

## ***The Anthropological Approach To Conflict Management By Kodam Xvii Kasuari In West Papua***

**Arief Fahmi Lubis**

Sekolah Tinggi Hukum Militer – PTHM/AHM

---

### **Abstract**

---

#### **Article history:**

Accepted: 20 Agustus 2021

Publish: 17 September 2021

---

#### **Keywords:**

*Anthropological Approach,  
Conflict,  
KODAM XVII Kasuari.*

*After the incident of the attack on a military rayon command post in Kisor, Maybrat, West Papua Province occurred, people felt scared & threatened, and decided to flee to the forest. In addressing this situation, the Regent of Maybrat called on his people who were still displaced to return to their respective homes or villages. The addition of personnel of Kodam XVIII Kasuari in that location was not for a military operation but rather looking for the perpetrators of criminal acts of terrorism because they had caused tremendous fear in the local community, making them flee into the forest. This study aimed at examining the subject matter based on the scope and identification of the aforementioned problems through a normative juridical approach. Moreover, the researchers also included juridical-historical and juridical-political approaches based on the scope and identification of the problems. In this study, the researchers applied normative and empirical legal research methods at the same time. However, the researchers focused more on the normative legal research method, while the empirical legal research method was used to obtain supporting information. The object of this study was Kodam XVIII Kasuari which always tries to eliminate the bad culture of the Arfak mountain community, especially daily activities that clash with criminal acts (e.g., presenting firearms as a dowry). In addressing this problem, Kodam XVIII Kasuari had used various ways with the anthropological approach. This approach had been fully implemented by soldiers in West Papua within the framework of territorial operations in the aspect of education, raising awareness, and enforcing national laws in the communities in West Papua*

*This is an open access article under the [Lisensi Creative Commons Atribusi-BerbagiSerupa 4.0 Internasional](#)*



---

#### **Corresponding Author:**

**Arief Fahmi Lubis**

Sekolah Tinggi Hukum Militer – PTHM/AHM

email: [arieffahmilubis0@gmail.com](mailto:arieffahmilubis0@gmail.com)

---

## **1. INTRODUCTION**

The incident of the attack on a military rayon command post (Indonesian: *Pos Komando Rayon Militer* (Posramil)) in Kisor, Maybrat, West Papua Province, resulting in the deaths of 4 Indonesian army soldiers, had previously been planned. One of the suspects admitted to having held two meetings before carrying out the attack. The Regent of Maybrat, Bernard Sagrim, stated that the attack on the military rayon command post in Kisor that killed 4 members of the Indonesian army was the most sadistic case in the history of the regency. It was the first time the attack and massacre of members of the Indonesian army soldiers occurred in Maybrat. Local clashes are common in Maybrat but not as sadistic as the case of the attack in Kisor. Regarding the attack, the Regent of Maybrat handed over the settlement of the case to the Indonesian police to investigate and find out who and from which group carried out the act. The attack occurred on Thursday, September 2, 2021, in which about 20 people from a separatist terrorist group attacked a military rayon command post in Kisor. As a result, 4 Indonesian army soldiers died in that incident. This act is classified as premeditated murder. The perpetrators will be charged with Article 340 of the

Criminal Code, sub-article 338 in conjunction with Article 55 paragraph 1 point E and Article 56 paragraph 1 point E.

Concerning the occasion, the surrounding community felt scared & threatened and decided to flee to the forest. Because of this condition, the Regent of Maybrat called on his people who were still displaced to return to their respective homes or villages. The addition of personnel of Kodam XVIII Kasuari in that location was not for a military operation but rather looking for the perpetrators of criminal acts of terrorism because they had caused tremendous fear in the local community, making them flee into the forest. Related to this situation, it is interesting to find out the strategy applied by Kodam XVIII Kasuari in dealing with conflicts in West Papua.

## 2. METHOD

This study was conducted by examining the subject matter based on the scope and identification of problems in the previous section through a normative juridical approach. Moreover, the researchers also included juridical-historical and juridical-political approaches based on the scope and identification of the investigated problems. In this study, the researchers applied normative and empirical legal research methods at the same time. However, the researchers focused more on the normative legal research method, while the empirical legal research method was used to obtain supporting information.

By adjusting to the scope and identification of the problems stated in the previous section, the juridical-normative approach was carried out by studying primary, secondary, and tertiary legal materials. Meanwhile, the empirical legal research method was conducted by studying data collected through observation and interviews in 4 regencies/cities in West Papua, representing 7 major ethnic groups within the Papuan customary law community and 4 types of leadership. In addition, the researchers also conducted discussions with parties who were considered to have the competence and in-depth knowledge in the field of constitutional law, civil law, and customary law.

In this study, the researchers used secondary and primary data related to constitutional law. Primary data were obtained directly from the first source through field research. Meanwhile, secondary data were official documents, books, research findings (in the form of reports), and others.

## 3. RESULTS AND DISCUSSION

By referring to Indonesia's Law No. 5/2018 concerning Amendments to Indonesia's Law No. 15/2003 concerning the stipulation of Government Regulations in Lieu of Indonesia's Law No. 1/2002 concerning the Eradication of Criminal Acts of Terrorism, armed criminal groups (Indonesia: *Kelompok Kriminal Bersenjata* (KKB)) that are rife in West Papua have made the Indonesian government create new regulations. Lastly, the government in this case the President of Indonesia issued Presidential Decree No. 7/2021 concerning the National Action Plan for the Prevention and Eradication of Violent-based Terrorism. This presidential decree is expected to become a powerful instrument to prevent and eradicate acts of terrorism in Indonesia. Concerning the presence of armed criminal groups in West Papua, the public and the government can only guess their motive. Some people believe that the criminal acts of the armed criminal groups that occurred in Papua stem from 6 backgrounds with various motives. The first is personal revenge because their relatives or parents were killed in the conflict. The second is economic motives because they are generally unemployed. The third is to enjoy the existence of self and group. The fourth is that they are used to disturb political opponents in the elections. The fifth is to attract attention to get a business project. The sixth is that they are used as part of the seizure of gold deposits.

### a. The Determination of the West Papua National Committee as a Terrorist Separatist Group

There are various motives behind the problem in Papua. All of them are related to the chaos of social problems. There is nothing wrong with this happening in Papua because Papua, apart from being rich in natural resources, is also prone to other social problems. Poverty, politics, kinship, and unemployment are problems that appear in the eyes of the public. From the researchers' perspective, the problem in Papua (e.g., armed criminal groups) is also caused by people who are against the Republic of Indonesia.

Coordinating Minister for Political, Legal and Security Affairs (Indonesian: *Menteri Koordinator Bidang Politik, Hukum, dan Keamanan* (MENKO POLHUKAM)), Mahfud MD, said that more than 92% of Papuans are pro towards the Republic of Indonesia. This was conveyed during the announcement of the determination of the status of the armed criminal groups in Papua as terrorists. He said that outside of those who are pro toward the Republic of Indonesia, there are a few people who carry out rebellions secretly through the armed criminal groups in Papua. According to him, the act of rebellion is a terrorist movement. "There are some people who carry out rebellions in secret by conducting separatist movements and then their actions are terrorist movements," cited from a press conference in the Youtube channel of Indonesia's Coordinating Ministry for Political, Legal, and Security Affairs.

Law enforcement operations against these perpetrators of violence (armed criminal groups) should coordinate intensively with local governments and local community leaders. The move is aimed at avoiding the victims from innocent civilians. The armed criminal groups in Papua are highly disturbing the comfort of the people living there. All activities that used to be carried out every day are now blocked by a wall of violence and killings conducted by these armed criminal groups. The main objects of attack by these groups are civil society, police officers, and military soldiers. These groups have succeeded in haunting the people in West Papua with their criminal acts. The acts have a very bad impact on the psyche, emotions, and mentality of the people of West Papua.

In addressing this issue, the Indonesian government has designated the armed criminal groups in Papua as terrorist organizations. This determination cannot be separated from the activities of these people who have often committed criminal offenses, such as massive and brutal murder and violence. In addition, the movements of these groups have worsened the condition of the people in West Papua.

#### **b. The Prioritization of the Traditional Approach Based on the Local Community Tradition as the Anthropological Approach**

Even though the Indonesian government has designated the armed criminal groups in Papua as terrorist organizations, law enforcement operations should still prioritize a persuasive approach coupled with a traditional approach according to the local community traditions as an anthropological approach rather than a security approach. In addition, security authorities in the field should continue to provide opportunities for local regional heads to build communication and persuade community members who still support these armed criminal groups to be more aware and return to support the Republic of Indonesia.

The anthropological approach comes from the concept of anthropology which is a science that studies humans. In principle, this study puts forward 2 important constructs, namely holistic and comparative. Moreover, anthropology is very concerned with history and comprehensive explanations to describe humans through knowledge of social sciences, life sciences (nature), and humanities. Furthermore, anthropology also uses cross-cultural studies in emphasizing and explaining the differences between human groups in the perspective of material culture, social behavior, language, and way of life. One of the cultures of the communities living in the Arfak Manokwari mountain is to present firearms as a dowry. Kodam XVIII Kasuari as the security unit in charge of that area always tries to eliminate the culture through various ways with the anthropological approach, such as providing physical assistance by contributing to the development of the area and playing a role as a teacher in

remote schools in West Papua. Many soldiers of Kodam XVIII Kasuari also serve as medical personnel assisting health education and first aid in accidents in West Papua. This approach had been fully implemented by soldiers in West Papua within the framework of territorial operations in the aspect of education and raising awareness so that people will voluntarily hand over their stored firearms and the living habits of indigenous peoples that have the potential to cause conflict and insecurity can be minimalized.

Many observers from within and outside the country appreciate these roles from the Indonesian soldiers. What is currently happening can be considered to be an unintended consequence of a dynamic relationship between the community and the local government. The foresight of the officers in the field in analyzing the situation and social conditions of the West Papuan people surely succeeded in localizing the problem, making it not developed into excesses that may lead to conflict. The courage of the leader of Kodam XVIII Kasuari supported by the police officers in that location is the key to success in suppressing various hoaxes.

Another example of the anthropological approach is that Kodam XVIII Kasuari initiated food security activities on campuses in West Papua. Through this activity, the soldiers provide education to students and the local community regarding how to fulfill their nutrition and discover alternative vegetables to meet their needs of daily life.

Apart from that, Kodam XVIII Kasuari also organizes a program for fostering religious harmony in which its members consist of the military soldiers and local community to create and maintain national unity. This program is carried out with the aim that the military soldiers and local community (i.e., religious leaders and youth leaders) may truly understand the meaning of religious tolerance. The objective of this program is to create solidarity and harmony and to avoid social conflicts between religious communities that may divide the unity and integrity of the nation.

In addition, local governments are encouraged to initiate or activate the village security system by establishing a village security apparatus involving community leaders and local youths. The implementation of the security approach should still be accompanied by the processes of a real welfare approach and the fulfillment of the basic needs of the community not just in the forms of policies and programs. In this case, local governments are expected to synergize and seriously pay attention to the handling of refugees whose numbers continue to increase along with the escalation of violence in some areas.

In certain locations in Indonesia, the customary law system also needs to be applied in state law because customary law is the original Indonesian legal material or the legal reality of various principles that surely apply in a society. In West Papua, Kodam XVIII Kasuari also always implements an anthropological approach by actively communicating with the local customary institutions and discussing with traditional leaders. Because of these movements, a strong inner relationship between Kodam XVIII Kasuari and the local community can be well-established. Customary institutions are special bodies in the indigenous communities that enforce customary laws. Therefore, maintaining a good relationship with these institutions may harmonize the vision and mission that has not been synchronized or has not been properly accepted between the Indonesian government and the people of West Papua.

#### 4. CONCLUSION

1. Some people believe that the criminal acts of the armed criminal groups that occurred in Papua stem from 6 backgrounds with various motives. The first is personal revenge because their relatives or parents were killed in the conflict. The second is economic motives because they are generally unemployed. The third is to enjoy the existence of self and group. The fourth is that they are used to disturb political opponents in the elections. The fifth is to attract attention to get a business project. The sixth is that they are used as part of the seizure of gold deposits.

2. The Indonesian government has designated the armed criminal groups in Papua as terrorist organizations. This determination cannot be separated from the activities of these people who have often committed criminal offenses, such as massive and brutal murder and violence. In addition, the movements of these groups have worsened the condition of the people in West Papua.
3. The anthropological approach comes from the concept of anthropology which is a science that studies humans. In principle, this study puts forward 2 important constructs, namely holistic and comparative. Moreover, anthropology is very concerned with history and comprehensive explanations to describe humans through knowledge of social sciences, life sciences (nature), and humanities. Furthermore, anthropology also uses cross-cultural studies in emphasizing and explaining the differences between human groups in the perspective of material culture, social behavior, language, and way of life. One of the cultures of the communities living in the Arfak Manokwari mountain is to present firearms as a dowry. For this reason, Kodam XVIII Kasuari as the security unit in charge of that area always tries to eliminate the culture through various ways with the anthropological approach, such as providing physical assistance by contributing to the development of the area and playing a role as a teacher in remote schools in West Papua. In addition, many soldiers of Kodam XVIII Kasuari also serve as medical personnel assisting health education and first aid in accidents in West Papua. This approach had been fully implemented by soldiers in West Papua within the framework of territorial operations in the aspect of education and raising awareness so that people will voluntarily hand over their stored firearms and the living habits of indigenous peoples that have the potential to cause conflict and insecurity can be minimized.

In the future, the Indonesian soldiers need to receive anthropology training before being sent to the Papua region so that they understand the culture and environment of the Papuan people. A socio-cultural approach and dialogue between interested parties must be implemented as soon as possible as a preventive measure for conflict resolution in the region of West Papua.

## 5. REFERENCES

- <http://porosrakyatnews.com/2021/12/07/ini-yang-dilakukan-kodam-kasuari-ke-personil-bko-teritorial-koramil-persiapan-gelombang-iii/>
- <https://nasional.kompas.com/read/2020/11/30/14270581/mahfud-mit-bukan-gerakan-keagamaan-tapi-gerakan-kejahatan>.
- <https://papua.inews.id/berita/kodam-xviii-kasuari-dan-unipa-kolaborasi-buat-program-ketahanan-pangan-mahasiswa>
- <https://predikatnews.com/2>
- <https://www.kompasiana.com/lusita39417/5daf17b70d82307085793402/papua-kaya-sumber-daya-alam-tetapi-kemiskinan-tinggi>
- <https://www.tribunnews.com/nasional/2021/12/08/pola-pendekatan-panglima-tni-soal-penanganan-konflik-papua-dapat-apresiasi>
- I Gede A.B Wiranata, 2002, *Antropologi Budaya*, Bandung : PT. Citra Aditya Bakti.
- Leonard Seregar. 2002. *Antropologi dan Konsep Kebudayaan*. Universitas Cendrawasih Press. Jayapura.
- Soerjono Soekanto dan Sri Mamudji, 1979, *Peranan dan Penggunaan Perpustakaan di dalam Penelitian Hukum*, Jakarta: Pusat Dokumentasi Hukum Fakultas Hukum Universitas Indonesia.
- Soerjono Soekanto dan Sri Mamudji, 2001, *Penelitian Hukum Normatif: Suatu Tinjauan Singkat*, Edisi 1, Cet. V, (Jakarta: PT RajaGrafindo Persada).