money allegedly paid by generals in Jakarta who wanted to create ethnic unrest in Luwu either to restore the New Order or to emphasise the importance of the military as a guarantor of security.¹¹⁰

A significant consequence of regional unrest was the ready availability of smuggled weapons from neighbouring districts before the locals learned by copying to make their own.¹¹¹ By 1999, security forces were overstretched with district and regional forces deployed to guard the border between Central and South Sulawesi, leaving a smaller presence to deal with inter-village conflicts that were seen as less serious.¹¹²

D. POLICING AND THE LEGAL PROCESS

Poor policing has been a long-standing problem in Luwu. Local community leaders and NGOs maintain that failure to deal firmly with gang violence when it first emerged in the 1990s paved the way for the more serious conflicts from 1998.¹¹³ During Independence Day celebrations in August 1999, Drs HM Luthfi A Mutty, the caretaker *bupati* of North Luwu, personally had to disarm men who turned up with *papporo* guns and machetes while the policemen on duty did nothing and even failed to prevent the men from escaping. The policemen claimed they were too few to quell a mob (although

leaders interviewed in Palopo, Luwu, between April and May 2003.

¹¹⁰ Some local intellectuals and community leaders interviewed by ICG believed that the series of communal conflicts that swept across Indonesia post-Soeharto were orchestrated from Jakarta and that Luwu was the first experiment. When Luwu failed to explode as intended, attention shifted to Ambon and Poso.

¹¹¹ Weapons were smuggled into Luwu from neighbouring Poso as well as Toraja. Workshops within Luwu were assembling more lethal versions of *Papporo* guns and selling them at prices well within the reach of most Indonesians (i.e. U.S.\$10 –\$50).

¹¹² ICG interview January 2003.

¹¹³ When ICG asked a cross-generational group of religious and *adat* leaders as well as NGO activists to rank the causes of conflict in Luwu, poor policing and the lack of confidence in legal and political institutions topped the list, 26 to 28 April 2003.

¹⁰⁷ “Brown gold” was the name given to cacao when it became such a valuable commodity in 1998.

¹⁰⁸ In Palopo, pig breeding was deemed the greater social problem whereas in North Luwu, social envy of migrant success was the bigger factor.

¹⁰⁹ ICG interview with North Luwu DPRD Deputy Head, October 2002, reiterated by local NGOs and community

it was clearly not one) and needed authority from the head of the district police in Palopo, 70 km. away, to act.¹¹⁴

When the local district council subsequently voted Luthfi into office as *bupati* of North Luwu in December 1999, he made public security his first priority. In the aftermath of the March and June 2002 attacks in Cappasolo-Padang, Luthfi was criticised in the local press by the governor of South Sulawesi as well as a local NGO for not preventing the conflict.¹¹⁵ He saw the violence as the result of the police failing to make arrests at the outset, leading to retaliatory attacks by the villagers and retorted that there was a limit to what he could do since he had no authority over the local police.

This underscores a major problem throughout Indonesia: security, including policing, remains a central government function under the decentralisation laws, even though district heads are responsible for maintaining law and order.

The poor opinion of the local police is shared by other sectors of Luwu society.¹¹⁶ The head of community relations in the North Luwu Municipal Police said that of all measures taken to prevent or resolve conflict, police investigation was generally the weakest.¹¹⁷ This was due to witnesses not coming forth or the police failing to make arrests even when they had the names of suspects. The intelligence and criminal investigation sections of the local police force were weak because districts were not given the authority, personnel or equipment to deal with riots or conduct criminal investigations and had to go up the chain of command to the provincial or national level.¹¹⁸

The lack of capacity at the sub-district level is particularly glaring. In the Cappasolo-Padang outbreaks, sub-district authorities had plenty of warning that conflict was imminent. In the June attacks the demand for compensation in clear violation of the peace agreement a mere two days after security personnel had been withdrawn from posts should have been a warning. Instead, the sub-district police chief sent his subordinate to the meeting where the demands were made and then claimed ignorance. Similarly, the discovery of Ketto's corpse and subsequent rumours as to the identity of the murderer should have alerted police to the potential for trouble in Karombing in September 2002 given the established pattern of violence.¹¹⁹

Local police are often under funded, under-equipped and over-stretched.¹²⁰ In Baebunta/Sabbang sub-district, a conflict flashpoint, 23 police with two motorcycles were in charge of 46 villages, many not accessible by road. The national police budget only covers 60 per cent of total operational costs and does not include the cost of sustaining personnel in field positions.¹²¹ Local government and villagers themselves have to help out with food and other expenses, sometimes compromising police neutrality in conflict areas.

Rongkong community leaders actually blame the police for the attack on Salassa village in 1998. They say it occurred only after the police ordered Rongkong youths to retreat from their defensive positions at the entrance of the village. Similar sentiments were expressed by the inhabitants of Cappasolo, who felt that the police tended to side with the villagers from Padang.¹²²

Inadequate sentencing compounded poor policing. The ringleader of the Cappasolo-Padang attacks received a mere six months in prison. A total of 42

¹¹⁴ ICG interview, February 2003.

¹¹⁵ "LSM Kecamatan Bupati Lutra", *Palopo Pos*, 24 June 2002.

¹¹⁶ ICG interviews with village heads, community leaders and the head of community relations, North Luwu Municipal Police, October 2002.

¹¹⁷ These include stationing more policemen at village boundaries whenever there were incidents, police investigation of the conflict, local government identifying root causes and remedies (e.g. land, juvenile delinquency) as well as involving community and religious leaders in trust-building exercises among the people. ICG interview with the head of community relations, Municipal Police, October 2002.

¹¹⁸ This is slowly changing due to ongoing national police reforms that are factoring in decentralisation. ICG

interview with Partnership for Governance consultant on police reform, March 2003.

¹¹⁹ According to the sub-district police chief, this was such common knowledge that the *Palopo Pos* ran a story identifying Tomoh as the culprit based on no evidence whatsoever. ICG interview, October 2002.

¹²⁰ ICG interview with head of community relations, North Luwu Municipal Police, October 2002.

¹²¹ Adrianus Meliala, "Local Colours for Indonesian National Police" in *Policing and Society*, vol. 12, no. 2, 2002.

¹²² ICG interview with Rongkong community leader, January 2003.

people were arrested for the conflicts that occurred between 1998 and 2000: four were released due to lack of evidence, and the rest were sentenced to between two and five months in prison.¹²³ Not only does the light sentencing fail to serve as a deterrent, it also becomes a further source of grievance for the injured parties and perpetuates the cycle of violence. Like policing, justice remains a central government function under decentralisation. Successful conflict management in the regions requires a far more concerted effort from the central government and the Ministry of Justice in assigning adequate human resources to district courts and sending appropriate signals via sentencing that the destruction of life and property are serious crimes.

VII. IMPACT OF *PEMEKARAN* AND DECENTRALISATION

In the midst of all the problems Luwu was confronting, it was administratively divided through the *pemekaran* process. North Luwu was created in 1999, Palopo in 2002 and East Luwu in 2003. What impact, if any, would that process have on the conflicts outlined above, and what new conflicts, if any, would it throw up?

With respect to the causes of past conflict, there was both concern and hope. The concern was that candidates for local office might play on existing tensions between villages, and all their ethnic and migrant vs. local overtones, to mobilise popular support, as happened to some extent in Central Kalimantan and Poso.¹²⁴ Boundary problems resulting from *pemekaran* had been a key factor in the outbreak of conflict in North Maluku; given the land tensions in Luwu, would further division exacerbate conflict?

On the hopeful side, there was the possibility that the original goal of *pemekaran*, bringing the government closer to the people, could actually serve to improve conflict management in Luwu.

The creation of North and East Luwu also raised the spectre of new conflicts: would there be competition between those who got the new jobs and those who were left with a smaller area to administer, and would a deadly struggle break out over resources, particularly the benefits from PT Inco?

In fact, *pemekaran* proved to have a largely positive impact because of increased fiscal transfers from Jakarta to the new districts and because more official positions became available as the number of local governments increased from one in 1998, to four in 2003.

A. THE RATIONALE FOR *PEMEKARAN*

The main reason used to justify *pemekaran* in Luwu was its sprawling size, but economic

¹²³ ICG interview with Baperlu, NGO in Palopo, April 2003. Baperlu staff produced the figures from their own reports.

¹²⁴ For analysis on Poso, see Lorraine V. Aragon, "Communal Violence in Poso, Central Sulawesi: Where People Eat Fish and Fish Eat People", *Indonesia* 72, October 2001, pp. 45-78.

development and the prospect of transfers from the central government were also important.

The original district of Luwu covered more than a third of South Sulawesi province and contained some 812,497 people.¹²⁵ Apart from its size, the ruggedness and diversity of its terrain made travel difficult. Even with the formation of North Luwu in April 1999, it took more than a day to travel from North Luwu's capital in Masamba to settlements in Towuti, the easternmost sub-district. If North Luwu justified its creation on the basis of residents not having to travel to Palopo for basic services, people in the eastern part of North Luwu used the same argument to campaign for their own district, which came into being in January 2003.

To many outsiders, revenue from PT Inco, the nickel mine, seemed to be the obvious prize, rather than improved government efficiency. When Luwu was divided in two, North Luwu got the mine but it was in the eastern part of the district; the successful campaign for the creation of East Luwu meant that revenues from the mine would go there instead. East Luwu had borne the brunt of economic and environmental exploitation and received less than a proportionate share of community development funds during the New Order years when PT Inco was significantly less concerned with being a good corporate citizen.¹²⁶ Its citizens felt that they had been left behind and wanted to emulate the development that took place in North Luwu after it became a district in 1999.

Another factor leading East Luwu to campaign for its own district was the effective leadership of the North Luwu *bupati*, who was finally able to settle

the old land dispute with PT Inco.¹²⁷ He ensured that the fault of the government in 1974 was acknowledged and provided plots of certified land to the 62 families which had not received compensation.¹²⁸ Local community leaders were impressed and believed that rather than relying on luck to produce good *bupatis* from elsewhere, they should have their own representatives to address their interests. Those interests included securing the transfer of the central government's 20 per cent stake in PT Inco to the district government of East Luwu.¹²⁹

This was not to say that there were not objections in North Luwu to losing the revenue from PT Inco. But North Luwu officials cautioned against undue emphasis on its significance. In 2002, it received only 20 per cent of its revenues from locally generated sources, of which royalties and taxes from PT Inco made up about 90 percent, or some 16 per cent of its overall budget. Far more important was the allocation from the central government (DAU), which was close to 60 per cent of district revenues. 90 per cent of district governments receive less than 10 per cent of their revenues from their own sources such as taxation and charges. Only 10 per cent of district governments get more than 30 per cent of their revenues from natural resources, namely districts in the resource-rich provinces of Riau, Kalimantan, Aceh and Papua. DAU allocations contribute 90 percent or more of district government revenues for about half of all districts.¹³⁰

The above arguments should not lead to the conclusion that harmony reigned throughout Luwu or that everyone recognised the legitimacy of *pemekaran*. There were demonstrations against Palopo becoming a municipality in 2001. In North Luwu, demonstrations against the *pemekaran* of East Luwu began in early 2001 when North Luwu issued a decision agreeing to it and continued until mid-2002. With eight sub-districts in favour of splitting and eleven seemingly against, the North Luwu *bupati* was in a dilemma. He stalled for a year, using that time to explain at public meetings why East Luwu's decision was valid and to

¹²⁵ Figures taken from Luwu Dalam Angka 1998, Badan Pusat Statistik Luwu.

¹²⁶ PT Inco like Indonesia has undergone *reformasi* since 1998 and wishes to play a more active role in the development of three sub-districts of Malili, Nuha and Towuti, that have been most affected by its activities. Community relations officers from PT Inco told ICG that the company has set up a Community Development fund for the local communities in these three sub-districts. Each sub-district gets about U.S.\$100 000 a year, and decisions on how the money should be spent are taken jointly by local community leaders as well as village and sub-district government. The funds are audited and care is taken in project selection not to replicate local government responsibilities such as road building or streetlights. Before 2000 Community Development funds went to the central government and stayed there.

¹²⁷ See above.

¹²⁸ ICG interview with Andi Baso, Soroako October 2002.

¹²⁹ ICG interview with Andi Baso, Soroako, October 2002.

¹³⁰ Ringkasan APBD (regional budget) Luwu Utara Tahun Anggaran 2002 (North Luwu Budget for Financial Year 2002).

reassure people that North Luwu would not become bankrupt overnight.

This was the main concern of opponents, who were not against *pemekaran* per se but mainly worried about it happening before North Luwu had developed its physical infrastructure. When local leaders from North and East Luwu planned the *pemekaran* of the latter, they informally agreed to share revenues. The North Luwu *bupati* was torn: if he told his people about the agreement, he could have dampened the protests from opponents of the process worried about the loss of revenue. But the agreement was not binding, and therein lay the danger. As he told ICG, "If I tell the people that East Luwu will share its royalty from Inco until 2005 but East Luwu then backs out, the people will get angry leading to real trouble between regions". He felt the central government should formalise the terms of revenue sharing in the legal articles incorporating East Luwu.¹³¹ Then if East Luwu reneged, sanctions could be expected to follow.

After a year "socialising" the idea and finding a greater level of acceptance, the *bupati* signed the directive to take the process to the next level. The delay, however, led to other misunderstandings. East Luwu, fearing its application would only be processed after the 2004 general elections, went to Jakarta in June 2002 to persuade Commission Two to exercise its right of initiative and paid for it to visit Malili.¹³² In the meantime, the North Luwu *bupati* had set aside U.S.\$8,000 in the 2002 budget to pay for the DPOD to conduct its own assessment.¹³³ As a result, the region paid twice to achieve the same result.

The North Luwu government shrugged off the demonstrations, attributing them to a misunderstanding of district financing as well as being a common feature of the post-Soeharto era. There have been no demonstrations in North Luwu since June 2002.

B. DOES DIVISION ITSELF FOSTER CONFLICT?

As noted above, opposition to *pemekaran* in Luwu was short-lived and did not result in conflict. There are several possible reasons why Luwu did not go the way of Poso, Central Kalimantan or North Maluku. First, candidates vying for local office depend on the patronage of the local political party bosses, who are all prominent *adat* leaders, rather than village-based popularity. These *adat* leaders would not countenance such divisive tactics or attempts to weaken their influence by direct appeals to the electorate. Ethnic identity in Luwu is also too fragmented to be a significant basis for popular mobilisation. As mentioned above, conflicts are localised and do not tend to spread beyond neighbouring villages. Most politicians and functionaries in Luwu do not enjoy strong grassroots support, and while there is rivalry between political elites, this has not provoked conflict at village level.¹³⁴

The argument that *pemekaran* will foment conflict between districts within Luwu is also rejected locally where it is seen as part of a larger project: Luwu province. With three districts and one municipality, Luwu has met one of the main requirements. Any rivalry within Luwu is minuscule compared to resentment of the political elite in the South Sulawesi capital of Makassar.¹³⁵ Luwu is under-represented in the provincial bureaucracy, and no one from there has ever held high office. This marginalisation is all the harder to bear because Luwu makes a higher contribution to provincial coffers than other districts in South Sulawesi due to revenues from PT Inco. In addition Makassar derives its reputation as one of Indonesia's leading port/trading centres due in no small part to the agriculture produce from Luwu

¹³¹ Law 7/2003.

¹³² According to ICG sources, the Formation of East Luwu Committee had prepared a war chest of U.S.\$10,000.

¹³³ ICG interview February 2002.

¹³⁴ There is rivalry between the *bupatis* of Luwu (Khamrul Kasim) and North Luwu (Luthfi Mutty). ICG sources claim that Luthfi poached the best of Khamrul's staff when North Luwu district was formed but there were no repercussions.

¹³⁵ These are the opinions of the North Luwu *bupati* who left Luwu early in his career as an administrator and went to Jakarta to forge networks there believing that Jakarta would be easier for a Luwuan to penetrate than Makassar.

such as cacao and oil palm.¹³⁶ Luwu feels it gets little in return for boosting Makassar's fortunes.

The latest altercation between Luwu and Makassar over the reallocation of the water levy paid by PT Inco may also convince Luwu that it would be better off economically by forming its own province. A new law (Law 34/2000) allows the province – in order to increase the redistribution of locally generated revenues – to decide on the division of the water levy that PT Inco previously paid fully to North Luwu. The province has decided to keep 30 per cent, leaving the districts in South Sulawesi with 70 per cent. North Luwu as the resource-generating district gets to keep 80 per cent of that; the rest will share the remaining 20 per cent. North Luwu stands to lose 45 percent of its main local source of revenue.¹³⁷

The anger generated has been immense. It is obvious that the only real redistribution going on is into provincial coffers, and districts complain that they see little of this.¹³⁸

North Luwu is incensed that revenue redistribution within the province is being sourced from its share

of the water levy for what is clearly a provincial and not a district responsibility. The province's failure to consult North Luwu in deciding on how the revenue was to be shared has also revived the old distrust of the Makassar bureaucracy. This and the prospect of keeping locally generated revenues in Luwu may become a stronger motive for province formation in the future.

In Luwu's case, it would be more accurate to say that past conflict has affected its campaign for provincial status. The original plan was to create Luwu Raya, along the lines of the former Luwu kingdom, but opinion was sharply divided over whether or not to include the neighbouring district of Toraja. It is predominantly Christian and would certainly change the religious balance of Luwu, currently 80 per cent Muslim. Scholars debated whether Toraja was part of the kingdom for long enough to be considered truly Luwu. Another opinion was that because Torajans featured in many conflicts within Luwu, including it within the province would only increase conflict. There was also concern that political and economic competition with Torajans once they became a part of Luwu would lead to religious and ethnic mobilisation, which is not a problem at present.

This fear has prevailed – polls conducted in all the village councils (Badan Perwakilan Desa, BPD) in Luwu returned a 95 per cent vote in favour of a future Luwu province excluding Toraja.¹³⁹ Based on this result, plans for Luwu Raya have been abandoned in favour of Luwu province, and campaigners are confident that it will be formed before the 2004 elections.¹⁴⁰

¹³⁶ Luwu's locally generated revenues are second only to Makassar in South Sulawesi, no mean feat for a rural district.

¹³⁷ North Luwu is lobbying the central government to amend Law 34/2000 and revoke South Sulawesi's Provincial Regulation 3/2002 on the water levy. It argues that no reason has been given for changing the status of the surface and groundwater exploitation levy from a district tax (Law 18/1997) to a provincial one. It also argues that the lakes and river in question are located within North Luwu and do not cross into other districts. In this context, it further argues, authority lies with the district and not the province in accordance with Law 22/1999 and Regulation 25/2000. Finally, it argues that South Sulawesi's Provincial Regulation 3/2002 violates implementing regulation 65/2001, which stipulates that the resource-generating district should keep at least 70 per cent of the tax and says nothing about sharing this with other districts. Of course North Luwu's share of the water levy will go to East Luwu once it is constituted. For more detail on North Luwu's petition, see DPRD Kabupaten Luwu Utara 170/156/DPRD-LU/IV/2003, "Permohonan Revisi UU 34/2000: PP Baru sebagai pengganti PP No 65/2001, Perbaikan/Penyempurnaan Perda Sulsel", 9 April 2003.

¹³⁸ According to Law 22/1999, the province deals with province-wide issues, e.g. epidemics, inter-district matters and any function that a district cannot perform. Luwu complains that Makassar has not even contributed to inter-district trunk roads, which is well within its remit. Needless to say, there have not been any epidemics in Luwu.

¹³⁹ ICG interview with the Luwu district branch head of the Luwu Province Committee, Palopo, 28 April 2003.

¹⁴⁰ At the time this report went to press, all four districts had written endorsements from all significant community leaders and groups from all sub-districts. All districts were also planning to coordinate a public declaration of support for Luwu province that would take place simultaneously throughout the whole of Luwu. Provincial approval is expected in July or August 2003. The current governor of South Sulawesi promised his backing for the project in return for Luwu's support of his candidacy. The campaigners hope the proposal will come before the current DPR, whose members have been generally supportive of *pemekaran* proposals, for deliberation before the end of 2003 or at least before any changes in DPR membership take place as a result of the 2004 elections.

VIII. THE IMPACT OF DECENTRALISATION ON CONFLICT MANAGEMENT

Decentralisation has had a positive impact in reducing conflict in North Luwu, thanks primarily to an effective partnership between an unusually strong *bupati*, Luthfi A. Mutty, and the district council led by Andi Hasan and his deputy Andi Rahmawati. The fact that all three belong to the same prominent *adat* clan with a strong tradition in local leadership has resulted in a rare synergy in local government. Luthfi is the effective technocrat while Andi Hasan and Andi Rahmawati have a network that encompasses the whole of Luwu, drawing from *adat* as well as community leaders and facilitating implementation of policies.¹⁴¹

From his appointment by the Ministry of Home Affairs as caretaker *bupati* in April 1999 and even more so after his election by the district council in December 1999, Luthfi has been committed to the re-establishment of public order and employment-creating and infrastructure projects aimed at improving socio-economic conditions and restoring traditional social institutions weakened during the Soeharto years. Law 22/1999 underpinned his efforts but the policies he instituted were not an automatic consequence of the legislation. The apparent success of North Luwu suggests that decentralisation can work in reducing conflict if local leaders rise to the challenge. It is worth noting, however, that even though the *bupati* of Luwu is not as well-regarded, scrutiny by respected district legislators as well as public pressure organised by local NGOs provide much-needed leverage.¹⁴² In the absence of effective or

enlightened executive leadership, decentralisation seems to work best where there is a meaningful balance of power between the executive and legislative branches as well as between government and non-government institutions.

A. LAW ENFORCEMENT

One of Luthfi's first acts as *bupati* was to seek the creation of a district police command (*polisi resor* or *polres*) in Masamba by applying to the provincial police chief and lobbying the national police chief and the relevant parliamentary commission in Jakarta.¹⁴³ In the interim, he managed to get a joint provincial police-military force of about 100 stationed in Masamba at district expense beginning in December 1999. By April 2000, the North Luwu provisional district command was operational with 150 police and decision-making based in Masamba, not 70 km. away in Palopo. By February 2003, North Luwu had its own *polres* with a 350-strong force including a criminal investigation section (eleven detectives) and a rapid reaction platoon (69-strong) trained to get to and contain conflict zones before reinforcements could be mobilised.¹⁴⁴

Luthfi also requested Jakarta to station a Brimob company in Baebunta sub-district in 2000.¹⁴⁵ According to the Baebunta village head, this enjoyed great local support, evident in the donation of three hectares of *adat* land in Baebunta for the construction of the barracks.¹⁴⁶ Both Rongkong and local villagers told ICG that they believed Brimob could be mobilised more quickly if trouble occurred and was quicker to anticipate potential violence than the local police.¹⁴⁷

¹⁴¹ Luthfi was a member of the team that drafted the current decentralisation laws (Tim 7) and is ideologically committed to the success of regional autonomy. Andi Hasan can trace his lineage to the ancient kings of Luwu, and Andi Rahmawati is also from a prominent *adat* family; both are committed to restoring Luwu to its former glory when it was the principal kingdom in South Sulawesi.

¹⁴² According to ICG sources, Luthfi and Khamrul Kasim vied for the *bupati*-ship of Luwu in January 1999. Luthfi was one of the favourites but Khamrul won by default due to a split in the votes. When Luthfi was appointed caretaker and later definitive *bupati* of North Luwu, most of the Luwu civil service asked to be posted to North Luwu because they preferred working for him. There are also allegations of corruption against the Luwu district

government, particularly over the Barammamase land dispute. ICG interview with local NGOs, 27 April 2003.

¹⁴³ The Jakarta process takes a longer time, hence the application for provisional status at the provincial level (a quicker process) as a stopgap. ICG interview with North Luwu district chief, February 2003.

¹⁴⁴ Figures from Polres Luwu Utara, Kabupaten Luwu Utara.

¹⁴⁵ The company currently consists of 121 men. Figures from Brimob Markas Baebunta, Luwu Utara.

¹⁴⁶ ICG interview, October 2002.

¹⁴⁷ ICG interview with Baebunta village head as well as Baebuntan and Rongkong victims of 1998 conflict, October 2002. So far, Brimob is deemed to be neutral and effective by the public but the recent conflict in Karombing where twenty Brimob personnel acted as private security for a villager could change that perception if such moonlighting persists.

ICG sources in North Luwu said that both the police and military reinforcements had been more effective since 2000 – they arrived on the scene more quickly, put down attacks more decisively, and acted to improve inter-service coordination. Many villagers spoke approvingly of their readiness to fire into mobs if the rioters failed to respond to warnings, unlike the security forces in the 1998 violence.¹⁴⁸ While this is not effective mob control, the failure to deal with violent mobs in the first place has convinced locals that only retaliatory violence can suppress attacks.

Luthfi has not yet succeeded, however, in making the police more accountable to local government. Devolution of power was supposed to give police commanders at the provincial and district levels greater autonomy to make decisions, although the central government retained ultimate control. (This was known as “deconcentration” rather than decentralisation.) In cases categorised as public disorder, for example, regional police commanders were to have the authority to open fire or quell a demonstration in whatever way they deemed suitable without waiting for orders.¹⁴⁹

In July 2002, the national police commander and the Minister of Home Affairs signed a Memorandum of Understanding (MOU) on coordination and cooperation between police and local government on public order issues. It left individual district governments to design their own agreements, with costs of maintaining public order to be shared by the centre and the regions, but did not address local government oversight of the regional police.¹⁵⁰ A national police law passed earlier in 2002 allowed for police operational costs to be covered by sources other than the state budget, and it was clear from the MOU that local government was seen as a main source of funding.

In March 2003, Luthfi became one of the first *butatis* to work out an agreement with the district police under the MOU.¹⁵¹ It covered quelling conflict, gang fights and unruly demonstrations; guarding public facilities; directing traffic; enforcing regional regulations relating to inspection of building permits, land use rights, forestry licences, and identity papers; and cracking down on gambling, unlicensed liquor stores, prostitution and drugs. In addition, the district police undertook to train the municipal and sub-district police.¹⁵²

While Luthfi was quick to sign the agreement because he wanted some delineation of police responsibilities that would be relevant to North Luwu’s security needs, he noted several shortcomings. The agreement was only valid for a year and would have to be renegotiated, leaving open the possibility that during times of apparent stability or financial constraints the district council might not see the need for the budget allocations. It also said nothing about performance targets, reporting requirements on how money was spent, or mechanisms for disciplining unprofessional or criminal conduct. The district government thus gained new responsibilities and a greater financial burden without power to make the police more accountable.¹⁵³ So far, however, the “get tough with thugs” policy of the district police chief installed in February 2003 has proven popular. The district police have posted a list of North Luwu’s most wanted criminals and given them a grace period to turn themselves in or be shot on sight. So far 26 criminals have been apprehended.¹⁵⁴

¹⁴⁸ The North Luwu *butati* and district councillors from North Luwu, Luwu and Palopo attribute this to the policies of Major General Agus Wirahadikusumah, who was the provincial military commander, or *Pangdam*, of South Sulawesi at the time.

¹⁴⁹ “Empowering Police Under Autonomy”, *The Jakarta Post*, 2 March 2001.

¹⁵⁰ See Pasal 5 (3) and Pasal 7, Kesepakatan Bersama Menteri Dalam Negeri Dan Kepala Kepolisian Negara Republik Indonesia Nomor 119/1527/SJ Tahun 2002; No. POL: B/2300/VII/2002, 17 July 2002.

¹⁵¹ Perjanjian Kerjasama Pemerintah Kabupaten Luwu Utara dan Kepolisian Resort Luwu Utara Nomor: 100/54/Bina P.B. Bangwil. N0. POL: B/18/II/2003/Taud. 1 March 2003.

¹⁵² The municipal police enforce regional regulations and answer to the district head.

¹⁵³ A clear example of such resistance was apparent in a speech made by the General Secretary of the National Police to the Police Academy on the impact of regional autonomy on policing. In it, he stated quite clearly that the head of local government had no authority whatsoever over the regional police although he bore full responsibility for public safety. Instead, local government must finance any operational budget shortfalls faced by the regional police. “Hubungan Dan Kependudukan Polri Di Era Otonomi Daerah”, 3 September 2000. This speech has since become part of the police academy curriculum and hardly sets the tone for a more balanced relationship between the regional police and local government.

¹⁵⁴ ICG interview with deputy head of North Luwu district council, 27 April 2003.

B. VILLAGE GOVERNMENT AND LOCAL INSTITUTIONS

Decentralisation may also aid conflict management by providing opportunities to rebuild traditional authority structures weakened or destroyed during the Soeharto years that once functioned as a way of strengthening social bonds or by encouraging new civil society actors. Community leaders, local government officials, politicians and NGOs interviewed by ICG all believe that a main cause of conflict in Luwu is the loss of identity and the social capital that cemented ties between families, clans, villages and *adat* communities.¹⁵⁵ Opinion is sharply divided, however, over which institutions can make a difference. While the local elite champion *adat* or traditional institutions, NGOs and some religious leaders feel that such traditional institutions are out of touch with the concerns and challenges faced by farmers and youth. They believe that *adat* leaders no longer command the respect they once did.¹⁵⁶

Like other areas of Indonesia, Luwu saw the authority of local leadership eroded by the 1974 Regional Government Law and the 1979 Village Government Law that led to increased control from Jakarta through a national civil service that demanded conformity but had no roots in the local community. When Soeharto left office, this structure crumbled, leaving a vacuum in which lawlessness thrived. Luthfi and the leadership of the North Luwu district council told ICG that they were trying to rebuild the leadership latticework of

adat, religious, and government leaders, particularly at the village level.¹⁵⁷

In empowering village government, Luthfi has gone out on a limb by sticking to the spirit of Law 22/1999 and ignoring an implementing regulation that would curtail village government powers. Ministerial Decision (*Keputusan Menteri* or *Kepmen*) No. 64/1999 attempts to standardise village government and requires each district to pass thirteen regional regulations on village matters that effectively restrict village autonomy. He has simply ignored the directive, confident that villagers can find solutions to their own problems.¹⁵⁸

His confidence so far appears to be borne out. Baebunta and Salassa villages, previous trouble spots, have had no outbreaks of violence since the election in 2000 of village heads who made conflict management their platform. While other factors like post-conflict exhaustion and the Brimob presence nearby in Baebunta may also account for the lack of violence, Rongkong villagers who were generally the targets of attacks told ICG that the new village heads were more effective than previous ones.¹⁵⁹ The two village heads have focused on resolving land disputes and improving relations between different ethnic groups within the same village and among surrounding villages through joint work projects and sporting events.¹⁶⁰ Both village heads are also

¹⁵⁵ *Adat* communities were defined at the Congress of Archipelagic Customary Societies in Jakarta in March 1999 as “social groups that have ancestral origins over generations in a specific geographical territory and have their own value system, government, economy, set of laws (*hukum adat*), culture and territory of their own”. *Adat* leaders would advise, mediate and sanction members of the community. Location rather than ethnicity distinguish different *adat* groups, hence although Luwu was the seat of a Bugis kingdom, Luwu natives identify themselves as *orang Luwu* and distinguish themselves from other ethnic Bugis in South Sulawesi. All *adat* groups in Luwu have no trouble in distinguishing between native Luwuans and migrant Bugis from other districts in South Sulawesi.

¹⁵⁶ ICG interviews with North Luwu youth gangs in October 2002 and with local NGOs and religious leaders in Palopo, 28 April 2003.

¹⁵⁷ Although Regional Autonomy Law 22 devolves most powers to the district, Chapter XI defines the powers and responsibilities of the village, the smallest “autonomous region”. A village can raise funds, pass village regulations and budgets without approval from higher authorities. It can reflect its own traditions (*adat*) in institutions of governance and village regulations. It can have directly elected village councils to check and balance the village head. The village head has to provide an accountability report to the village council each year.

¹⁵⁸ ICG interview with North Luwu *bupati*, February 2003.

¹⁵⁹ ICG interview with Rongkong community leaders in Salassa and Baebunta, October 2002.

¹⁶⁰ ICG interview with Baebunta village head, October 2002. North Luwu has encouraged villages to implement their own infrastructure projects, usually improving village roads, bridges, irrigation ditches and so forth. The projects are self-financed with the villagers themselves providing labour and material. Baebunta and Salassa villages have chosen building recreational facilities as their project. See “Rekapitulasi: Inventarisasi Proyek Swadaya Murni Masyarakat Tahun 2002 19 Kecamatan Se Kabupaten Luwu Utara, Pemkab Luwu Utara”.

respected (and feared) by local youth gangs – another reason they were elected.¹⁶¹

Since his election in 2000, for example, the village head of Baebunta said that he had mediated over 100 land disputes and successfully resolved at least 90.¹⁶² When his mediation efforts fail, the cases go to court although this process takes longer and has resolved only a few.

Local NGOs and religious organisations have also become more active community-builders since 2000, though their efforts have been controversial at times. Realising that there was no inter-faith organisation bridging Muslim, Christian and Hindu communities in Luwu and that different religious groups were becoming increasingly isolated, senior religious leaders formed an inter-religious forum (*Forum Komunikasi Antar Umat Beragama*, FKAUB) in 2000 where social problems or potential conflicts between the faiths could be mediated.¹⁶³

One of their first acts was to issue a manifesto that was posted throughout Luwu declaring war on alcohol, gambling, drugs, prostitution and pornographic VCDs, seen as the root of all social evils, including conflict. The manifesto gave both suppliers and consumers five days to stop all vice-related activities, failing which its anti-vice squad and the police would act firmly.¹⁶⁴ This in turn led to vigilantism and a significant number of attacks by local Muslims on Torajans found drinking in public places.¹⁶⁵ FKAUB has since retracted its manifesto and acknowledged that there were problems in implementation.

In North Luwu, *Jemaah Tabligh*, an Islamic religious group, has been rehabilitating members of youth gangs with success, according to local government officials and NGOs.¹⁶⁶ Its non-aggressive and tolerant approach has made it welcome among non-Muslim communities as well.

Political liberalisation in Indonesia as well as the decentralisation of decision-making at the district level has seen a burgeoning of NGOs throughout the country, including Luwu.¹⁶⁷ While some NGOs compete in bidding for district government projects, a minority has focused primarily on supporting farmers in land disputes against private companies and local government.¹⁶⁸ This has included raising villagers' awareness of regional autonomy law, the services they are entitled to and how to organise themselves to defend their rights. NGOs have become the most influential social mobilisers in Luwu, able to organise demonstrations involving hundreds of farmers and villagers.

One positive aspect of NGO advocacy has been the uniting of indigenous and migrant communities by emphasising common goals and building village-level organisations that involve both communities. Before such NGO-led organisations emerged in Barammamase village in Palopo in 2000, there were inter-gang attacks involving indigenous youth and Bastem settlers. NGOs also claim success in reforming many gang members and channelling their energies into settling land disputes via legitimate organised activities.¹⁶⁹ On the negative side, pressuring the district government to act by

¹⁶¹ ICG interviews with head of community relations, North Luwu Municipal Police and community leaders in Salassa and Baebunta.

¹⁶² While ICG could not verify this figure (which would involve convening the entire village to find out who had benefited from the village head's services), community leaders in both villages and the head of community relations of the Municipal Police confirmed that the incumbents have been more pro-active than previous heads in mediating land disputes.

¹⁶³ Examples include monitoring sermons during prayer sessions and checking extremist clerics who might incite their following, ICG interview with General Secretary, 26 April 2003.

¹⁶⁴ Maklumat Bumi Sawerigading, 3 December 2000. The police and the Luwu *bupati* supported the general aims of the manifesto but did not take FKAUB's threat of "firm action" seriously – further evidence of failure to anticipate potential sources of conflict.

¹⁶⁵ ICG interview with local NGOs, 27 April 2003.

¹⁶⁶ There are fewer youth gangs extorting money from motorists, and when fights start between gangs, *Jemaah Tabligh* followers are able to calm the situation, ICG interviews 26, 27 April 2003.

¹⁶⁷ Before political liberalisation (reformasi) in 1998, there were less than ten NGOs in Luwu; there are now 90, including purely local NGOs and branches of national NGOs.

¹⁶⁸ District projects are primarily social safety net programs (*Jaringan Pengamanan Sosial*) that distribute money and food to the poor. The NGOs involved in land disputes in Luwu include: Sekretariat Bina Desa Jakarta, Jaringan Peduli Petani Sulawesi, Wahana Transformasi dan Informasi Rakyat, Lembaga Pemerhati dan Pemberdayaan Masyarakat, Lembaga Konsultasi Masyarakat, Baperlu, Lembaga Bantuan Hukum Palopo, Lembaga Belantara Indonesia, Yayasan Mutiara Indonesia and Lembaga Supremasi Hukum.

¹⁶⁹ ICG interviews with Wahana, former youth gang member and Barammamase Farmers' Council, 27 April 2003, Palopo.

organising land occupations or retaliating against perceived violations by private companies in land disputes by acts of sabotage can also be seen as encouraging villagers to take the law into their own hands.¹⁷⁰

Reviving *adat* institutions is a thornier issue. Luthfi believes that *adat* communities and leaders will not emerge overnight after decades of inactivity and that the process of revival should not be rushed. In the meantime, he lends support in such areas as training *adat* leaders and sponsoring local traditional events such as the ritual cleansing of *adat* regalia. Andi Rahmawati, deputy head of the North Luwu district council, has adopted a far more pro-active approach, identifying *adat* leaders who are still respected by their communities to stand for election in village councils (BPD) so that they can play an official role in village government.

The question remains, however, whether *adat* institutions will help or hinder conflict management and prevention. Although Luthfi and others see their revival as vital for knitting together a fraying social fabric, their use in conflict resolution could perpetuate the cycle of violence.

Proponents of *adat* “peacemaking” have advanced two arguments. First, because such institutions are indigenous, agreements or promises undertaken through the auspices of the *adat* council will be more binding than those brokered by village, sub-district or district government. Secondly, they can help establish common ground between a security and a cultural approach to conflict resolution. Advocates of community policing argue for increased local participation in upholding law and order and encouraging a “wider symbiosis of legal aspects and procedures with local custom law or *adat*”.¹⁷¹ Underlying the touting of *adat* institutions as a conflict resolution tool is the nostalgic appeal to an idealised version of the past when Luwu was

the most powerful kingdom in South Sulawesi, and communal conflicts did not occur. Such comparisons of a halcyon past with the conflictual present usually lead to blaming the troubles on migrants who are alien to Luwu, destroying its way of life and should leave.¹⁷²

But in Luwu, *adat* institutions are weak or non-existent, and it is unclear if they really command greater authority than existing institutions such as the police. Sceptics point out that elevating *adat* institutions gets the law enforcement establishment off the hook.¹⁷³ There are also suspicions that such arguments are really more about allowing traditional and aristocratic elites to regain the authority they lost 60 years ago in the immediate post-independence period rather than managing conflict.¹⁷⁴

The strongest argument against such an instrumental use of *adat* is that it has been tried with less than convincing results. In December 1998 after the first big outbreak of violence between the Rongkong and Baebuntans, community leaders from both sides requested a traditional peacemaking ceremony conducted by the entire *adat* council in the Palopo royal palace and in the presence of the regional governor, military commander and police chief. However, it did not prevent subsequent outbreaks. *Adat* leaders told ICG that the peacemaking failed because subsequent violations of the agreement by provocateurs were not punished by the local authorities and led to the unravelling of the accord.¹⁷⁵

In February 2000, the regional military command under Major General Agus Wirahadikusumah launched two operations, *Operasi Sipakatau* and *Bhakti TNI Sikamasei*, that attempted to combine law enforcement with *adat*.¹⁷⁶ The first stage was a conventional two-week intensive search for weapons, followed by two months of activities conducted by *adat* institutions to strengthen community cohesion. In the final stage, everyone

¹⁷⁰ Barammase farmers destroyed the road race circuit that was being built on disputed land; see “Petani Bongkar Arena Road Race”, *Palopo Pos*, 29 May 2002. Farmers involved in a sit-in over the dispute with PT Latunrung in Malili, East Luwu were imprisoned for several months before their case was dismissed due to lack of evidence, see “PT Latunrung Dinilai Melanggar HGU”, *Palopo Pos*, 29 November 2002.

¹⁷¹ Adrianus Meliala, “Local Colours for Indonesian National Police”, in *Policing and Society*, vol. 12 no. 2, 2002.

¹⁷² See the comments of Baharman Supri, Coordinator of Fortal Luwu (local NGO) in “Tak Perlu Upaya Damai, Utamakan Proses Hukum”, *Palopo Pos*, 21 June 2002.

¹⁷³ See *Koran Tempo*, 2 October 2002, where the TNI/Polri faction chief of the North Luwu DPRD and the deputy chief of South Sulawesi province both suggest that the recurring conflict is more than a law enforcement problem and needs other approaches.

¹⁷⁴ ICG interview with local NGO activists, October 2002.

¹⁷⁵ ICG interview with Luwu *adat* council members, Palopo, 26 April 2003.

¹⁷⁶ Ibid. Majalah Suara Hidayatullah October 2000.

pledged to maintain social harmony according to *adat* but conflict flared up once the regional military forces were withdrawn. In March 2002, the sub-district and village authorities initiated *adat* reconciliation in the wake of the Cappasolo-Padang incident but failed to prevent attacks two months later by the same parties.

Luthfi, who has been criticised for not promoting traditional peacemaking to resolve conflict, firmly believes that there can be no peacemaking prior to effective law enforcement. "How can there be reconciliation when the thugs who led the attacks are still free?", he asks. Neither does he support peacemaking ceremonies imposed from above by government. He believes instead that unless the police arrest those responsible for conflict to break the cycle of revenge attacks and then allow the villagers to organise their own reconciliation, peace agreements will not be worth the paper they are written on.¹⁷⁷

While the emphasis on community policing should remain firmly on the police reform agenda, the ability of *adat* institutions or laws to deliver security should be assessed realistically, given adequate law enforcement support and not detract from the real priority: successful criminal investigations, arrests and prosecutions.

C. MANAGING LAND CONFLICT

Decentralisation has yet to deliver in terms of addressing land-related conflicts. By giving districts authority over land administration, Law No. 22 may enable creative solutions to local problems. The North Luwu *bupati*, for example, believes that a district-wide land certification program is needed to regularise the status of resettled locals and spontaneous migrants who bought land without certificates. Until very recently, his hands were tied. Presidential Decree No. 103/2001 kept land administration under central government control via the Land Affairs Agency (*Badan Pertanahan Nasional*, BPN) until 31 May 2003. However, a new decree, passed in June 2003, puts land affairs under the control of the *bupati*.

BPN had been pushing for the old decree to be extended because supporting legislation and implementing regulations necessary for

decentralisation were not ready.¹⁷⁸ BPN claimed that it had the records, expertise and even its own National Agrarian Project, known as PRONA, to subsidise certificates for those who could not afford to pay so there was no need for the district to set up its own land office. The North Luwu *bupati* countered that in ten years, the PRONA program had not achieved 10 per cent of its target and that if the district government managed land, there would be greater accountability.¹⁷⁹

In addition to this setback, more land disputes may be looming as a result of the regional autonomy law. This centres round the status of *hak ulayat* or the rights of access to land according to *adat* law, which includes unallocated fallow swidden fields and forest areas that local peoples have used for gathering wood and other forest resources. *Hak ulayat* land has generally been declared state land under the 1960 Agrarian Law and as such available for state purposes such as transmigration and forestry/plantation concessions. Law No. 22, which gives village government the freedom to apply *adat* law to regulate land management, could lead to disputes over the status of these vast tracts.

This is very pertinent to Luwu where most land is categorised as state land that village and sub-district heads have approved for sale to migrants. Uncertainty as to its legal status may also encourage unscrupulous individuals to set themselves up as *adat* leaders and sell the land claiming it is *adat* land, or encourage buyers to co-opt genuine *adat* leaders so that they can assert that they had authority to acquire it. The North Luwu *bupati* believes that the only solution is a land mapping exercise in consultation with all relevant parties to arrive at a mutually agreed upon classification system and then public education.

This, however, is easier said than done. In the PT Latunrung dispute, the North Luwu government has formed a special committee to look into the case and said that the company's documents are in order but it was in no position to judge their authenticity. The National Land Agency (Luwu) made a similar response. Villagers then felt justified in occupying the land, leading to a confrontation with the Malili sub-district police. The *bupati's* response was that

¹⁷⁷ ICG interview, March 2003.

¹⁷⁸ Letter from the head of BPN, "Penjelasan Mengenai Pelaksanaan Otonomi Daerah di Bidang Pertanahan", Jakarta, 9 May 2003.

¹⁷⁹ ICG interview with North Luwu *bupati*, 26 May 2003.

NGOs had instigated the villagers and should get them legal counsel instead.¹⁸⁰ He felt that the dispute should be taken to the courts and was not a matter for local government.

The Battang and Barammase land disputes are proving intractable because legal opinion is divided over the status of *adat* land. In the latter dispute, there are three legal positions. The first states that under Presidential Decree No 32/1979 all *swapraja* land came under state control, reinforced by the last king of Luwu signing it over to the district government in 1997. The second recognises that the land claimed by the Bulu *adat* leadership was private and that the king of Luwu had no right to sign it away. The third, based on an article of the civil code, recognises the rights of current users.¹⁸¹ In the case of Battang, the district government has refused to renew PT HBI's concession but company management has succeeded in getting land certificates from BPN for the plots belonging to villagers who fled during the Darul Islam rebellion, so the site is still occupied.

If land law itself is difficult to navigate, there is also a great deal of confusion over who has final authority in deciding on land matters. Regional Autonomy Law 22/1999 allows villages to reject projects from outside if they do not contribute to the prosperity of the village and its residents.¹⁸² NGOs have made use of this provision in advocating the rights of farmers and villagers, which has increased the number of land-related disputes since 2001. An example is the rejection by Barammase villagers in Luwu of district plans for the road race circuit.¹⁸³ This provision also throws concessions granted by provincial and national bodies into question, and it is not inconceivable that attempts to "buy" off village councils and government will pit pro-development groups against anti-development ones at village level.¹⁸⁴

IX. CONCLUSION

The experience of Luwu indicates that the new regional autonomy laws can mitigate conflict through strong local leadership, effective law enforcement policies, and better land management. Contrary to fears that it might exacerbate old types of conflict or provoke new ones caused by increased economic and political competition for local office, *pemekaran* has meant more fiscal transfers from the centre and more offices available as the number of local governments increased.

But where decentralisation is incomplete, it can often thwart the best efforts of local government. This is especially true with respect to the national police and sectoral bodies like the National Land Agency (*Badan Pertanahan Nasional*) where there is questionable accountability to local government.

The judicial process is also beyond the scope of present decentralisation law although its role is crucial in conflict resolution and prevention. Until land law becomes easier to navigate, and until there is greater confidence in a stronger judicial process, villagers will continue to resort to extra-legal solutions. More resources for policing at district level certainly helps, but this has to be accompanied by wide-ranging legal reforms (and the re-drafting of poorly formulated laws) to assist local governments in delivering better services.

For decentralisation to mitigate conflict, Indonesian authorities need to fine-tune existing arrangements and coordinate related national reforms in four key areas.

Powers of Regions vs. Jakarta. The Ministry of Home Affairs has indicated that Laws 22/1999 and 25/1999 and associated implementing regulations need revising but have been vague on the object, scope and likely direction of the changes. All laws affecting regions should be proposed, debated and passed in an open process involving the regions, preferably via a strong Council of Regional Representatives or DPD.

The establishment of the DPD (*Dewan Perwakilan Daerah*) after the 2004 elections may go some way towards redressing the imbalance between Jakarta and the regions but the portents are not good. The powers of the DPD as envisaged in the bill awaiting presidential signature include proposing to the

¹⁸⁰ ICG interview with North Luwu *bupati*, 15 May 2003.

¹⁸¹ See *Palopo Pos*, "Teori Hukum Akui Pemkab", 28 June 2002, "Tujuh Tomakaka Dukung Aksi Protes", 21 June 2002 and "Petani Penggarap Bergolak", 24 June 2002. Article 529, called a *bezetter* article, relates to possession of something that one does not own.

¹⁸² Regional Autonomy Law 22, Chapter XI, para. 00.

¹⁸³ ICG interview with NGO Wahana director, 26 May 2003.

¹⁸⁴ *Ibid*.

National Assembly (DPR) bills related to regional autonomy, division and merger of regions, management of natural resources and other economic resources, and bills related to the financial balance between the centre and the regions. The DPD would also participate in the discussion of these bills. The law forwarded to the president by the DPR makes the DPD less powerful than that body so that it would be involved only in the early stages of discussion of region-related legislation, without power of veto over DPR decisions. This is unfortunate as many problems faced in the regions reflect their lack of collective bargaining power to engage the government in designing regional laws or policies.

The central government should rescind all directives that prevent local governments from fully exercising their powers especially in land management and village matters. Local government can best decide how to regularise extra-legal land ownership and determine the status of state as opposed to *adat* land. Similarly village government that is responsive to local needs and formulates its own development strategies can better prevent tensions and conflict than standardised village government designed in Jakarta. *Kepmen* No.64/1999 should be rescinded.

The central government should also refrain from achieving revenue redistribution by targeting directly paid local revenues (e.g. law 34/2000). Not only is it ineffective, but it also deprives districts of what may be their main source of local revenue, giving rise in all likelihood to more “nuisance taxes” to make up the shortfall. Revenue redistribution is best effected through the Equalisation Fund – the financial transfers from the central government – and the DAU in particular. The central government should focus on getting the balance of its Equalisation Fund right-it is a glaring source of inequity that currently the richest regions also get the highest DAU.

Policing. Effective policing is the first line of defence in internal conflict but more policemen do not necessarily mean better policing. The police must be seen as neutral, competent and accountable if they are to put down lawlessness. They must also adapt to local conditions.

To gain the confidence of the local population, the police need to improve their intelligence and criminal investigation capacities at the district level

so that they can both prevent conflict and increase arrests when it occurs. More personnel and resources should also go to the sub-district police, particularly in conflict-prone areas. In return for local budgetary support, the district police need to provide accountability reports to the district council describing how the money has been used and the results achieved. Establishing a regional ombudsman who would work with the district council to oversee the local police and impose sanctions on unprofessional, incompetent or criminal conduct within the force would also be an important confidence-building measure.

The police and Luwu society must recognise the real danger gang culture poses and not dismiss it as mere juvenile delinquency. There are already worrying indications that the gangs are not as spontaneous as commonly believed and that there are mercenaries for hire who use the youth gang culture as cover for other agendas such as harassing or driving away communities as a way of “solving” land disputes. Responding to local conditions in this instance could include training community liaison police officers who would attempt to reform gang members and gather intelligence on gang activities.

The Legal Process. Destroying life and property are serious crimes that must be reflected in prosecutions and sentences. Given the growing volume of land dispute cases as a result of regional autonomy and village autonomy in particular, villagers will need greater legal assistance in pressing their claims against local government or private companies. Relying on NGO advocacy groups alone may lead to extralegal measures that could exacerbate conflict.

Local government should provide legal aid assistance to villagers in land disputes and not just expect them to have access to the courts. Legal aid NGOs may be an answer. To optimise legal resources and experience, it would be advisable for several legal aid lawyers to specialise in land dispute cases in Luwu and become local “experts” on land issues.

Legal aid NGOs and local government should provide sound paralegal advice at the village or sub-district level on the status of land claims before villagers go to the lawyers. Advocacy NGOs that work at the village level could contact paralegals

trained in land issues to advise villagers before further action is taken.

Given the uncertainty surrounding the status of *adat* land and the low standing of Indonesian courts in general, local government and community leaders should encourage more out-of-court settlements as long as compensation awards are fair and the settlements are acknowledged. Mechanisms appropriate to local conditions need to be adopted so that agreements are binding. These might include involving community and *adat* leaders as witnesses in land disputes between individuals to prevent challenges in later years as has happened in the past. This could be a less conflictual way of dealing with land disputes than a legal approach that emphasises the rights of aggrieved parties.

Pemekaran. Not all breakaway regions are motivated by a desire to hold on to local natural resources that they do not want to share with the wider region. But even amicable splits can cause tensions and should be prevented by revenue-sharing agreements.

Central government can ease the burden of the *pemekaran* process by not requiring the host region to support the new region in all cases, formalising revenue-sharing agreements between both regions during the transition and imposing sanctions if they are broken. Alternatively, the central government should impose a limited moratorium on *pemekaran* until the host region is fully established and in a better position to support the breakaway region.

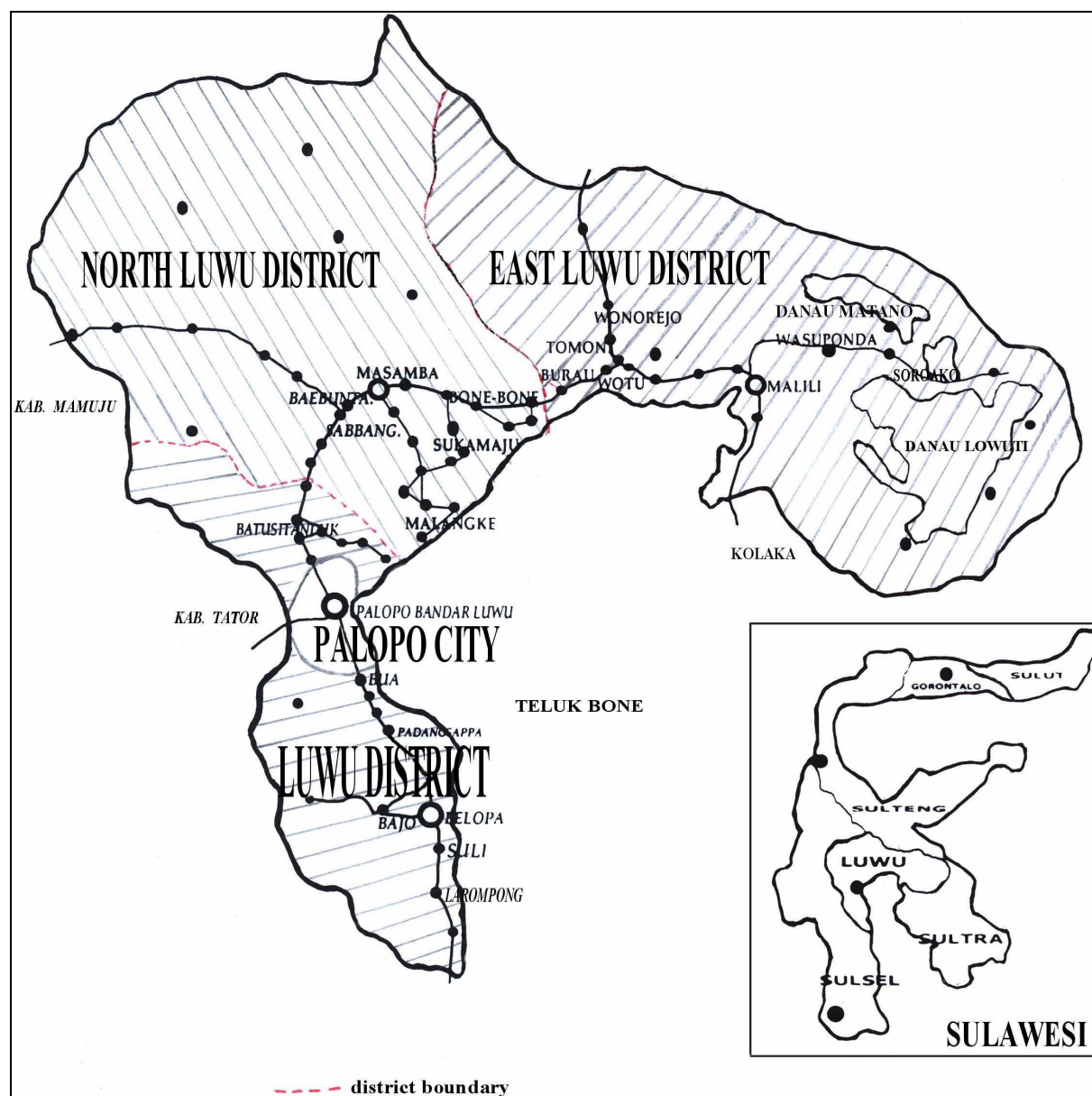
It is preferable that *pemekaran* criteria should be re-examined and tightened with more weighting given to the economic viability of both the host and breakaway regions as well as to security considerations. The alternative would be the messy dissolution and re-integration of breakaway regions with their former hosts five years down the road – the time frame new regions have to demonstrate their viability.

Indeed, it would be advisable for the central government to impose a moratorium on region formation and save further fiscal strains until Indonesia's depressed economy improves. It could then focus instead on assisting current districts and municipalities while assessing Laws 22/1999 and 25/1999 with a view to ironing out inconsistencies and providing more detailed implementing guidelines or regulations.

Jakarta/Brussels, 18 July 2003

APPENDIX A

MAP OF LUWU



APPENDIX B

GLOSSARY OF INDONESIAN TERMS AND ACRONYMS

adat:	custom, tradition
APBD (<i>Anggaran Pendapatan Belanja Daerah</i>):	regional budget
<i>bezetter</i> article:	article 529 of the civil code relating to possession of an object that one does not own.
BPN (<i>Badan Pertanahan Nasional</i>):	National Land Affairs Agency
budaya:	culture
bupati:	district head
camat:	sub-district chief
daerah:	region
DAU (<i>Dana Alokasi Umum</i>):	general allocation funds
DAK (<i>Dana Alokasi Khusus</i>):	special allocation funds
datu':	a traditional title for a local ruler
desa:	village
DPD (<i>Dewan Pimpinan Daerah</i>):	Council of Regional Representatives
DPR (<i>Dewan Perwakilan Rakyat</i>):	House of People's Representatives
DPRD (<i>Dewan Perwakilan Rakyat Daerah</i>):	Regional Legislative Council
DPOD (<i>Dewan Pertimbangan Otonomi Daerah</i>):	Regional Autonomy Review Commission
dusun:	sub-unit of a village.
FKAUB (<i>Forum Komunikasi Antar Umat Beragama</i>):	Inter-Faith Communication Forum
hak ulayat:	the right of access to land under customary (<i>adat</i>) law
hukum adat:	customary law
jaringan pengamanan sosial:	social safety network
kabupaten:	district (sometimes called regency)
kasi bimas kristen protestan:	division head, public guidance division for christian (protestant)
kedatuan:	small kingdom, akin to a sultanate
kepala kepolisian negara RI:	chief of national police

Kepmen (Keputusan Menteri):	Ministerial Decision
kotamadya:	municipality, equivalent to a district
Menteri Dalam Negeri:	Minister of Home Affairs
otonomi daerah:	regional autonomy
papporo:	a homemade gun
pemekaran:	process of administrative fragmentation
pemberontakan:	rebellion
penilaian:	assessment
Peraturan Pemerintah RI:	Indonesian Government Regulation
persyaratan:	conditions
PRONA:	national agrarian project
rusuh/kerusuhan:	riot, unrest
swadaya:	self-supporting
unjuk rasa:	demonstration
walikota:	mayor

APPENDIX C

ABOUT THE INTERNATIONAL CRISIS GROUP

The International Crisis Group (ICG) is an independent, non-profit, multinational organisation, with over 90 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

ICG's approach is grounded in field research. Teams of political analysts are located within or close by countries at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, ICG produces regular analytical reports containing practical recommendations targeted at key international decision-takers.

ICG's reports and briefing papers are distributed widely by email and printed copy to officials in foreign ministries and international organisations and made generally available at the same time via the organisation's Internet site, www.crisisweb.org. ICG works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The ICG Board – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring ICG reports and recommendations to the attention of senior policy-makers around the world. ICG is chaired by former Finnish President Martti Ahtisaari; and its President and Chief Executive since January 2000 has been former Australian Foreign Minister Gareth Evans.

ICG's international headquarters are in Brussels, with advocacy offices in Washington DC, New York, Moscow and Paris and a media liaison office in London. The organisation currently operates

twelve field offices (in Amman, Belgrade, Bogota, Islamabad, Jakarta, Nairobi, Osh, Pristina, Sarajevo, Sierra Leone, Skopje and Tbilisi) with analysts working in over 30 crisis-affected countries and territories across four continents.

In *Africa*, those countries include Burundi, Rwanda, the Democratic Republic of Congo, Sierra Leone-Liberia-Guinea, Somalia, Sudan and Zimbabwe; in *Asia*, Indonesia, Myanmar, Kyrgyzstan, Tajikistan, Uzbekistan, Pakistan, Afghanistan and Kashmir; in *Europe*, Albania, Bosnia, Georgia, Kosovo, Macedonia, Montenegro and Serbia; in the *Middle East*, the whole region from North Africa to Iran; and in *Latin America*, Colombia.

ICG raises funds from governments, charitable foundations, companies and individual donors. The following governments currently provide funding: Australia, Austria, Canada, Denmark, Finland, France, Germany, Ireland, Japan, Luxembourg, The Netherlands, Norway, Sweden, Switzerland, the Republic of China (Taiwan), Turkey, the United Kingdom and the United States.

Foundation and private sector donors include Atlantic Philanthropies, Carnegie Corporation of New York, Ford Foundation, Bill & Melinda Gates Foundation, William & Flora Hewlett Foundation, Henry Luce Foundation Inc., John D. & Catherine T. MacArthur Foundation, John Merck Fund, Charles Stewart Mott Foundation, Open Society Institute, Ploughshares Fund, Ruben & Elisabeth Rausing Trust, Sasakawa Peace Foundation, Sarlo Foundation of the Jewish Community Endowment Fund and the United States Institute of Peace.

July 2003

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* The Algeria project was transferred from the Africa Program to the Middle East & North Africa Program in January 2002.

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