

The Borderline Conflict Resolution between Ogan Komering Ulu (OKU) and East OKU Regencies of South Sumatera Province, Indonesia

Eko G. Samudro

*Defense Science Doctoral Program, Republic of Indonesia Defense University
IPSC Complex, Sentul, Bogor, Indonesia, ekogsamudro@gmail.com*

Siswo Hadi Sumantri

*Defense Science Doctoral Program, Republic of Indonesia Defense University
IPSC Complex, Sentul, Bogor, Indonesia, siswohs32@gmail.com*

Syaiful Anwar

*Defense Science Doctoral Program, Republic of Indonesia Defense University
IPSC Complex, Sentul, Bogor, Indonesia, morolawe7760@yahoo.com.au*

Ichsan Malik

*Defense Science Doctoral Program, Republic of Indonesia Defense University
IPSC Complex, Sentul, Bogor, Indonesia, ichsanmalik@gmail.com*

Abstract

This research is conducted with the aim to analyze the reasons related to the factors causing borderline conflict between OKU Regency and East OKU Regency in South Sumatera Province and also to analyze conflict resolution conducted by the local government in order to establish peace between the communities living in the border of the two regencies. This borderline conflict occurred as a result of the uncertainty of the boundaries agreed by the two regencies coupled with the land grab of rice fields land by the community of Tanjung Makmur Village OKU Regency with Mendayun Village community in East OKU Regency. This condition makes the relationship between both community groups and the two regencies disturbed so that it may become potential area disunity or even physical violence that can lead to the country instability. Thus, an in-depth analysis of conflict and proper conflict resolution are needed in order to create peace. The research method used is qualitative method with descriptive approach. The research data obtained through interview, literature study and field observation. In the process of research analysis, theories and concepts of dynamic frameworks for conflict prevention and resolution, conflict sources in Indonesia, Glasl's conflict escalation model, security defense and regulations such as, Law No. 30 of 1999, Permendagri No. 76 of 2012 and Head of BPN Decree No. 34 of 2007 are used in seeking resolution. The results show that conflict that occur are caused by several sources of conflict that are included in the conflict factors of structural factor, triggers and accelerators. In addition, the actions of irresponsible person also dominate the course of the conflict that occurred. Borderline conflict resolution is under the responsibility of South Sumatera Provincial Government however, the conflicts that have occurred are going to reach up to the stage of "strategies of threat" so that the mediation process is considered important in resolving the developed conflict in community thoroughly so that the relations of both groups can be recovered.

Keywords: *Conflict Resolution, Conflict Sources, Conflict Factors, Irresponsible Persons.*

Introduction

The implementation process of Law No. 22 of 1999 became the beginning of the regional autonomy era in Indonesia. Likewise, after the Law on Regional Government was replaced with Law No. 32 of 2004, the broad principle, tangible and responsible remains a reference in implementing the principle of the autonomous regional authority implementation.

Related to the autonomous regions, this has the understanding that community which legally has territorial boundaries, has the authority to regulate and manage all government affairs and interests of the local community according to its own initiative which certainly can be based on the aspirations of the community itself.

Regional expansion which aims to improve services and welfare of the community are also inseparable from several problems that arise along with it. Starting from the problem of boundaries, and departing from a sense of injustice, inequality, emotional sentiments of ethnicity, the division of an area could have an impact on the birth of horizontal conflict in the two regions concerned. The conflict can occur because the division of an area is often based on the struggle for certain sources of the interests of the disputing parties.

Conflict is a thing that is often happened in everyday life. The cause of the conflict is usually triggered by the interests of certain parties, making one party feel threatened or harmed. One type of conflict is the boundary conflict between the regional governments. In this study, the conflict raised was a boundary conflict that occurred in the OKU Regency and the East OKU Regency which had been protracted and there were no definite rules in its resolution.

In relation to conflicts over the boundaries in a region, there are several previous studies related to this, namely research conducted by Permata Sari (2014), Risman (2015) and Toatubun (2016). Permata Sari (2014) considers that the role of the media and government officials in a region are considered important in efforts to resolve conflicts. While the research conducted by Risman (2015) shows that, the efforts of the West Kutai Regency Government in this case the Siluq Ngurai District Government and the Regency Government through the PBD Team in handling Border Conflicts between the Muhur and Kaliq Villages, Sang Sang is negotiation, mediation and facilitation. The obstacle to resolving the conflict is the impatience of the community, the ego of each other is still high, did not have accurate data yet and difficulty in doing discussion because there was a misconception for government. Then, Toatubun (2016) argues that, the research he conducted aimed to find out how the form of resolution that had been carried out by the government in the effort to handle boundary disputes between Biak Numfor and Supiori Districts and the form of settlement as an effective alternative in resolving boundary disputes through non-litigation settlement, by conducting negotiations and mediation efforts between the two relevant governments. Based on the researches that have been done before, therefore, this study also tries to analyze the development of conflict and the efforts of local governments in resolving boundary conflicts between OKU Regency and East OKU Regency.

Regional boundary conflicts that occurred between OKU Regency and East OKU, which began from 2011 to 2017, have not yet been resolved with a definite decision issued by the Province related to affirming the OKU and East OKU boundaries as well as resolving land

disputes that occur at the borders of the two regions, namely the seizure of rice fields by the border communities of the two regencies. The disagreement between the village head in the two districts related to the measurement of the remaining boundary boundaries towards the border triangle has hampered the settlement related to the boundary area between the OKU Regency and the East OKU.

In this case, the territorial dispute was occurred in the District of Sinar Peninjauan, OKU with the District Madang Suku I, East OKU, mainly due to the reasons of disputed rice fields area. The land which has high economic value is believed to be owned by the OKU community as evidenced by a certificate but claimed by certain elements from neighboring regions. Both of district government parties have delegated this problem to the Province, in this case the Governor of South Sumatera. However, there was no definitive agreement between the two regencies. If this case cannot be dealt immediately by the two Regencies, then the people in both regions who will be trapped and becoming the hostility between citizens.

Based on the previous explanation and supported by relevant theories, this study aims to analyze the boundary conflicts that occur as well as the appropriate conflict resolution related to the boundary conflicts between OKU Regency and East OKU Regency.

Research Method

This research uses descriptive qualitative research, which is a research method used to examine natural conditions of objects, where researchers are the key instruments. The data collection technique was done by triangulation (combined), data analysis was inductive, and the results of qualitative research emphasized

the meaning rather than generalization (Sugiono, 2008: 1).

The subjects in this study were the parties involved in the conflict that occurred and at the same time becoming the resource persons in data collection, namely the Regent of OKU Regency and its staffs, the Regent of East OKU Regency and their staffs, representatives from the South Sumatra Province, and the community. The data collection process was carried out through observation, documentation or theoretical study and interviews with predetermined sources.

Furthermore, the data collected was then analyzed. After analyzing the data before entering the field, the next step was processing the data analysis during the field visit by using the Miles and Huberman Models. According to Miles and Huberman, the analysis is carried out interactively and continues continuously until completion. Activities in this data analysis are by summarizing, selecting the main points, focusing on the things that are important to look for themes and patterns (data condensation), then the data is presented in a pattern in accordance with the study (data display). After that, a conclusion drawn that produces a hypothesis and description of an object that was previously still dim or dark becomes clear (conclusion drawing or verification) (Sugiyono, 2008: 91-99).

Discussion

Territorial Border Conflict between OKU Regency and East OKU Regency

The regional boundary conflicts that occurred between OKU Regency and East OKU Regency has been happened in a long period of time. Land ownership in the border of the two districts was disputed by the people of the village of Tanjung Makmur in the District of

Sinar Peninjauan OKU with the people of the Village of Mendayun in the District of Madang Suku I of East OKU.

The land at the disputed border by both parties was the land of the former Transmigration Settlement Unit (UPT). Based on the available documents, it was noted that the placement of UPT Unit XIII transmigrants was 503 households in 1982/1983, UPT Unit XV was 350 families in 1983/1984 and UPT Unit XVI was 400 families in 1984/1985 which were part of the IBRD (International Bank for Reconstruction and Development) III, with the allocation of land for each family area of 3.5 hectares (0.25 ha of plot land, 1.0 ha of business area I, 1.25 ha of business area II, and 1.0 ha of rubber plantation) in the OKU District and had been certified ownership in 1993. This was also reaffirmed by a statement from the OKU BPN through an interview session that the disputed location was originally a transmigration area in the village of Tanjung Makmur.

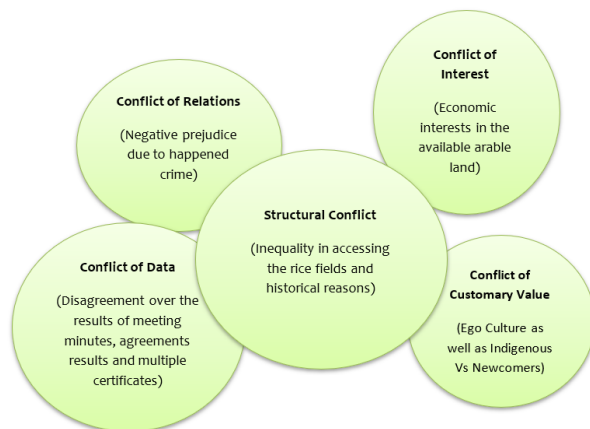
Subsequently, in 2003, Ogan Komering Ulu Regency was divided into Ogan Komering Ulu Regency (OKU), East Ogan Komering Ulu Regency (East OKU) and South Ogan Komering Ulu (South OKU) in accordance with Law No. 37 of 2003 concerning the Establishment of East Ogan Komering Ulu Regency, South Ogan Komering Ulu Regency and Ogan Ilir Regency, South Sumatra Province. However, in 2010 - 2011, the government of Tanjung Makmur Village / Unit XVI received social assistance funds from the Ministry of Agriculture's Republic of Indonesia's for 150-hectare Rice Field Budget Program. Furthermore, in the 2011 fiscal year, the Village Government of Marga Mulya / UPT Unit XV received social assistance funds from the Ministry of Agriculture's Republic of Indonesia covering an area of 172 hectares.

The existence of the rice field invited the provoking elements from the East OKU district to claim the land, whereas before the rice field printing area, the area was a very deep swamp and no one cared about the ownership of the land. Since 2011 to 2016, various efforts have been carried out by the two regencies and provinces, such as the Coordination Meeting, survey and direct observation to the location to confirm or seek agreement regarding the boundaries and ownership of the land. However, no clear agreement has been agreed between the two conflicting parties.

Widjadja (2005) which stated that, if the conditions of the regional boundaries are unclear, it will cause possibilities that have a negative impact on life in a local government such as the administration of government that is less effective, optimizing the services to the community that are less than optimal, as well as the development of areas in the border between the two regional governments. Moreover, Malik et.al (2003) explain that conflict is a situation that shows the practices of deprivation of a person or more and or groups of rights over an object or position. Therefore, based on the explanation above, the situation that occurred has been classified as a conflict because it has eliminated the right to ownership by one of the parties to the dispute.

In analyzing the conflicts that occurred, Malik, I. (2017) stated that there are five sources of conflict in Indonesia, namely structural conflict, conflict of interest, conflict of relations, conflict of data and conflict of customary values. Related to the explanation of the source of the conflict, the boundary conflicts that occur in OKU Regency and East OKU Regency can also be categorized in the scope of the five sources of conflict. The illustration below describes the observed five sources of conflict:

Figure 1. The Sources of conflict in accordance with the borderline conflict between OKU Regency with East OKU Regency.



Based on the figure above, it can be understood that the description of the source of boundary conflicts that occurred in the OKU Regency with the East OKU coming with a different magnitude of the circle based on its influence in the conflict that occurred. Based on the findings of the researchers, structural conflicts and data conflicts are the most dominant factors in the boundary conflicts between OKU Regency and East OKU Regency. In structural conflicts, the difference in access to getting available resources, in this case is rice field land. This rice field print field program carried by the government used the 2010-2011 state budget funds which were carried out on business land II owned by the village community of Sinar Peninjauan District. This was actually confirmed by the General Government Staff of the East OKU Regional Secretariat.

Conflict of Data in this situation was related to differences in views and interpretations of history as well as the existing agreements which certainly become an obstacle in resolving this conflict. For example, through a letter dated October 17, 2017 Number 130/343

/ I / 2017 concerning the Limitation of OKU Regency and East OKU Districts, the OKU Regent sent a letter to the Governor of South Sumatera that, based on the minutes of the meeting on November 9, 2016 the PT GNS basecamp (from East OKU) is within the OKU Regency area. However, the Regent of East OKU through a letter dated 30 January 2017, number 126/119 / II / 2017 regarding the acceleration of the boundaries of East OKU Regency and OKU Regency on number 4 (four) rejected the results of the minutes of the meeting on November 9, 2016 on the grounds of not “quorum” because the incompleteness of the East OKU PBD Team that was present at the meeting.

In addition, other conflict of data is related to land ownership certificates in the disputed areas. There was a land certificate or dual land ownership that was issued by the BPN of the two local regions so that both groups of people feel they have the right to own and insist on the ownership of the land.

Based on the results of the interview, the conflict of relations that occurred between the two community groups on the border did not really show anything significant. The Secretary of the Tanjung Makmur in the interview session argued that the people of Tanjung Makmur and Gunung Terang are doing fine. However, there was certain irresponsible person exist. Furthermore, the conflict of interest that occurred at the border between OKU Regency and East OKU covers the interests of the two border villages in fighting over available resources, in this case the rice fields area. The OKU Regent in a written document answering interview questions, explained that the socio-economic condition of the people of Tanjung Makmur Village had declined because the people of Tanjung Makmur Village did not feel comfortable and

safe in working on the rice fields. This happened because they were intimidated or prevented by unscrupulous residents of Mendayun Village so that the rice fields were not being cultivated to the maximum. However, the OKU Regent explained that the people of Tanjung Makmur Village remained patient in order to avoid greater open conflict.

Concerning conflicts over customary values in the conditions that occur, it does not really dominate existing conflicts. However, this should still be a concern in addressing the existing conflict considering this could be used as an excuse by certain parties so that the escalation of the conflict could have occurred. The Head of Subdivision of the BPU OKU argued that the ego of culture could aggravate the conditions. A similar statement was also conveyed by the Head of the Subdivision of the OKU Regional Secretariat Government, which explained that ethnic issues were not too prominent in this conflict, but issues related to “natives” were often used in efforts to fight over existing land.

However, this ethnic issue was responded differently by one of the staff in OKU Government Secretariat. The terms “How lucky they are” or “We are native villagers!” can be an issue that possibly be used by the certain elites, although it was not the real issue happened among the societies.

Moreover, in order to gain deeper comprehensive analysis regarding conflict and resolution of borderline between OKU Regency and East OKU Regency, it used the dynamic framework of Conflict Prevention and Resolution by Malik, I (2015). Based on this framework, there are several things affected the conflict conditions, which are escalation and de-escalation, conflict factors, conflict actors, stakeholders and the political wheel.

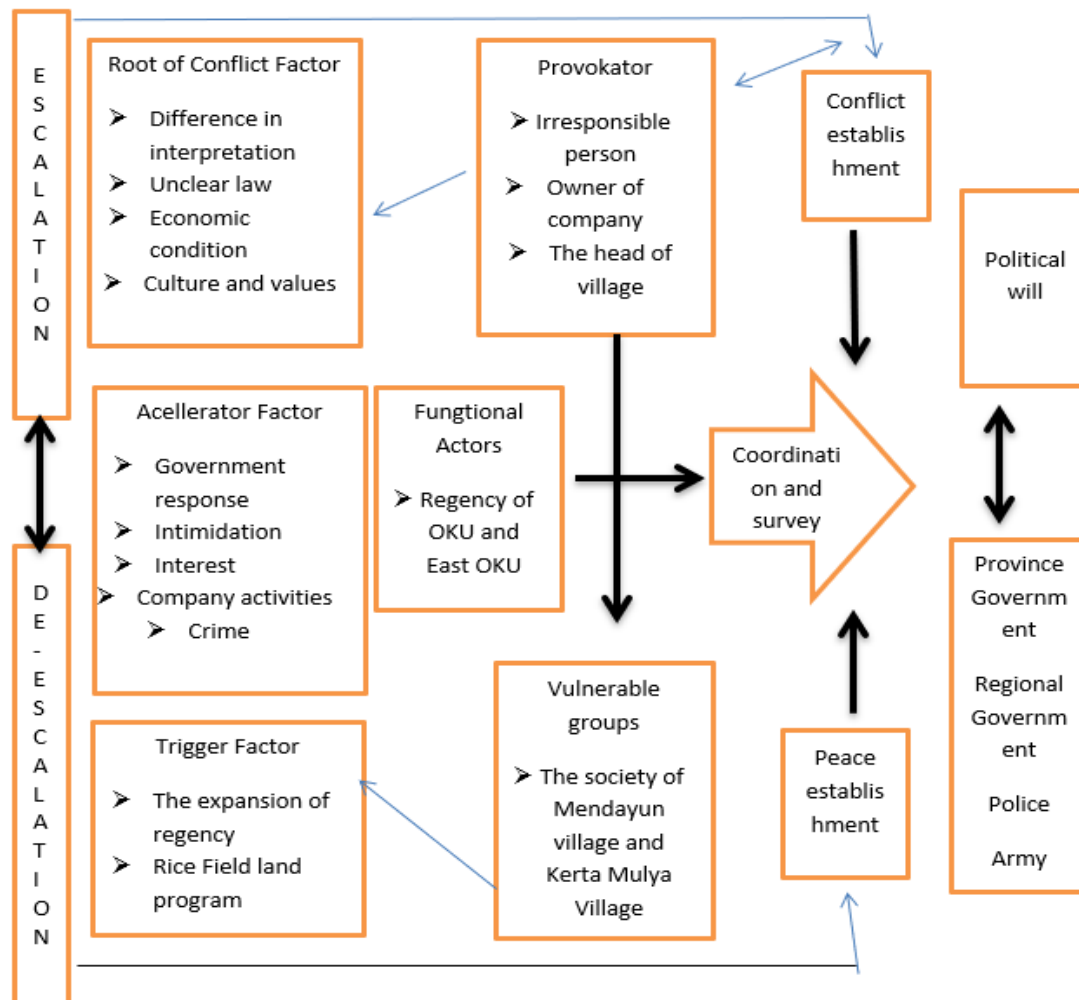
For certain reasons, the actors involved in the conflict based on Malik, I et.al (2016) can be mapped through the actor’s relation models by considering the relations between actors. Based on the previous reasons, figure 2 will explain the conflict analysis that was happened regarding the borderline conflict between OKU Regency and East OKU Regency, South Sumatera.

The model shown in figure 2 explains that conflict escalation and conflict escalation are influenced by elements in the model. The next conflict factor, has three elements, namely the root, accelerator and conflict triggers.

Related to the structural root of conflict, this is related to the history of the region itself. Provision of transmigration land by the government at that time (1990s) certainly could have caused polemics for people who live in the area. Evident from the Regional Boundary Affirmation document between Buay Madang Sub-District (which is now the East OKU District) and Phase 1 Sub-District (which is the current OKU District) in 1998 and Phase 2 in 1999, indicate differences in interpretation and interest in interpret the boundaries that are trying to be resolved by the two regions.

Then, the law on regional formation that is not accompanied by clear regional mapping rules can also exacerbate the structural conditions of the current conflict. Coupled with the lack of coordination and communication between regions, of course the conflict can drag on and cause problems in the future. Other structural factors are inequality and inadequate economic conditions that make each party maintain their stand given the rice field as a high economic value to support themselves and their families. The lack of other types of livelihood, besides farming or gardening, makes structural conditions worse.

Figure 2. Dynamic Framework of Conflict Prevention and Resolution Regarding Borderline Conflict Between OKU Regency and East OKU Regency



(Source: Malik, I. (2015) which was adopted by the researchers)

Furthermore, the last structural factor is related to the culture and lifestyle of each community in both districts. The trigger factor in this study was the division of the Regency of OKU Regency into East OKU, OKU and South OKU districts in 2003 as the starting point for this conflict. In addition, the rice field program provided by the government with the 2010-2011 National Budget funds will also be the next trigger in increasing the escalation of existing conflicts. High economic value related to land that can be utilized certainly invites various parties to get it. The Head of Regional

Autonomy Regional Secretariat of OKU in the period before 2016 stated that, land dispute problems arose as a result of the opening of rice fields which were carried out by the Government of OKU Regency in 2010 and 2011, funded by APBN funds on Business II Transmigration of Tanjung Makmur Village.

Then, the conflict accelerator factor is the response of the both government in Regencies and the Provincial Government who have not been able to provide a solution or approve the existing agreement so that the process of

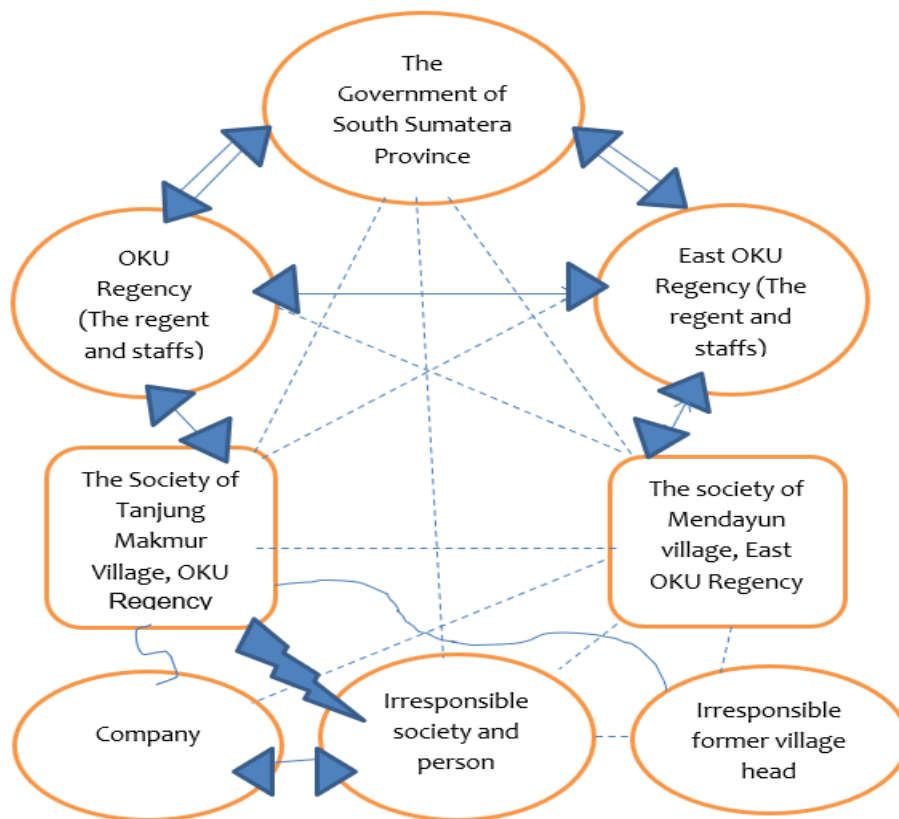
resolving the boundary is delayed for a long time. The confusion over the settlement of this case has made the community continue to run their own positions so as to exacerbate the conflict conditions in the field. In addition, the interests of certain parties in addressing and actions that do not understand one another during the conflict resolution process also provide obstacles in reaching agreement.

The accelerator factors are activities carried out by factories and CVs originating from East OKU. Activities carried out by the CV LUDES and PT GNS (Gula Nusantara Sukses) on the disputed land also contributed to the adverse effects of the development of the conflict. Regarding the PT GNS, the Head of the Regional Boundary of the Regional Secretariat

of South Sumatra Province stated that based on the minutes of the 2015 meeting, the decision regarding the existence of the PT GNS Camp had already entered the OKU area. This indicates that the actions taken by the existence of these factories certainly add to the disquiet of the parties to the dispute.

Conflict actors involved in this conflict can be divided into three groups, namely provocateurs, unctional groups and vulnerable groups. Malik, I (2015) stated that provocateurs are the parties which have abnormal logic that affects vulnerable groups. Whereas functional groups in this case are government agencies, whose duties to reduce and prevent the escalation of conflict. The following illustration is the descriptions of conflict actors:

Figure 3. Actors Mapping and Relation in Borderline Conflict between OKU Regency and East OKU Regency



(Source: Malik, I. (2016) which was adopted by the researchers)

Based on Figure 3, it can be illustrated that the South Sumatra Province itself has made communication and coordination in both OKU and East OKU districts but has not shown a clear relationship with the village communities of the two regencies. Likewise, with the two regencies themselves, efforts to resolve and cooperate have been carried out in the form of surveys and coordination meetings in the province. However, the condition of the two border village communities in the District of Sinar Peninjauan OKU and Madang Suku I East OKU is still hit by conditions of uncertainty. The gray relationship symbolized by the dotted line is due to the presence of companies that are active in the area of dispute, unscrupulous thugs and residents as well as elements of the village head that hinder the conflict resolution process. The relations between the three additional actors are the company and the village head who are hostile to the Tanjung Makmur Village Community (symbolized by a wavy line) and the residents and thugs in conflict with the Tanjung Makmur Village Community are represented by the zig-zag line). Although the relationship between the three actors (the company, the village head and residents, the village head) did not show a clear status with the people of Mendayun village of East OKU, but the thugs and intimidated citizens are seen as having an alliance with the company.

Actors who need to get more attention are provocateurs or persons who are involved in heating up conflict situations. The Head of Kakesbangpol OKU further explained that the entrepreneurs or landowners of CV LUDES were suspected of employing people to intimidate the people of Tanjung Makmur Village and he also bought community land and then issuing the certificate for this community land in 2014. After checking at the BPN OKU, it turns out that there really was indeed a

certificate. The only difference is that in 1993 the certificate was issued by BPN OKU, while in 2014 it was issued at East OKU BPN on HAS's name.

Another actor who was a provocateur in this conflict was the former village head from Mendayun village East OKU regency, where this actor bought and sold land owned by the people of Tanjung Makmur Village to Mendayun Village community at that time. This was also confirmed by the opinion of the people of Tanjung Makmur Village in the FGD session at the Tanjung Makmur Village Office, that their land was annexed by irresponsible persons. The Village Head of MAH from the adjoining regency prevented the people of Tanjung Makmur Village from working on it. The person in charge of the village head influenced the people of Mendayun Village, East OKU Regency to buy the land that was already unscrupulous for a land certificate of 2 million rupiah.

Conflict Resolution in the Settlement of Regional Boundaries between OKU Regency and East OKU Regency

OKU Regency Government through the Regent and PBD Team of OKU District along with the South Sumatra Province PBD team have conducted many field surveys and joint coordination meetings with the East OKU Regency. In the efforts related to the resolutions that have been made related to the conflict, it shows that at least 21 (Twenty-one stages) from 2011 - 2013 were carried out to try to resolve the boundary conflicts between the OKU Regency and East OKU Regency.

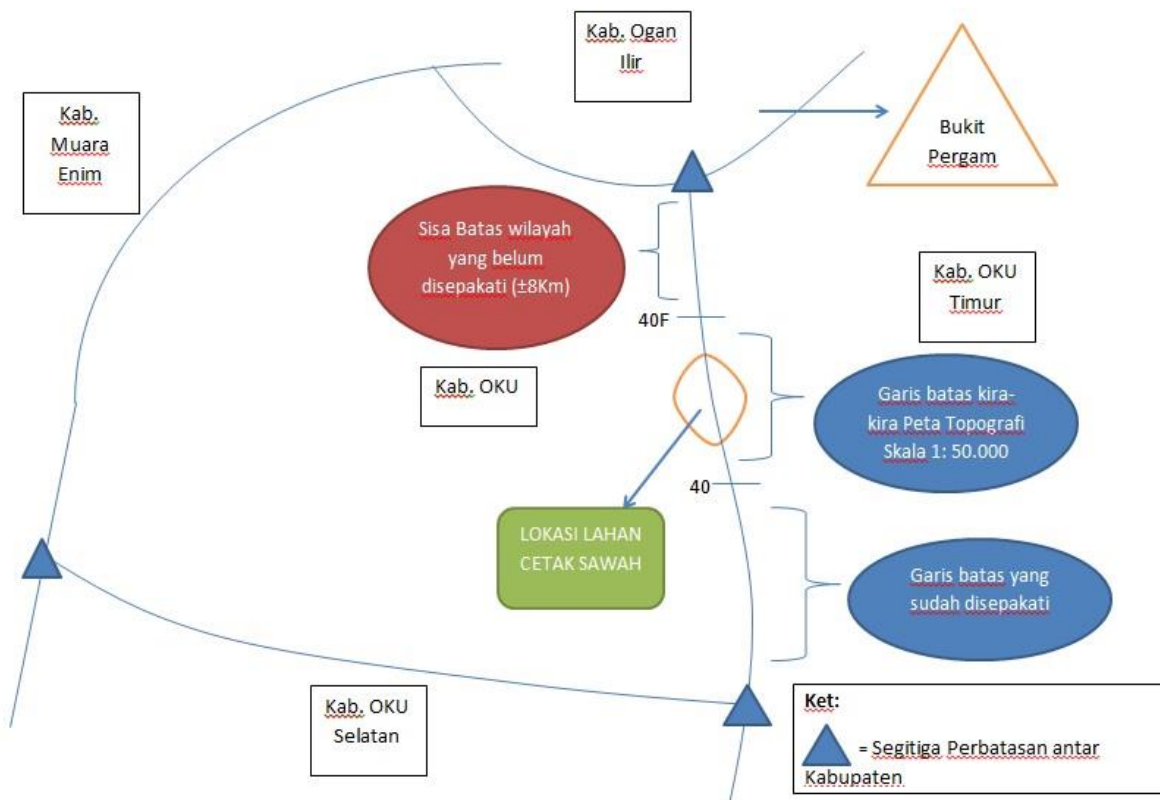
A similar statements was also conveyed by the head of Governance of the Regional Secretariat of OKU Regency in previous period and the head of Kesbangpol OKU that the resolution

taken by OKU Regency in handling the case were :

- Conducting a direct review of the disputed location
- Delivering a letter to the Governor of South Sumatera and Regent of East OKU
- Holding an internal meeting
- Attending the coordination meetings in the province as well as in the OKU Regency
- Accompanying the Provincial Boundaries Affirmation Team of South Sumatera in reviewing the location of the field.

In addition, there are already boundary completion documents in 1988 and 1999. This 1998 document is a boundary confirmation

Figure 4. The borderline between OKU Regency and East OKU Regency which has not reached agreement yet



document between Buay Madang sub-district (which has now become a sub-district in East OKU district) and the first phase observation sub-district (I). Whereas, the 1999 document was a Boundary Affirmation Document between Buay Madang Sub-District (which is now a Sub-District in East OKU District) and Second Stage (II) Subdistrict Review. Of course, these two documents form a strong basis in determining regional boundaries plus documents from the Ministry of Transmigration and land ownership documents from the National Land Agency in 1993.

However, the delays in resolving boundary conflicts due to the disagreement by the village head in the border triangle between the regencies as described below:

(Source: Sketch was drawn by the Head of Subdivision of Regional Documentation, the Secretariat South Sumatera Province then processed by researchers)

The figure above shows the boundaries of the region starting from the OKU, South OKU and East OKU border triangles are well agreed upon. Furthermore, the boundaries of the area starting from the coordinates 40 to 40F, where there are rice fields throughout the area, are also considered to have been agreed by sticking to the boundary line approximately on a 1: 50,000 scale topographic map. However, from the 40F point to the border between OKU, Ogan Ilir and East OKU, no agreement was reached because the village head of Kangkung from East OKU did not accept the measurement results although the person could not show strong evidence. In order to find proper solution, based on the dynamic framework of Malik, I. (2017) which states that the role of stakeholders as the fourth element can help resolve this conflict. These stakeholders include government officials, community leaders, religious leaders, traditional leaders, NGOs, research groups, mass media, police and the military. Therefore, these stakeholder groups are expected to be able to collaborate, communicate, coordinate with their peers to prevent the spread of conflict and stop the conflict if it has already happened. These stakeholders should address the problem by picking up the ball, not just waiting, being part of the solution not being part of the problem.

Based on available data, these interest groups have carried out their functions optimally. Whether it's coordinating and communicating between agencies within the Regency itself, as well as between the Regencies. For example, the South Sumatra Province has held several coordination meetings as well as direct observation to the border between OKU and East OKU to measure or find the missing pillars. The facilitation by the province has shown that the role of the provincial government has run well. According to Minister of Internal Affairs Regulation No. 76

of 2012 concerning Guidelines for Affirmation of Regional Bounds in article 25 paragraph 2 states that, the Settlement of Regional Border Disputes between Regencies / Cities in one province is carried out by the Governor.

Based on the minister regulation, the South Sumatra province, starting from 2011 to 2016, has facilitated OKU Regency with East OKU for at least ± 8 coordinating meetings in Palembang and direct observation or tracking to the field (September 24, 2012, October 9, 2012, October 18 2012, 19 November 2013, 19-20 December 2013, 14 October 2015, 9 November 2016, etc.). Both tracking and coordination meetings have certainly reduced the escalation of conflicts that occur in the field. So that the efforts of the central government in facilitating the two regions are considered quite successful in reducing the conflict so that it does not spread widely. However, this facilitation by the government has not succeeded in getting the two regions and the community to agree on boundaries.

The fifth element that needs to be discussed in the resolution of borderline conflict between OKU Regency and East OKU is the political will of the authorities. This can be seen through two things, namely the initiative and leadership of the authorities to resolve this conflict thoroughly and the existence of legal products and policies that can prevent and resolve conflicts. The initiative and political will of the leaders of the two regions certainly move towards a more positive direction. Allegedly, the relationship between the two regional leaders in previous periods could be said to be less harmonious, so communication and cooperation were less established.

However, The Sub-Head Division of Regional Border Documentation of the South Sumatera Regional Secretariat argues that, since 2014 to

2017, the spirit in resolving the problem has been different. In the past, the enthusiasm of the two regencies was a confrontation. In addition, Syaukani, Gaffar, A., dan Rasyid R. (2002) argue that in regional autonomy, local governments play a role in maintaining harmony, fostering good relations and providing services and protection to their communities. Therefore, a good communication relationship between agencies and communities within and between the OKU Regency and the East OKU itself, is considered very important to support the process of resolving conflict areas. However, the results of the study showed that both coordination and communication between districts and between agencies in both OKU and East OKU districts, especially in Sinar Peninjauan and Madang Suku I Districts, did not show maximum results. Evidenced by the existence of a rejection letter from the measurement results in the disputed area by East OKU Regency to the South Sumatera Province. In addition, the results of the decision of the coordination meeting in Palembang regarding the existence of PT GNS have also not been complied with by the parties concerned or the East OKU Regional Government itself. Although the results of the interviews show that communication and coordination are routinely carried out between districts, the fact that there is no agreement on the boundary conditions of the two districts.

Next, to seek further resolution related to conflicts that develop in society, then the theory of Glasl's Conflict Escalation Model in Yasmi, Y. (2006) used to describe the model in analyzing levels of conflict as well as a description of its resolution. This model explains that there are nine stages of conflict escalation. However, the borderline conflict between OKU Regency and East OKU

Regency did not reach the final stage (destruction), but stopped at the sixth stage.

First, the stage of hardening where there has been tension and conflict and there was a position of strength and confrontation. This stage occurred in 1998 and 1999. Second, the stage of debates / polemics where there was a polarization in feelings, thinking and behavior. Fixation of the internal point of view due to suspicion of the behavior of other parties occurred in 2003 during the regional division. Third, the stages of actions not words where empathy begins to disappear with an indication that there was a wrong understanding on each side and an ingroup conformity pressure begins to emerge. This stage occurred in 2010 - 2011 when the existence of rice fields began. Fourth, images / coalition where the stages for each party to position the opponent as a negative party and begin to involve or seek support from actors outside the parties directly involved. This stage can be reflected to the event where the people of the East OKU from Mendayun Village began to do coalitions with other villages (Kerta Mulya) and other interested parties in their efforts to control the land.

Fifth, the stage of lost of face where this stage showed the attitude that the opponent would also be underestimated, unmasked as well as causing lies or something exaggerated. This stage can be reflected in the incidents that occurred during the conflict over land printed of rice fields based on boundaries. In 2015 - 2016 there were many coordination meetings and surveys conducted by the government where it showed ownership and boundaries that were measured in accordance with the version and the data held by OKU Regency. However, the East OKU and its elements could not accept the results for reasons that were unclear or reasons that were not in accordance with the regulations. For example, the GNS company

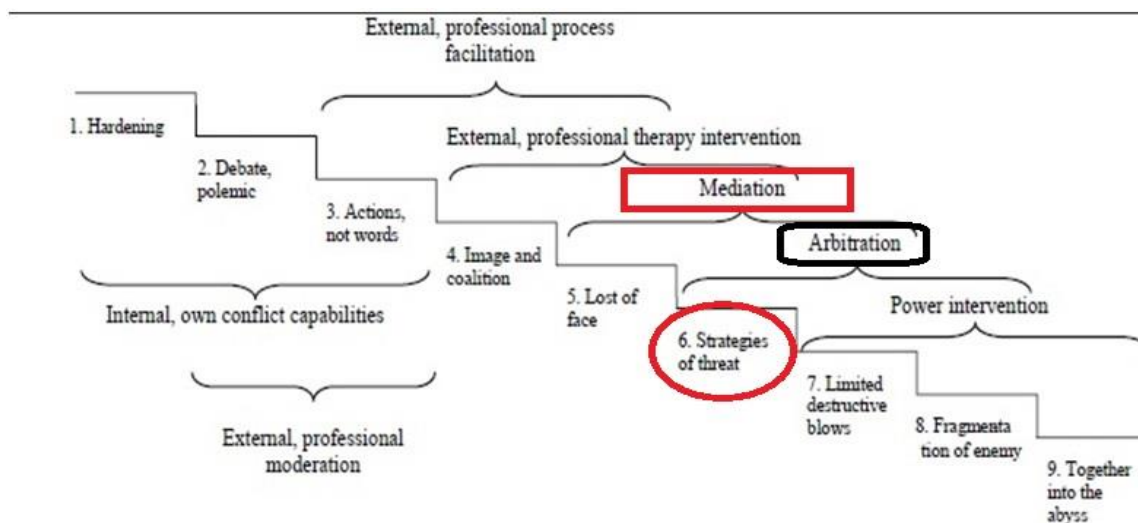
basecamp which was declared by the province to enter the OKU area still could not be obeyed or accepted by the parties concerned. In addition, the reasons for the dual ownership certificates as well as the incompatibility of land ownership certificates owned by the OKU community also appear to be reasons in maintaining conditions so that they do not lose face.

The sixth stage as well as the last stage in the Borderline Conflict between OKU Regency and East OKU is strategies of threat where certain parties use threats to control the situation. This stage is reflected by both parties and persons from East OKU in threatening the community to access the rice field plantation area by using thuggery or using machetes to

threaten the community. In addition, the continuation of this conflict led elements from East OKU to use name plates placed on the rice field to scare the OKU society because the land was owned by a member of the army. This stage shows the win-lose situation where the settlement process has entered the mediation stage

Although arbitration can actually be used, this is only limited to resolving violations involving the realm of law such as criminality or acts of thuggery committed by certain individuals so that they can support the realization of conflict resolution that occurs in the communities of Tanjung Makmur Village and Mendayun Village. The following is an illustration of the conflict escalation and stages of its resolution:

Figure 5. Glasl's Conflict Escalation Model



(Source: Yasmi, Y, (2006); adopted by the researchers)

Nasikun (2003) added that mediation is a form of control that is carried out if both disputed parties together have agreed to provide advice or solutions on how they should resolve their disputes. Mediation itself is a process in which a third party is brought in to facilitate discussions that occur between the warring

groups. In this case, the third party is called a neutral mediator and does not act as a judge to decide the way out, but it inspires the conflicting parties to find their own solutions and solutions. The mediator himself is a practitioner or expert in his field to identify the

issues in dispute, develop options, consider alternatives and attempt to reach an agreement.

It should be understood that mediation itself has the principles of confidentiality, volunteerism, neutrality, empowerment and solution-oriented. In this case, mediation related to borderline conflicts between OKU Regency and East OKU Regency needs to bring mediators who are skilled in their fields or mediators who understand the storyline of the conflict. The two conflicting parties, namely the people of Tanjung Makmur Village who were accompanied by the staff of the Regency Government of OKU and the people of the Village of Mendayun who were also accompanied by the staff of the Regency Government of East OKU may be sitted together accompanied by mediators in discussing the prolem.

Furthermore Rasyid, R. (2007) suggested that the Ministry of Home Affairs became an agency that played an important role in the role of supervision and guidance to local governments to carry out the process of regional autonomy. In this case, of course the Ministry of Home Affairs can also play an active role in mediating the parties to the conflict. Although the issuance process othe ministry regulation is still hampered due to disagreements that occur, the Ministry of Home Affairs can certainly summon parties from both the Districts of OKU and East OKU, in this case the Regent and his staff, to resolve the issue of the boundary area together. On this occasion, the Ministry of Home Affairs could provide warnings to the two Regents to immediately speed up the process of resolving border conflicts between OKU Regency and East OKU Regency in order to avoid consequences that could be detrimental to both parties. With this warning, of course both parties to the conflict can negotiate to find ways

to resolve it so that they are not subject to "punishment" from the central party, in this case the Ministry of Home Affairs. This is an effort the Ministry of Home Affairs can make regarding its role in supervising and guiding the two conflicting Local Governments.

Based on Law No. 30 of 1999, conflict resolution through mediation was preceded by a direct meeting between the parties of OKU Regency and East OKU District within a maximum period of 14 days and there was an agreement set forth in a written agreement. If it cannot reach an agreement within 14 days, it can be resolved through an agreed mediator. After an agreement is reached, within 7 days the mediation process must have begun and can be completed within a maximum of 30 days which results in a written and binding agreement and is registered with the District Court no later than 30 days from the signing. Mediation model according to Law No. 30 of 1999 shows the mediation process that was initiated by negotiations in advance, for example a failure then it can be appointed for the mediator and the final result of the mediation is an agreement agreed by both parties.

The next mediation process to support or strengthen the previous mediation process, can be based on the Decree of the Head of BPN No. 34 of 2007. The implementation of this model is carried out by authorized officials / employees who are appointed based on a letter of assignment from the Head of Regional Office of National Land Agency (BPN) or the Head of BPN in South Sumatera Province which is called authoritative mediator. This shows the mediator's ability to influence the outcome of the agreement mediation process. With the implementation of the mediation process, it is expected that the conflict resolution related to the OKU District boundary

with the East OKU can be resolved properly. Although the legality process related to territorial boundary regulations is still waiting for the Ministry of Home Affairs, the mediation process is considered important to restore relations between the conflicting parties.

Conclusion and recommendations

Based on the results of the research above, the borderline conflicts between OKU Regency and East OKU Regency occur due to conflicting factors originating from different sources of conflict. In addition, the existence of certain elements also dominated the course of the conflict so that the process of resolution or the search for agreement was still disturbed. Furthermore, conflict resolution that can be done is based on the Ministry of Home Affairs Regulation No. 76 of 2012. In addition, in the framework of the provincial settlement process, a mediation process should be carried out to support the creation of peaceful and peaceful conditions in the community. The mediation process itself can be based on Law No. 30 of 1999 concerning Arbitration and Alternative Dispute Resolution as initial actions. However, if the first mediation has not been able to help solve the problem, then the next type of mediation is based on BPN Decree No. 34 of 2007 concerning Technical Guidelines for Handling and Resolving Land Issues can be used.

As for the suggestions in this research are first, the stakeholders in OKU Regency and East OKU need to explore the analysis of the conflict factors and the roles of the individuals who dominate the conflict in order to facilitate the way to act and find a solution. Secondly, it is necessary to increase communication and cooperation in order to increase trust between OKU Regency and East OKU. Third, the two regencies also need to increase empowerment,

especially in the economic field of the people in the border areas. Fourth, mediators who will later mediate the conflict can come from the BPN, the Ministry of Home Affairs and experts who must have competence in the field of conflict resolution and understanding related to the history and ownership of the land. Fifth, there is a need for strict legal action against those who commit criminal acts or crimes that harm the community. Sixth, caution is needed by the central government in using APBN funds and providing land to the community in the future.

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