

Conflict Resolution on Martial Arts Organization Through Collaborative Governance: A Case Study in Timor Leste

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ABSTRACT

Conflicts involving members of martial arts organizations can be seen as a common phenomenon due to various factors. One of the contributing factors is the military-political crisis as well as the eastern and western racial conflict so-called “Lorosa’e no Loromonu” that occurred in 2006. Besides, the conflicts are caused by the different backgrounds of every martial arts organization before the independence of Timor Leste and ideological factors contributed to the conflict. Based on this, public stakeholders must have a high commitment to collaborating in creating a resolution towards the ongoing conflict. This is pertinent to the customary belief of the citizens of Timor Leste, which is animism. This research uses a qualitative method through a case study approach. This study identifies the use of a collaborative governance approach that is developed and employed as an alternative in creating resolutions to these conflicts. Such an approach emphasizes that joint resolution of complicated conflicts which are difficult to resolve unilaterally can be achieved by involving collaboration from various cross-sector collaboration through mediation, negotiation, face-to-face dialogue, and deliberation. One of the results of findings is indicated the failure of the government to carry out the mediation and dialogue processes organized by the government called “Nahe Buiti Bo’ot” due to the lack of involvement of community traditional leaders. Their involvement is considered crucial in creating joint conflict resolution. Therefore, conflict resolution in martial arts organizations through collaborative governance must involve various public and private sectors to provide alternatives to conflict.

Keywords: *Conflict, Resolution, Collaborative, Governance.*

1. INTRODUCTION

Timor Leste is a country that is moving towards peacebuilding after decades of conflict, such as Portuguese administrative colonialism in 1512-1975, the unified administrative colonialism of the Republic of Indonesia in 1975, a referendum in 1999, and the military-political crisis in 2006 [1][2][3]. The conflict affected and shaped the character and mentality of the community members, causing conflicts between various groups. For instance, violent conflicts involving members of the martial arts in the few years ago caused a lot of damage and cost lives. Conflict of violation committing members of martial arts organizations has transcended various phases of the existing conflict, such as the military-political crisis and the Eastern and Western racial issue “lorosa’e no Loromonu” that occurred in 2006 [4][5][6]. This has greatly affected

members of martial arts groups to get involved in conflicts as they often became victims of the fights of the political elites. Therefore, they held clashes in various cities involving various martial arts organizations at the time when the military-political crisis occurred. This caused concern and discomfort for all of the community [7], [8].

Due to the violent conflict and provocation committed by members of the martial arts organizations in various regions of Timor Leste, the political elite as well as the security forces of National Timor-Leste Police (PNTL), Timor-Leste Defence Force (F-FDTL), and the public were worried. Therefore, in 2011 the government through the Council of Ministers issued regulation Number 35/2011 to stop the activities of martial arts organizations temporarily. Although the government issued this regulation, the number of conflicts and provocations increased in various cities, such as;

Covalima-Zumalai, Ainaro, and Lautem. Furthermore, the act of provoking this conflict even occurred abroad. For instance, a conflict committed by members of a martial arts organization in 2013 in Malang City, East Java, Indonesia, resulted in 2 deaths [9]. In addition, in February 2013 in Ermera City, especially in Sama Lete Village, a martial arts group attacked one of the residents' houses causing 4 people to die, including a 5-year-old child as the victim of the incident [10].

Regarding it, the government through the Ministerial Council issued a new regulation to completely dissolve martial arts organizations in Timor Leste. The regulation is Law No. 16/2013 10 July concerning orders and actions to ensure public safety in the country and to minimize occurring conflicts. However, these regulations did not manage to reduce the number of conflicts that have occurred. If the government has the ambition to prevent conflicts properly, then the government needs to use an alternative that requires collaboration from various parties; stakeholders public, private, and community custom. In other words, the government needs to collaborate well to resolve conflicts by consensus and deliberation [11], [12].

In Timor Leste, there are several martial arts organizations adopted from several countries, namely Taekwondo from Korea, Ai-Kidu from Japan, PSHT, Iks-Ptl Kera Sakti, Padjajaran, THS-THM, Karate, and Kempo from the Republic of Indonesia. Meanwhile, Korka and 77 are the local organizations of government regulation number 10/2008 17th July. In this study, only a few groups of martial arts organizations could be analyzed by the researcher, namely the PSHT, Iks-Ptl Kera Sakti, and Korka groups. From 2002 to 2019, in Timor Leste, a total of 102 cases of violence were recorded involving several members of the martial arts organization; PSHT, Iks-Ptl Kera Sakti, and Korka. A total of 117 cases caused damage to residences and 18 fatalities [13][14].

Conflicts involving members of the martial arts organization were caused by individual problems, political influences, differences in the ideology of each organization, the resources of the members, leaders of the organization, the level of unemployment, etc [8][15]. Concerning the source of conflicts, an argument by Dahrendorf in 1958 states that conflict is the presence of disagreement. He asserted that all relations between sets of individuals that involve an incompatible difference of objective are in this sense relations of social conflict. According to Jehn and Mannix in 2001, the notion of conflict process is also centered on disagreements about the tasks to be done and be it about how task accomplishment will be proceed. That definition mentioned that conflict focuses on the disagreement between individuals or groups involved in a given task, but they cannot complete the assigned task so that it

caused a sense of discomfort which in turn triggers conflict [16].

Research by Zakria in 2010 and Mosadeghrad in 2015 added that personal and organizational factors cause conflict in organizations. Personal factors such as employee personality, values, attitudes, beliefs, knowledge, abilities, and skills can contribute to conflict [17]. Then, Fisher defined conflict as a relationship between two or more parties (individuals or groups) who feel that they have inconsistent goals that cause conflict [18]. Meanwhile, Fuad and Maskanah argued that conflict is a clash between two or more parties due to differences in culture, values, status, power, and scarcity of resources, where each party has the same interest in these resources [19]. Based on the aforementioned statements, the authors conclude that conflict occurs due to low levels of knowledge, culture, and economy. Thus, such factors contribute to the occurrence of conflict between individuals and individuals or with groups.

2. LITERATURE REVIEW

2.1. Collaborative Governance

In this study, researchers used collaborative governance as a new and comprehensive approach to address various problems or conditions faced by contemporary society. Collaboration is a series of mechanisms that are integrated and applied equally [20]. The collaboration focuses on the three most commonly applied parts, namely cooperation, coordination, and collaboration by Lawson and Brown&Keast in [20]. Based on the description, it can be concluded that the concept of collaboration is a collaborative networking relationship approach that starts from coordination and cooperation in contemporary community life to deal with a complex and sensitive problem.

[21] Mentioned that collaborative governance is a wider concept about the process of engaging citizens in making decisions in more inclusive ways. This movement actively engages citizens through the tools of dialogue and deliberation, community problem solving, and multi-stakeholder dispute resolution to inform and shape public decisions and policy. This means that in dealing with a public problem that cannot be handled by one party, it is necessary to have an approach that involves citizens in making inclusive policies that are deliberative dialogue.

[22] viewed collaborative governance broadly as the processes and structures of public policy in decision making and management that engage people constructively across the boundaries of public agencies, levels of government, and or the public, private and civic spheres to carry out a public purpose that could not otherwise be accomplished. According to [11], collaborative governance is a governing arrangement

where one or more public agencies directly engage non-state stakeholders in a collective decision-making process that is formal, consensus-oriented, and deliberative and that aims to make or implement public policy or manage public programs or assets. Based on the definitions, there are six important criteria in collaborative governance, namely; 1) the forum is initiated by public agencies or institutions, 2) participants in the forum included non-state actors, 3) participants engage directly in decision making and are not merely “consulted” by public agencies, 4) the forum is formally organized and met collectively, 5) the forum aims to make decisions by consensus (even if consensus is not achieved in practice), and 6) the focus of the collaboration is on public policy or public management [11]. In short, in the concept of collaborative governance, the government acts as an implementer to collaborate various sectors such as the community, government, private sector, and non-government organizations in the decision-making process and in the implementation of policies for general governance. In general, this involvement is an effort to resolve or make a resolution for a problem to achieve the shared goals.

2.2. Conflict Resolution

Talking about conflict resolution by Nicholson in 1991, conflict resolution is the process facilitating a solution where the actors no longer feel the need to indulge in conflict activity and feel that the distribution of benefits in the social system is acceptable. Besides that, research by Kriesberg in 2006 perceived that conflict resolution means conducting conflicts constructively, even creatively [23]. Hence, to achieve a good resolution, a joint dialogue process is needed to facilitate the ongoing conflict, as expressed by Ben David in 2017 that intra-group dialogs are an effective alternative. Then, [24] elaborated that the resolution of a conflict can be achieved if there is a dialogue that allows various parties to reach a mutual agreement. Sudarmo added that conflict resolution aims to find the causes of the conflict so that the conflict can be resolved through a peaceful process of deliberation through face-to-face dialogue. Then, Schemerhorn mentioned some of the approaches that can be used in exploring the resolution of a conflict, including 1) accommodation, 2) avoidance, 3) competency, 4) compromise and, 5) collaborative or problem-solving.

3. RESEARCH METHOD

This research is a qualitative research with case study approach. To get data, researchers used observation and interview. Interview was done to several members of martial arts organizations who were involved in the conflicts. Furthermore, observations were made during the conflict to find some secondary data that could support the interview data. Observation data were

obtained through documents published by government agencies; online media, Timor Leste national TV, and other research results related to this conflict. After this process, the researcher compiled and analyzed both types of data, primary data from interviews and secondary data from observations.

4. RESULT AND DISCUSSION

The PSHT and IKS-PTL KERA SAKTI were martial arts organizations adopted from the Republic of Indonesia when Timor Leste was still ruled by the Republic of Indonesia. Meanwhile, KORKA is one of the indigenous martial arts organizations founded by aristocrats of Timor Leste. The violent conflict in Timor Leste committed by members of the martial arts organization started from 2001 to 2004. There were 87 cases recorded during that time. From these cases, there were 4 victims. The conflict that took place at that time involved members of the PSHT and KORKA organizations. The violent conflict between the two organizations was occurred because of ideological differences.

In 2006 there was a military-political crisis. Regarding this incident, the government made various efforts to resolve it. However, at the same time, conflicts between groups of martial arts organizations were increasing because they were affected by the ongoing political-military crisis. Members of the martial groups involved in the conflict were PSHT and the Colimau 2000 (a combat group in the Timor Leste during the era of Indonesian colonialism). In this conflict, as many as 7 people were found dead. To resolve this conflict, the government held a dialogue that was conducted in cooperation between the authorities and the cabinet of ministers. However, the dialogue did not bring any significant results, so the conflict continued until 2007. These groups carried out acts of violence in several areas of the city of Timor Leste. The groups involved were a combination of 77 organizational groups, Colimau 2000, and KORKA against the PSHT group. This conflict occurred because organizational groups slander or criticize each other regarding the terms of migrant groups and indigenous groups or fighters (Rai Nai'in). In addition, political factors are considered to be provocations against fellow groups so that they resulted in conflicts. During the time of the conflict, many losses were recorded, such as material loss (destruction of residence) to casualties. Based on the analysis, during the conflicts, the society lost their property, homes, and families. Unfortunately, this phenomenon affected the character or psychology of an individual, especially underage children at that time. In addition, adults had to experience such discomfort that they have to flee, leaving their place of residence to find shelter for their respective families.

In the end, this conflict was minimized in 2008 due to the death of the commander of the illegal armed group (petitioner) in February 2008 who was fired by the commander of the Timor Leste National Army (F-FDTL). Furthermore, the criminal groups made peace in August 2008. Due to the conflict that involved several of the groups above, the number of cases of death or casualties reached 100 [4][5][6][7][8], [25].

Apart from the groups above, the main focus is how the government can make peace through communal dialogue (Nae Buiti Bo'ot) organized by the government, NGOs, and society [4], [25]. The results of the dialogue and peace was not last long that further conflict occurred again a few years later between 2010 - 2013. The number of cases rose to 5 cases, where 5 people died and 39 housing units were destroyed. Based on this data, it can be said that the dialogue process initiated by the government failed. Therefore, in 2011 the government issued regulation number 35/2011 on orders and actions to ensure domestic public safety. The content of the regulation is the termination of all activities of martial arts organizations since they are identified as being involved in provocation, violence, and crimes within the state.

Although the government issued this regulation, within one year, the number of conflicts increased. Accordingly, the government revised the existing regulations by issuing new regulation number 16/2013 July 10th regarding the disbandment of martial arts organizations. This regulation confirms the total prohibition and dissolution of the activities of the martial arts organizations PSHT, KERA SAKTI, and KORKA including any activities of their respective members. Still, the issuance of this regulation was also unable to reduce conflict. It is proven that cases of conflict were increasing in 2014-2019. The number of conflicts reached 75 cases which resulted in 9 casualties and the destruction of 7 housing units. Based on the analysis of the efforts made by the government, this study concludes that the dialogue process and regulations issued by the government through the ministerial council is lack of attention to members of the groups involved in the conflict. Moreover, the level of unemployment increasing every political year as well as different ideologies and backgrounds have not been properly considered. Thus, such a condition led to other conflicts. Therefore, the government needs to evaluate every action and regulation issued and look for effective methods to resolve conflicts that occur.

Based on the above assumptions, the researchers conducted online interviews with 3 different members of the martial arts organization representing their respective groups to reveal the factors that cause conflict among members of the martial arts and how the conflict occurred. The first interview was conducted with a senior member of the PSHT in October 2020. Respondents said

that several factors contributed to the conflict involving members of the martial arts organization. First, the implementation of the regulations in effect seems to be partial to the state apparatus. Such a regulation is not enforced properly. In addition, the tough character of young people as they have been through conflict for decades is also one of the causes of conflict. In addition, respondents stated that the military-political crisis in 2006, the low level of human resources and the lack of cooperative relations between the government and the community contributed to the conflict in Timor Leste. On the other hand, the interview result with chairman IKS-PTL in October 2020 revealed that each member defends the integrity and principles of their respective organizations and does not give up on other members of the organization. Also, persons have individual interests to join the organization. In addition, the statutes and laws of each organization that is not firm as well as the differences in the motto of each organization are factors that cause conflict. Another opinion states that the causes of conflict between the three martial arts organizations are social problems; high unemployment rate, poor quality of education, individual problems, social jealousy, economic, political, legal, and claims over boundaries.

To overcome the above problems, the conflicting parties need a collaboration to resolve the conflicts that have occurred. This can be done through negotiation, mediation, and face-to-face dialogue. As expressed by Ben David in 2017, to make conflict resolution on a public problem, the government needs to hold an intragroup dialogue as an effective alternative in resolving conflicts. The purpose of dialogue and mediation is to look for gaps causing the conflict so that problems can be resolved collectively. Another approach that is considered capable of resolving a conflict is accommodation, avoidance, competition, compromise, and collaborative problem-solving by Schemerhorn in 2013. Unfortunately, this approach is rarely used by conflicting actors in horizontal conflicts. Such an approach is considered more effective for vertical conflict, due to the need for adequate resources to manage convoluted conflicts.

About the conflicts, the government tried to make peace between conflicting groups through mediation and dialogue held in May 2005, 2006, and August 2008. However, the results of mediation and dialogue were only temporary so that the conflict occurred again at the end of 2009. The occurrence of the conflicts was caused by the conflicting actors and organizers of mediation and dialogue did not collaborate effectively. In addition, public and private agencies did not participate actively in providing joint solutions.

The organizers of the dialogue and mediation process, also, were not independent and transparent so that they do not produce solutions to conflicts. The mediation and

dialogue processes carried out again at the end of 2010 and May 2011 also did not provide a good solution due to the poor relationship between the perpetrators and organizers, as well as the disbelief between the two. Although in the end the government closed or dissolved all martial arts activities in Timor Leste through regulation number 35/2011 and number 16/2013 10 July, not all members of martial arts organizations accepted. It was caused by the government is considered to have ignored the positive aspects associated with martial arts organizations, such as their role in the community during the colonialism of Indonesia and as a type of martial sport that shapes youth's character for participating in sports. Another aspect states that the government's action is a violation of human rights as stipulated in the 2002 Timor Leste Constitution Article 43 concerning freedom of association. Therefore, the government needs to carry out reevaluation and cooperation with various public and private sectors to resolve these conflicts peacefully in deliberations.

The discussion result of this study is confirmed by previous researches related to collaborative governance in resolving conflict. It is acknowledged that conflicts that occur repeatedly because of influences of various factors that cannot be resolved quickly and easily require a good approach to solve them, such as the adaptive learning approach and deliberation. To conduct an adaptive learning and deliberation approach, the government or policymakers act as a third party to properly resolve conflicts so that they can be accepted by all parties. In this case, three stages need to be carried out, namely: 1) Holding discussion forums repeatedly by involving various parties, public policy stakeholders, community groups, traditional leaders, to participate in a forum to pursue a policy collectively, 2) conducting open discussions with the community to provide an alternative to the ongoing conflict, and 3) doing mediation and dialogs at various levels of the formal and non-formal institution regarding collaboration to provide a collective decision that can be accepted by all parties [26], [27].

On the other hand, a complex conflict cannot be resolved by either individual or public/private institution as well as an authentic face-to-face dialog forum that involves various cross-sectors, namely the public, private, and community institutions is needed to participate and produce mutually agreed upon deliberative decisions or solutions that is known as a win-win solution [28].

From the assumptions, it can be concluded that the policies of the Timor Leste government through several regulations are not very effective in resolving the conflict peacefully. This is due to the lack of collaboration by all components that have common interests and common consensus. Therefore, the government does not only function to enforce regulations but also looks for an alternative or ideal method to resolve conflicts. One

thing that can be emphasized in this research is the government does not only tend to state law but also needs to lead to customary law by involving community custom leaders since the people of Timor Leste are still closely bound by customary law generally.

5. CONCLUSION

Based on the results of the discussion, it can be concluded that conflict resolution in martial arts organizations through collaborative governance must be carried out by public policy stakeholders by involving various public and private sectors to provide alternatives to conflict. This is vital since through collaborative governance the government plays a pivotal role in fulfilling the public interest through collaboration between public and private organizations or individuals. The purpose of collaborative governance is to manage conflict by requiring the participation of various groups, both public and private, NGOs, and local indigenous groups in making decisions based on mutual desire so that conflicts can be resolved. Likewise, to resolve conflicts properly through collaborative governance as used in this study, the government should not only rely on existing state laws. However, the government needs to collaborate through adaptive learning and deliberation and authentic face-to-face dialog to be able to resolve conflicts. Therefore, the role of the government is collaborating with customary law through community custom shops so that the expected resolutions can be accepted by everyone.

Furthermore, the mediation and dialogue process organized by the government, so-called "Nahe Buiti Bo'ot", was unsuccessful due to a lack of collaboration between the actors involved in the conflict. The participation of public stakeholders (third parties) is not transparent, causing distrust of the dialogue that is being held. The lack of involvement of public policy actors such as religious leaders, community leaders, and leaders of conflicting organizations as well as independent bodies that have common interests also makes it difficult to achieve collective resolutions. The involvement of traditional community leaders is essential considering that the people of Timor Leste are very strong animists so that the role of traditional leaders is very crucial in the dialogue process. That collaborative governance as a cross-sector collaboration can be carried out to solve complex problems and cannot be resolved properly by involving various sectors such as government, private sector, society as a whole.

Based on the results of this study, the researchers suggest the government to develop a collaborative process between institutions that have public interests to realize a common desire in resolving public conflicts that have occurred so far. Researchers are aware of the limitations of time and conditions so that they cannot explore the conflict between martial arts organizations in

depth through the theory used. Therefore, suggestions are given to future researchers to use a more comprehensive theory to explore the conflict that occurred in Timor Leste from various points of view to produce an effective and peaceful conflict resolution.

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