

THE ROLE OF INDONESIAN ARMY (TNI) IN REDUCING THE 2001'S SAMPIT CONFLICT AS NATIONAL DEFENSE

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Abstract

The Sampit conflict that occurred in Sampit City, Kota Waringin Timur Regency (Kotim) between the Dayak and Madurese ethnic groups was an event that affected security stability in Indonesia. The purpose of writing in this study is to find out and analyze the role of the TNI in resolving the Ethnic Dayak and Ethnic Madurese conflicts in Sampit City, Kotim Regency as the implementation of national security as a form of safeguarding national security stability from foreign and domestic threats. The approach method used in this study was a normative juridical approach. The results of the research, among others, are that the factors that are the main causes of the conflict between the ethnic Dayak and the ethnic Madurese include cultural factors, social inequality factors and political factors. The role of the Indonesian Army (TNI) in the context of implementing national resilience in resolving the ethnic Dayak and Madurese conflicts in Sampit City, Kotim Regency is carried out by contributing to regional security providing positive benefits for conflict peace in relation to efforts to create a peaceful situation in Sampit City, Kotim Regency.

Keywords: Army; Conflict; Defense; Security.

A. INTRODUCTION

The Unitary State of the Republic of Indonesia is a legitimate state based on Pancasila and the 1945 Constitution. The supreme importance of the position of Pancasila then gives awareness to the Indonesian people to make it an absolute reference for the order of life both in social, political, religious, and legal terms.¹ Law enforcement is used as a goal to be achieved. This is the embodiment of the goal of the rule of law, in particular to create a society that is protected, prosperous and full of peace. With the fulfillment of the goals of community welfare, according to Zainal Asyhadie,

¹ Fais Yonas Bo'a, Pancasila as the Source of Law in the National Legal System, *Jurnal Konstitusi*, Vol.15 No.1, March 2018, page.27-49

the law must be tasked with dividing human rights and interests, dividing authority, and regulating how to solve/resolve if problems occur in defending their rights and obligations.²

In realizing an orderly, safe, and balanced society in people's lives, the state in this case has a big role, where we can see the goals and functions of the state, namely the maintenance of peace, order, security, and justice. In order to achieve the goals and functions of the state in society without colliding with the interests of others, the state must pay attention to aspects of law enforcement.³ Law enforcement is part of guarding and enforcing aspects of planning, utilization, control, and maintenance.⁴

Article 30 paragraph 2 of the 1945 Constitution states that national defense and security efforts are carried out with the Universal People's State Defense and Security system (*Sishankamrata*) by the TNI and Polri State security, namely the TNI and POLRI as the main forces. But in maintaining the security of their country, they still need the help of Indonesian citizens as a supporting force.⁵ In the implementation of national defense and security by implementing a policy that is determined to carry out national efforts in an integrated and continuous manner, and involving all elements and potentials, it is fostered into a state defense and security force in order to maintain the territorial integrity of the Unitary State of the Republic of Indonesia.

In the implementation of national defense and security by implementing a policy that is determined to carry out national efforts in an integrated and continuous manner, and involving all elements and potentials, it is fostered into a state defense and security force⁶ in order to maintain the territorial integrity of the Unitary State of the Republic of Indonesia by maximizing national and state awareness, instilling a sense of love for the homeland, and playing an active role in advancing the nation and state.⁷ That attitude is based on the nationalism and patriotism of every citizen.⁸

The State of Indonesia has ethnic, racial, religious and cultural diversity in Indonesia with a population of 272,229,372 people based on

2 Zaenal Asyhadie dan Arief Rahman, *Pengantar Ilmu Hukum*, Raja Grafindo Persada, Jakarta, 2013, page.116

3 Romi Libriyanto, *Ilmu Negara Suatu Pengantar*, Arus timur, Makassar, 2013, page.124

4 Hery Prasetyo, Ayon Diniyanto, Law Enforcement in the Aspects of Natural Resources and Environmental, *Law Research Review Quarterly*, Vol.7 No.1 2021, page.43-52

5 Ahmad Jazuli, Development of Defence and Security for Law Enforcement in Indonesia: A State Authority, *De Jure*, Vol.16 No.2 June 2016, page.187-199

6 Chuasanga A., Ong Argo Victoria., *Legal Principles Under Criminal Law in Indonesia and Thailand*, Jurnal Daulat Hukum, Vol.2, No.1 2019

7 Rahmat Wijayanto J, Meneguhkan Kembali Jiwa Patriotik Generasi Muda melalui Semangat Bela Negara dalam Upaya Menjaga Keutuhan NKRI, *Prosiding Konferensi Nasional Kewarganegaraan III*, 11 November 2017, Universitas Ahmad Dahlan, Yogyakarta, page.409-415

8 Winarno, *Paradigma Baru Pendidikan Kewarganegaraan*, PT. Bumi Aksara, Jakarta, 2009, page.229

Population Administration data as of June 2021.⁹ On the one hand, this diversity is a national asset that can contribute to development. But on the other hand, this condition can also affect the balance of economic and social life of the community, which is triggered by the unresolved condition of inequality in development, justice and people's lives. Such conditions place Indonesia as a nation that tends to be prone to disputes or conflicts, both horizontally and vertically. This situation can become even more fragile in a polarized society due to political phenomena and transitions, such as at the beginning of the reformation.

In dealing with Horizontal Conflicts, the TNI carries out Operations Territorial, Intelligence Operations, Riot Enforcement, Security of Vital Objects and decisive action to separate and localize conflicting groups using armed force. In the Vertical Conflict, Kamtibmas Assistance Operations are carried out in the form of Territorial Operations supported by Justice and Information Operations, Intelligence Operations, Sandi Yudha Operations, Sea Insulation Operations and Air Observation Operations as well as carrying out decisive actions to overcome armed actions that interfere with people's safety, government activities and law enforcement.¹⁰

One of the conflicts that caught the attention of the Indonesian people at the beginning of the reformation was the conflict between the ethnic Dayak and ethnic Madurese in Sampit City, East Waringin City (Kotim) which occurred towards the beginning of February 2001. This dispute began in Sampit City and spread throughout Central Kalimantan, including the capital city of Palangka Raya. At that time, migrants from Madura made up about 21 percent of the population in Central Kalimantan and controlled almost all sectors of the economy in the province. The existence of unequal access to economic resources and political polarization in the area causes competition between tribes, especially the Madurese and Dayak tribes, to be inevitable.

Research conducted by Abdul Rachman Patji stated that the ethnic conflict in Central Kalimantan between the Madurese and the Dayak community was not an event that occurred suddenly and the peak of the incident occurred in a moment, but actually the seeds of conflict have accumulated over the years. Past conflicts involving the Dayak and Madurese have never been completely resolved, leaving a residue of conflict ready to explode at any time.¹¹

Citing the opinion of Gillin quoted by Triyono that conflict is part of social interaction that forms a pattern of opposition or resistance and violence. In this regard, dissociative social interactions due to differences or diversity, including physical, emotional, cultural, and behavioral are the main

9 Ditjen Dukcapil, *Distribusi Penduduk Indonesia Per June 2021: Jabar Terbanyak, Kaltara Paling Sedikit*. <https://dukcapil.kemendagri.go.id/berita/baca/809/distribusi-penduduk-indonesia-per-june-2021-jabar-terbanyak-kaltara-paling-sedikit>, accessed March 1, 2022.

10 Muhammad Hanafiah, M. Gaussyah, Saleh Sjafei, The Legal Basis for Coordination and Cooperation of The TNI-POLRI in The Resolution of Social Conflict, *KANUN*, Vol.18 No.2 2016, page.173-187.

11 Abdul Rachman Patji, Tragedi Sampit 2001 dan Imbasnya Ke Palangka Raya (Dari Konflik ke (Re)konstruksi), *Jurnal Masyarakat dan Budaya*, Vol.5 No. 2 Tahun 2003, page.14-34

part of the form of conflict.¹² In conflict management, based on Act No. 3 of 2003 concerning National Defense, it is stated that the TNI is the main component as a means of national defense in dealing with threats both military and non-military originating from both within and outside the country.

The role of the TNI in dealing with vertical and horizontal conflicts is also strengthened in Act No. 34 of 2004 concerning the TNI, article 7 paragraph 2 point 9 which states that the main task of the TNI is to uphold state sovereignty, to maintain the territorial integrity of the Republic of Indonesia based on Pancasila and the Law. The 1945 Constitution of the Republic of Indonesia, as well as protecting the entire nation and the homeland of Indonesia from threats and disturbances to the integrity of the nation and state, is carried out with military operations other than war to assist local government tasks, as well as point 10 which reads to assist the Police in the framework of security and order society regulated by law.¹³ The conflicts that occur in Indonesia generally develop around the lines of multicultural society. The nuances of ethnicity, ethnicity, religion, and social stratification characterize violent conflicts as well as vandalism.¹⁴ Various guidelines contained in the TNI Law, especially regarding the article on Military Operations Other than War (OMSP), provide an explanation that the TNI is obliged to assist the Regional Government and the Police in maintaining a conducive situation in the region.

The presence of the TNI in resolving inter-ethnic conflicts in Sampit City is a form of enforcing reform within the TNI that emerged as a result of the ratification of TAP MPR No. National problems or state security are real obstacles so that the implementation of the obligations of institutions that play a role in implementing the national security system is stipulated by law. In his writings, Munsharif Abdul Chalim said that in the past, when the TNI and Polri institutions were still in one forum, namely ABRI, the tasks of national security were played well by the two institutions synergistically in carrying out their duties because they were not separated between defense and security tasks.¹⁵

Referring to the above introduction the position of the TNI in the Indonesian defense and security structure, this study aims to identify and analyze the role of the TNI in resolving the ethnic Dayak and Madurese conflicts in Sampit City as part of efforts to maintain national stability and security.

12 Triyono, *Spiral Kekerasan Kolektif dan Konflik Sosial*, Pustaka Pelajar, Yogyakarta, 2014, page. 41

13 Act No. 34 of 2004 concerning the Indonesian National Army

14 Sukardi, Penanganan Konflik Sosial Dengan Pendekatan Keadilan Restoratif, *Jurnal Hukum & Pembangunan*, Vol.46 No.1 2016, page.70-89

15 Munsharif Abdul Chalim, Faisal Farhan, Peranan Dan Kedudukan Tentara Nasional Indonesia (TNI) Di Dalam Rancangan Undang-Undang Keamanan Nasional Di Tinjau Dari Perspektif Politik Hukum Di Indonesia, *Jurnal Pembaharuan Hukum*, Vol.II No.1 January-April 2015, page.102-110

B. RESEARCH METHODS

The research was conducted using a normative juridical method. The normative juridical research method was a legal research that puts the law as a building system of norms. The system of norms in question was about principles, norms, rules of laws and regulations, agreements and doctrines (teachings). This research was conducted on secondary data such as legislation, scientific journals, legal books related to the law of cooperation and agency agreements by analyzing the interactions that arise as a form of public reaction to the implementation of a positive legal provision and can also be seen from community behavior as a form of action in influencing the formation of a positive legal provision.¹⁶

C. RESULTS AND DISCUSSION

1. Factors Causing The Conflict Between The Ethnic Dayak and Ethnic Madurese in Sampit

The conflict in Sampit City occurred as the culmination of an outlet for a long-standing grudge that arose because of the incomplete resolution of inter-ethnic problems. Conflict phenomena can arise due to conflicts of values, conflicts of norms and/or conflicts of interest between ethnic communities, religions and groups in society.¹⁷ Various settlement efforts have been made through deliberation between traditional leaders and leaders from Dayak and Madura with the aim of making peace for conflict resolution.

Judging by the large number of events that occurred, various opinions were rolling to find the causes of the conflict. There are three arguments put forward by local commentators to explain the conflict between the Dayak and Madurese, namely cultural, economic, and political arguments. The cultural argument mentions the strong ethnicity/culture of each ethnicity and differences in customs that facilitate friction or disputes. Meanwhile, those who support the economic argument emphasize the aspect of social inequality and inequality between the indigenous people of Sampit and immigrant communities, including the Madurese. And political arguments emphasize the use of power in areas of conflict and political interests that may be caused by ethnic conflicts.

Furthermore, in the research conducted by Hendro Suroyo Sudagung, there are at least three argumentative factors put forward to clarify the conflict between the Dayak and Madurese tribes, namely:¹⁸

a. Cultural Factor

Cultural factors can be one of the triggers for conflict because the strong ethnicity and culture of the two ethnicities and

16 Mukti Fajar, Yulianto Achmad, *Dualisme Penelitian Hukum Normatif & Empiris*, Pustaka Pelajar, Yogyakarta, 2010, page. 34 & 51

17 Johni Najwan, *Konflik Antar Budaya dan Antar Etnis di Indonesia Serta Alternatif Penyelesaiannya*, *Ius Quia Iustum*, Vol.16 October 2009, page.195-208

18 Hendro Suroyo Sudagung, *Mengurai Pertikaian Etnis Migrasi Swakarsa Etnis Madura ke Kalimantan Barat*, Institut Studi Arus Informasi, Jakarta, 2001, page. 139-140

differences in customs facilitate friction or disputes. The *Carok* culture (killing for self-respect) is one example of the Madurese in solving a problem and the *Kayau* culture (cut off the head) and the *Mangkok Merah* (ethnic solidarity) in solving problems in the Dayak Ethnic Culture.¹⁹

b. Social Inequality Factor

Social inequality arose because of the exclusion of the Dayak tribe due to their agricultural land gradually turning into a plantation business area and their mining area being slowly taken over by migrants from the Madurese tribe, creating social inequality from the Dayak tribe.

c. Political Factors

Political interests are also one of the factors causing the ethnic Dayak and Madurese riots due to the existence of the Dayak community, most of whom live in the interior of the Kalimantan forest, experiencing discriminatory treatment from policies set by the local government. In his research, Ach Fawaidi mentions that another strong factor is elite interests in political spaces. In fact, this interest is based on the central government's policy towards development in Sampit City for the last 32 years. The development was judged by the Dayak community not to be people-based and not in favor of empowering the Dayak community as indigenous people.²⁰

The Dayak ethnicity is one of the dominant tribes in Central Kalimantan, but the population concentration is not concentrated in one area but mostly in remote or rural areas. For the Dayak community, land and forests are very important assets for life activities. Ethnic Dayak really value life by applying customary rules as a way of life with the principle of upholding customary law in every violation of customs.

The Dayak tribe in general has a friendly nature, likes to hang out with anyone, and does not like socializing using harsh words. For the Dayak tribe, a promise is a debt that must be paid, and the Dayak people value honesty so much that being a liar is seen as very contemptible. That is why when the Dayak make a promise, even though it has been years, they will always be remembered and will try to keep it.

Looking at the description above, this study assumes that the conflict in Sampit is closely related to the three socio-economic factors that affect the survival of the Dayak and Madurese communities. Cultural factors and issues of economic inequality tend to be capitalized by political policies that are seen as unbalanced by certain community groups and ethnicities. As a result, there is a sense of community distrust of local authorities. With the mutual offense of the three factors, this

19 M. Shohibul Hidayah, *Konflik Komunal Dan Resolusi Damai Studi Kasus Di Kalimantan Tengah*, *Psikologika*, Vol.VII No.13 2002, page.17

20 Ach Fawaidi, Ketut Putra Erawan, Bandiyah, *Proses Bertemunya Kepentingan Ekonomi dan Politik Dibalik Konflik Etnis Kalimantan Tengah*, *Politika*, Vol.1 No.2 2021, page.2

study seeks to explore the role of the security forces and institutions that exist in Sampit, especially the TNI, in overcoming ethnic conflicts in the region.

2. The role of the TNI in Resolving the Ethnic Conflict of Dayak and Madurese Ethnic in Sampit City as the Implementation of National Resilience

The Sampit conflict that occurred in 2001 was not an instantaneous event. This study notes that there were several clashes between the Dayak and Madurese in the past, such as those in December 1996 and January 1997 which resulted in about 600 deaths, before the outbreak of the major conflict. From the results of research conducted by Heru Cahyono, it was stated that a number of bloody communal conflicts had rocked several regions in Indonesia in the late 1990s and early 2000s, both from religious and ethnic issues, including violent conflicts that occurred in West Kalimantan Province, West Kalimantan and West Kalimantan. Central Kalimantan, Central Kalimantan, which can be said to be a massive inter-ethnic riot. Community groups who claim to be the indigenous people of Kalimantan, ethnic Dayak and Malay, are faced with groups of people who are considered immigrants from the island of Madura (Madurese Ethnic).²¹

History says that the first arrival of ethnic Madurese in Kalimantan in 1930 was due to the transmigration program organized by the Dutch East Indies government and then continued by the Indonesian government. In its development they have mingled with the local population by marrying the local population, until in 2000, the number of ethnic Madurese accounted for 21% of the population of Central Kalimantan. Based on research Moch. Imron Rosyidi said that in Central Kalimantan, the largest number of ethnic Madurese were in the Sampit area. They control the logging industry and timber trade.²²

The condition of domination in all lines in Central Kalimantan as described previously gave rise to various social inequalities between the Madurese and the Dayak, the situation is also exacerbated by the existing political structure in Central Kalimantan which has made the local government unable to effectively articulate the interests of the community so that expectations from Such a high level of society is not realized by incomplete resolution of the gap so that it encourages the conflict to get stronger with the issue of SARA becoming an open conflict.

The conflict issue in Sampit City raises a dilemma, because if it is understood only through law enforcement, it will lead to an even bigger conflict. A wise method is needed in resolving conflicts between ethnic Madurese and ethnic Dayaks in a complete resolution so as not to create new conflicts. Conflicts that occur will have an impact on the destruction

21 Heru Cahyono Kontlik di Kalbar dan Kalteng Sebuah Perbandingan, *Masyarakat Indonesia*, Vol.XXX No.2 2004, page.47-48

22 Moch. Imron Rosyidi, Komunikasi Kelompok Dalam Pemberdayaan Masyarakat Kampung Kelbung Pasca Konflik Madura-Sampit, *Komunikasi*, Vol.XII No.01 March 2018, page.51-62

of the defense system and state resilience, resulting in disruption of national security stability.

The national defense system is an effort made to create stable conditions or conditions. In Act No. 3 of 2002 concerning National Defense, Article 1 Number 1 defines national defense as all efforts to defend the sovereignty of the state, the territorial integrity of the Unitary State of the Republic of Indonesia, and the safety of the entire nation from threats and disturbances to the integrity of the nation and state. This Law also explains that the national defense system in the face of military threats places the Indonesian National Army as the main component, supported by a reserve component. Meanwhile, the national defense system in dealing with non-military threats places government institutions outside the defense sector as the main element, in accordance with the form and nature of the threats faced, supported by other elements of the nation's power. In this situation, the contribution of the TNI in dealing with social conflicts is a solution in maintaining the stability of state security.

In the implementation of national security, which is the strengthening of order in political development through political institutions, military intervention is at most acceptable if it is a transitional period in an effort to create strong political institutions.²³ National security often boils down to the term national security which includes overcoming threats to the survival of the State, whether coming from within or from outside.²⁴ Indonesian researchers talk more about national security from the point of view of threats, while foreign researchers in the context of national security will talk from the point of view of what is owned or what powers a country has.

The role of the TNI in the context of implementing national resilience in resolving the Ethnic Dayak and Ethnic Madurese conflicts in Sampit City is carried out by contributing to regional security providing positive benefits for conflict peace in relation to efforts to create a peaceful situation in Sampit City. TNI in developing a participatory security strategy, involving the widest possible active participation of the community in the process of national security regulation.²⁵

Bantaro Bandoro said that in the construction of an ideal national security system, if the components of Security Sector Reform can be fulfilled; First, the arrangement of statutory provisions based on the rule of law. Second, the establishment of policy development capabilities, compiling, planning defense and security. Third, the realization of implementing professionalism. Fourth, the ability and effectiveness of

23 H.A. Masyur Effendi, *Hukum Humaniter Internasional dan Pokok-Pokok HANKAMRATA, Usaha Nasional*, Surabaya, 1994, page.20

24 Indria Samego, *Sistem Pertahanan-Keamanan Negara Analisis Potensi dan Problem*, The Habibie Center, Jakarta, 2001, page.20

25 Diny Luthfah, *Perlindungan Negara Terhadap Keamanan Nasional Indonesia Ditinjau Dari Hukum Internasional Studi Kasus Penyadapan Indonesia Oleh Australia*, *PRIORIS*, Vol.4 No.3, 2015, page.329-347

supervision. Fifth, transparent and professional budget management.²⁶

Protecting or maintaining national stability requires joint coordination of the TNI and all citizens. During the Sampit conflict that occurred in early February 2001, the TNI together with the Police and the local government carried out security and prevention against the efforts of the Dayak community to attack the Madurese so as to prevent the occurrence of more victims from the Madurese. Localization of Madurese residents in the Kotim Regent and DPRD Office complex while waiting for the evacuation process by using a ship for all Madurese out of Sampit City with very tight security from the TNI and Polri and support from the Kotim Regional Government.

In order to reduce conflict and secure the stability of Sampit City, Pangdam IV/Tpr at that time deployed security personnel from the 1015/Sampit Kodim Unit which was strengthened from Korem 102/PJG and Infantry Battalion 631/Antang in Central Kalimantan with assistance from Battalion 611/ AWL, Infantry Battalion 612/Modang (now Battalion Raider 600/Modang) and Infantry Battalion 623/BWU. Meanwhile, the National Police deployed security personnel from the Central Kalimantan Police who received assistance from the Brimob Corps at the Police Headquarters and Brimobda Bali.

For almost 2 months the TNI's capabilities were tested in order to reduce the conflict that occurred in Sampit. This high level of vulnerability in reducing inter-tribal conflicts requires the ability to mediate so that the implementation of these tasks can run safely, orderly and smoothly. It is undeniable that the riots in Sampit also claimed victims, both from the community and from the security forces. At the beginning of this incident, the limited number of TNI personnel who served in the Sampit area was one of the causes of this long-running conflict, so it was necessary to strengthen the security forces from the TNI and Polri who came from outside the Sampit area.

Cooperation between security forces carried out by the TNI and Polri and supported by the Kotim Regional Government in order to resolve the conflict that occurred in Sampit can reduce the intensity of conflict in the community. In this case, referring to the author's experience and involvement in assignments in the Sampit area, there are at least three strategies that are implemented in empowering cooperation and coordination between security and civilian institutions in Sampit.

First, the TNI also supports the identification and formulation of regulatory frameworks in the context of conflict prevention efforts, including regulations on policies and development strategies that are sensitive to conflict and efforts to prevent conflicts from occurring.

Second, coordination between security institutions is directed to as soon as possible stop social violence and prevent the loss of many people and property. This is important to support efforts to rebuild the Sampit economy based on the principles of balance of representation and

26 Bantarto Bandoro, *Perspektif Baru Keamanan Nasional*, CSIS, Jakarta, 2006, page. 96-97

inclusiveness.

And third, the TNI also assists in the process of formulating policies that form the basis for the implementation of post-conflict management, including provisions relating to the task of resolving disputes/legal processes, as well as recovery, reintegration and rehabilitation activities.²⁷

Through the three contributions from the TNI as mentioned above, the TNI has a strategic role in assisting the conflict resolution process in Sampit from the aspect of security enforcement and post-conflict recovery. Indonesia's participation in sending TNI troops to peacekeeping operations is the mandate of the Preamble to the 1945 Constitution of the Republic of Indonesia, in the context of participating in realizing world peace based on independence, eternal peace and social justice.²⁸ The role played by the TNI institution has increased public trust in government institutions and is useful in the process of rebuilding the post-conflict Sampit area.

D. CONCLUSION

The role of the TNI in the implementation of national resilience in resolving the Ethnic Dayak and Ethnic Madurese conflicts in Sampit City is carried out by strengthening security forces, helping carry out evacuations of Madurese and contributing to regional security so as to provide positive benefits for conflict peace in relation to efforts to create a peaceful situation in Central Kalimantan in general and in Sampit City in particular. In addition, the TNI is also seen as having an active role in the policy formulation process for the development of conflict areas.

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27 Hastijanti, R. A. R. *Proses pembentukan ruang eksklusif pada permukiman masyarakat plural. Studi kasus konflik etnis di Sampit, Kalimantan Tengah*, (Disertasi Doktor). Fakultas Teknik Sipil dan Perencanaan Institut Teknologi Sepuluh November, Surabaya, 2009, page.412

28 Bonifasius Widiyanto, Kiprah TNI Sebagai Komponen Utama Pertahanan Negara di Kancah Dunia Internasional, *WIRA*, Special Edition 2019, page.51

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