

Understanding to Intergroup Conflict: Social Harmonization and Law Awareness of Society

**Syahrudin Nawi; Muhammad Syarif;
Aswad Rachmat Hambali; Salle Salle**

Faculty of Law, Universitas Muslim Indonesia

email: herinawy@yahoo.com

ABSTRACT

The development and progress of the city of Makassar in line with the occurrence of disturbing conflicts, conflicts and even war between groups provide an overview of research problems regarding the erosion of nationalism, erosion of national ideology, low national character, erosion of local culture, shallow religious values, low sense of solidarity, moral decline, and ethnic fanaticism and declining character quality and declining character quality, all of which have the potential to threaten National Integration and Social Harmony. This research method is descriptive and form of presentation in a systematic, factual and accurate description of the facts obtained. The results showed that conflict/war between groups or residents still occurred in at least six 6 regions in Makassar that had caused various losses because war between groups or residents involved children or adolescents using dangerous objects. There are 30 factors, namely juvenile delinquency, multi aspects, peaceful disturbance, offensive, revenge, social, economic, jealousy, work area disputes, unemployment, ethnicity, religion, culture, wild race, women, competition, misunderstanding, social change, deprivation land, women who seize men (infidelity of women), youth group clashes, politics/parties, deception, social classes/strata, selfishness, arrogance, ridicule, slander, conflict of interest, and government land disputes. Recommendations are needed Conflict Resolution Forum (FOLEKO) as a preventive and repressive measure, provide guidance and counseling for members of the community, about legal awareness, social ethics and courtesy in family life and community life, and inculcation of religious values and national integrity, the authorities need to be more intensive in conducting surveillance and need to carry out routine checks on the possession of dangerous sharp objects, and it is necessary to have the Social Harmony Creation Model module and legal awareness as recommendations of this research.

Keywords : *Social Conflict; Legal Awareness; Intergroups*

INTRODUCTION

The development of the legal sector needs to be realized as a consequence of the statement of Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia which states that Indonesia is a constitutional state. The State of Indonesia is obliged to implement the development of national law that is carried out in a planned, integrated and sustainable national legal system that guarantees the protection of the rights and obligations of all Indonesian people and legal awareness for all Indonesian people based on the 1945 Constitution of the Republic of Indonesia

This research is motivated by the rise of war or inter-group conflicts that often occur in the city of Makassar, South Sulawesi province. It is often the subject of mass media news that Makassar residents in various places in the city often experience conflicts that disturb the community. This incident is even called “war” between groups which sometimes involves dozens or even hundreds of members of the community.

Conflict is a dissociative process of social interaction that occurs when all parties in society want to achieve their goals at the same time. The term conflict is described as a state of disagreement between two parties who are trying to fulfil their objectives by opposing the opposing party.¹

Conflict or war between groups provides a picture of the erosion of a sense of nationalism, the erosion of nationalistic ideology, the lack of national character, the erosion of local culture, the lack of implementation of religious values, the lack of solidarity, moral decadence, tribal fanaticism, and a decline in the quality of character. Cases that occur in various aspects and motives will have an impact on various regions in Indonesia. As an impact and it is anticipated that those actors can cause vulnerability on a national scale, all of which have the potential to threaten National Integration and Social Harmony as a whole.

This confirms that horizontal conflict between community groups in Makassar City has the potential to pose a serious threat to social harmony or national stability, so it needs to be addressed in the form of efforts to create a model of social harmony and legal awareness as an applied solution to these problems. A research program that focuses on the right model as a solution or solution to problems in dealing with social conflict/war between groups for the creation of social harmony and increasing legal awareness in the city of Makassar needs to be designed, through in-depth observations to the people of Makassar city in order to find the right solution with legal approach.

The model for the creation of Social Harmony and Legal Awareness is expected to have the ability to build the nation’s character, love the country and reintegrate national ideology, value peace, compassion and harmony, and reduce ethnic, religious and regional fanaticism in the life of society and the state, the model is expected to strengthen local and regional integration and national integration and social harmony.

The theoretical views of this study with field research use various theories to explain how violent conflicts can occur, including:²

1. The theory of cultural ecology.
2. Materialist cultural theory.
3. Political or political-economic theory.

¹Soekanto, Soerjono. (1977). Kesadaran Hukum dan Kepatuhan Hukum. *Jurnal Hukum & Pembangunan, Universitas Indonesia*, 7(6), p. 464. doi: <http://dx.doi.org/10.21143/jhp.vol7.no6.742>

²Cahyono. (2011). Fenomena Konflik Kekerasan. In *Himpunan Makalah, Artikel dan Rubrik yang Berhubungan dengan Masalah Hukum dan Keadilan dalam Varia Peradilan IKAHI Mahkamah Agung Republik Indonesia* (pp. 493 – 509). Jakarta: Perpustakaan dan Layanan Informasi, Biro Hukum dan Humas Badan Urusan Administrasi Mahkamah Agung Republik Indonesia.

4. The theory of evolution-biology or biosocial.
5. Psychological and psychoanalytic theories.
6. Historical or particularistic descriptive theory.
7. Symbolic theory.

There are three factors that are closely related to the understanding and effectiveness of law, including:³

1. Efforts to instill law in society, namely the use of human labor, tools, organizations and methods so that citizens know, respect, recognize and obey the law.
2. Community reaction is based on the prevailing value system. That is, people can refuse or oppose or may obey the law because of compliance, identification, internalization or guarantees for the fulfillment of their interests.
3. The period of instilling the law in society, which means a long or short time during an effort to instill it is being carried out and is expected to produce results.

With regard to legal behavior, an important function of the rule of law is as a guide to behavior,⁴ and one of the main objectives of any scientific study of law is to find the impact of law on human behavior,⁵ because human behavior is influenced and even shaped by social, cultural, psychological, and psychological factors. other non-law, it is inevitable to involve social sciences in legal studies. It further elaborates that human behavior in responding to legal provisions can be in the form of:

- a. An obedience
 - a) unconscious compliance
 - b) conscious obedience
- b. Disobedience
 - a) Minor disobedience, usually in the form of passive behavior.
 - b) Severe disobedience, usually in the form of active behavior.

Good individual behavior that does not obey the law affects the people around him where non-compliance is done, the legal provisions are considered effective if the person's behavior tends to obey them.

The normative form of various legal systems in modern countries uses the principles as stated in Indonesia's positive law, namely Article 11 *Algemene Bepalingen van Wetgeving voor Indonesie (AB)* stated "All populations residing in the territory of the Republic of Indonesia are considered to know all applicable legal provisions in Indonesia. Indonesia". In fact, it is clear that legal principles are only legal fiction because it is impossible for anyone to know all the laws that apply in Indonesia, bearing in mind we all

³Ali, Achmad. (2009). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence): Termasuk Interpretasi Undang-Undang (Legisprudence)* (Vol. 1). Jakarta: Kencana Prenada Media Group, p. 126.

⁴*Ibid.*, p. 157.

⁵Nawi, Syahrudin. (2014). *Penelitian Hukum Normatif Versus Penelitian Hukum Empiris*. Makassar: PT. Umitoha Ukhuwah Grafika, p. 17.

understand how complex the law is in Indonesia. There are rules, norms, and principles made by state institutions, some are born from the community, and some rely on moral and religious values, especially since each region has local laws, so legal learning is needed to build or shape legal knowledge.

Factors that influence a person's legal behaviour are legal communication and legal knowledge.⁶ It is strange that obeying or not obeying the rules, using the rules or avoiding the rules is done without knowing about the actual rules beforehand, or the rules must be communicated to the public (legal learning), and the public must gain knowledge about the contents of the rules.

The way in which rules are communicated is also important because there are rules that are already common knowledge; or they are part of very general and very basic knowledge (very general learning, very early). Most of the rules and of course all technical rules, detailed administrative rules, must be conveyed specifically to the audience, including models of legal learning to the public or high school students.

Legal knowledge is an important factor in legal behaviour,⁷ for example, in the United States, a study was conducted to find out how many Americans know the legal system. A 1973 Michigan Survey reported that laypeople were less aware of the law than law students. In addition, people who are more educated are more aware of the law than people who are less educated, and now the power of the influence of opinions or individual judgments on social media does not have a major influence on the behaviour of the information society,^{8,9} but unfortunately the phenomenon in the study area shows the tendency of people to be affected by the news. news is spread in the information media and cannot be justified.¹⁰

The term legal behaviour refers to behaviour that is influenced by rules, decisions, orders, or laws, issued by officials with legal authority.¹¹ If someone behaves specifically or changes their behaviour specifically because of legal orders or because of government actions, or instructions or orders from the government, from the legal system, or from officials, then this is legal behaviour. If someone is driving along a road and sees speed limit signs (or sees a police officer) and slows down his vehicle, then this is legal behaviour.

⁶Ali, Achmad. (2009). *Op. Cit.*, p. 162.

⁷*Ibid.*, p. 165.

⁸Indahingwati, Asmara, Launtu, Ansir, Tamsah, Hasmin, Firman, Ahmad, Putra, Aditya Halim Perdana Kusuma, & Aswari, Aan. (2019). How Digital Technology Driven Millennial Consumer Behaviour in Indonesia. *Journal of Distribution Science, Korea Distribution Science Association*, 17(8), p. 28. doi: <http://dx.doi.org/10.15722/jds.17.8.201908.25>

⁹Agustina, Dwi. (2018). Peleburan Realitas Nyata dan Maya: Hoax Menjadi Konsumsi Masyarakat Global. *Jurnal Sosiologi Agama, Universitas Islam Negeri Sunan Kalijaga*, 12(2), p. 247. doi: <https://doi.org/10.14421/jsa.2018.%25x>

¹⁰Arman, Muhammad, Akub, M. Syukri, & Heryani, Wiwie. (2018). Pertanggungjawaban Pidana Pelaku Penyebaran Berita Hoaks Melalui Media Online. *Amanna Gappa, Universitas Hasanuddin*, 26(1), p. 6. doi: <http://dx.doi.org/10.20956/ag.v26i1.6332>

¹¹Friedman, Lawrence M. (1984). *American Law* (Wisnu Basuki, Trans.). New York: W. W. Norton & Company, p. 231.

There are four indicators that determine a person's legal awareness:¹²

1. Knowledge of legal regulations (Legal Awareness),
2. Understand the contents of legal regulations (Legal acquaintances),
3. Attitudes towards the rule of law (Legal Attitude), and
4. A pattern of legal behaviour (Legal behaviour).

The eight values that must be realized by law are called the principles of legality,¹³ which state that:

1. Rules must exist first,
2. This regulation must be announced/properly socialized,
3. This rule may not apply retroactively,
4. The formulation of regulations must be clear and detailed,
5. There must be no requests for impossible things,
6. There must be no conflict between rules,
7. Rules must be corrected. They cannot be changed often, and
8. There must be a match between the actions of legal officials and regulations that have been issued.

METHOD

This research was conducted in seven districts in Makassar City, namely: 1. Makassar District (Bara-baraya Village, East Bara-baraya Village, and Maccini Village), 2. Tallo District (Bungaeja Beru Village), 3. Rappocini District (Ballaparang Village), 4. Bontoala District (Baraya Village), 5. Tamalate District (Manuruki Village, and Parang Tambung Village), 6. Panakkukang District (Pampang Village), and 7. Mamajang District (Parang Village). The reason for choosing these locations is that these locations often become a place of conflict/war between groups.

The research implementation will be conducted from April 2018 to November 2018. The material that will be used in this research are: a). A closed questionnaire containing various questions to obtain data from respondents who in this case were residents of the community at the specified location in the city of Makassar, and b). Stationery and block notes.

Sources of data in this study are a) Primary Data, i.e. data obtained directly from respondents through the distribution of questionnaires to residents in a predetermined location in the city of Makassar. Questionnaires were distributed to obtain data about the extent of understanding the law, legal behaviour, and legal awareness of citizens as respondents. b) Secondary data processed by data obtained from certain agencies which

¹²Rosana, Ellya. (2014). Kepatuhan Hukum sebagai Wujud Kesadaran Hukum Masyarakat. *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam, Universitas Islam Negeri Raden Intan Lampung*, 10(1), p. 14. doi: <https://doi.org/10.24042/tps.v10i1.1600>

¹³Rahardjo, Satjipto. (2009). *Hukum dan Perilaku: Hidup Baik adalah Dasar Hukum yang Baik*. Jakarta: Kompas, p. 77.

in this case is data obtained from police stations, prosecutors' offices, district and village governments in the Makassar city area, South Sulawesi Province.

The analysis technique used in this research is descriptive in the form of systematic, factual, and accurate fact representation obtained in the form of primary data through questionnaires and interviews.

ANALYSIS AND DISCUSSION

Primary data was collected through questionnaire distribution, the following are the results of research and detailed discussions through the process with a frequency distribution:

Influential Factors	Influential (%)	Less Influential (%)	Non Influential (%)
Revenge factor	44	46	10
Jealousy factor	26	54	20
Offensiveness factor	44	42	14
Economy factors	4	46	50
Juvenile delinquency factor	50	32	18
Religious factors	6	30	64
Ethnicity factors	14	34	52
Social factors	12	44	42
Working area dispute factor	16	36	48
Political party factor	26	44	30
Male-usurping woman Factor	30	38	32
Hoax factor	12	25	63
Selfishness factor	22	24	54
Heterogenic factor	36	32	32
Social stratum factor	46	30	24
Arrogance factor	25	29	46
Taunt factor	47	42	11
Vilification factor	21	32	47
Conflict of Interest Factor	27	30	43
Government land dispute factor	17	39	44
Woman factor	34	38	28
Unemployment factor	31	35	34
Cultural factor	14	33	53
Wild race factor	31	34	35
Social change factor	10	14	76
Land dispute factor	32	27	41
Youth clash factor	41	33	26
Misunderstanding factor	39	31	30

Influential Factors	Influential (%)	Less Influential (%)	Non Influential (%)
Competition factor	21	26	53
Order disruption factor	44	33	23

Table 1. Factors Affecting Intergroup Conflicts/Wars¹⁴

Observing the substance of table 1 it is clear that 30 factors trigger the occurrence of intergroup conflicts/wars in Makassar city. When the causes of the intergroup conflicts/wars in Makassar are studied and observed, it seems apparent that the occurring conflicts are complex and influenced by many aspects.

Description	Involvement (%)	Less involvement (%)	Non involvement (%)
Police	84	16	-
Head of the Village	66	26	8
Public figures	72	26	2
Religious leaders	30	32	38

Table 2. Data on the Involvement of Government Agencies and Public Figures in Intergroup Conflicts/Wars¹⁵

Table 2 illustrates the percentage of the involvement of four important components in the society, who are the police, head of the village, community leaders and religious leaders. When observed, the percentage of involvement in resolving intergroup conflicts/wars in Makassar, it appears that the most dominant role is by the police (84%), followed by the public figures (72%), the head of the village (66%) and religious leaders (30%).

Description	Percentage (%)	Percentage (%)	Percentage (%)
Government seriousness	62 Serious	25 Not too serious	13 Not serious
Legal Counseling	22 Ever	50 Doubtful	28 Never
Government Guidance	14 Ever	58 Doubtful	24 Never

Table 3. Government Response to Intergroup Conflicts/Wars¹⁶

The data on table 3 explains the government's response in addressing intergroup conflicts/wars in Makassar city. The indicators of the level of seriousness are the seriousness of the government, legal counseling and government guidance.

¹⁴Data source: Results of processed primary data in 2018.

¹⁵Data source: Results of processed primary data in 2018.

¹⁶Data source: Results of processed primary data in 2018.

The data illustrates that 66% of the level of seriousness of the government as a response in overcoming intergroup conflicts/wars in Makassar city. Furthermore, 22% were not too serious and 13% were not serious in responding to intergroup conflicts/wars in Makassar city. The data on legal counseling, however still raises a big concern, which means that it is still low. Meanwhile, the government guidance is still lacking as well.

Description	Percentage (%)	Percentage (%)	Percentage (%)
Conflict consequences for the residents	24 Staying	50 Doubtful	26 Moving
Conflict consequences for the residents	76 Disturbed	14 Doubtful	10 Not disturbed
Conflict consequences for the residents	46 Interrupted work	44 Not too interrupted work	10 Uninterrupted work
Conflict consequences for the residents	42 Afraid	42 Ordinary	16 Not afraid
Conflict consequences for the residents	62 Injured	20 Not really know	18 Not know
Conflict consequences for the residents	38 Dead	34 Doubtful	28 Not know
Conflict consequences for the residents	58 Prison Sentence	14 Doubtful	28 Not know

Table 4. Data on the Emerging Consequences of Intergroup Conflicts/Wars¹⁷

Observing Table 4 it shows the impact or implications of the intergroup conflicts/wars in Makassar city. The impacts or implications of intergroup conflicts/wars in Makassar city are that there are died, injured, frightened, and safety-disturbed residents. Some even leave their homes or flee to their family's house.

CONCLUSION

Conflicts/wars between groups still occur frequently in six districts in the city of Makassar, which ratify the population, impede traffic, and cause victims from seriously injured residents to the dead. In generally, conflicts/wars between groups or residents mostly involve children or adolescents by using dangerous objects such as machetes, bows and arrows, and bamboo sticks or sticks. There are thirty factors or motives that cause conflict/war between groups, namely juvenile delinquency, multi aspects, peaceful disturbances, offensive, revenge, social, economic, jealousy, dispute over work areas, unemployment, ethnicity, religion, culture, race wild, women, competition, misunderstanding, social change, land grabbing, women who seize men (infidelity of women), youth group clashes, politics/parties, deception, social class/strata, selfishness, arrogance, mockery, slander, conflict of interest, and government land disputes.

¹⁷Data source: Results of processed primary data in 2018.

SUGGESTION

1. Required to establish a Conflict Resolution Forum (FOLEKO) in each village and at the district level, whose members consist of government, police, military, religious leaders, community leaders, academics and youth leaders, whose role is to take preventive and repressive measures on all problems that have the potential to cause conflict/war between groups or residents.
2. It is necessary to provide legal guidance and counselling for all elements of society regarding criminal law, the form and type of violations of the law, and sanctions for each violation.
3. Need to provide guidance and counselling for community members, especially teenagers, about legal awareness, social ethics and behaviour in family life and community life, and inculcation of religious values and national integrity.
4. The authorities, namely the police, need to be more intensive in conducting surveillance and need to carry out routine checks on the possession of dangerous sharp objects, especially in locations where conflicts/wars between groups or residents often occur.
5. It is necessary to have a Module for the Model of Creation of Social Harmony and legal awareness as reading material that contains the formation of national character, patriotism and the re-internationalization of national ideology, values of peace, love (compassion) and harmony while reducing ethnicity, religious fanaticism, and regional for residents.

ACKNOWLEDGEMENT

This article can be completed in collaboration with the assistance of the Lembaga Penelitian dan Pengembangan Sumber daya - Universitas Muslim Indonesia (LP2S-UMI), along with the Indonesia Ministry of Research and Technology - Indonesian National Research and Innovation Agency (Kemenristek-BRIN), so that the authors give much appreciation and gratitude.

REFERENCE

- Agustina, Dwi. (2018). Peleburan Realitas Nyata dan Maya: Hoax Menjadi Konsumsi Masyarakat Global. *Jurnal Sosiologi Agama, Universitas Islam Negeri Sunan Kalijaga*, 12(2), 245 – 260. doi: <https://doi.org/10.14421/jsa.2018.%25x>
- Algemene Bepalingen van Wetgeving voor Indonesie.
- Ali, Achmad. (2009). *Menguak Teori Hukum (Legal Theory) dan Teori Peradilan (Judicialprudence): Termasuk Interpretasi Undang-Undang (Legisprudence)* (Vol. 1). Jakarta: Kencana Prenada Media Group.

- Arman, Muhammad, Akub, M. Syukri, & Heryani, Wiwie. (2018). Pertanggungjawaban Pidana Pelaku Penyebaran Berita Hoaks Melalui Media Online. *Amanna Gappa, Universitas Hasanuddin*, 26(1), 1 – 11. doi: <http://dx.doi.org/10.20956/ag.v26i1.6332>
- Cahyono. (2011). Fenomena Konflik Kekerasan. In *Himpunan Makalah, Artikel dan Rubrik yang Berhubungan dengan Masalah Hukum dan Keadilan dalam Varia Peradilan IKAHI Mahkamah Agung Republik Indonesia* (pp. 493 – 509). Jakarta: Perpustakaan dan Layanan Informasi, Biro Hukum dan Humas Badan Urusan Administrasi Mahkamah Agung Republik Indonesia
- Friedman, Lawrence M. (1984). *American Law* (Wisnu Basuki, Trans.). New York: W. W. Norton & Company.
- Indahingwati, Asmara, Launtu, Ansir, Tamsah, Hasmin, Firman, Ahmad, Putra, Aditya Halim Perdana Kusuma, & Aswari, Aan. (2019). How Digital Technology Driven Millennial Consumer Behaviour in Indonesia. *Journal of Distribution Science, Korea Distribution Science Association*, 17(8), 25 – 34. doi: <http://dx.doi.org/10.15722/jds.17.8.201908.25>
- Nawi, Syahrudin. (2014). *Penelitian Hukum Normatif Versus Penelitian Hukum Empiris*. Makassar: PT. Umitoha Ukhuwah Grafika.
- Rahardjo, Satjipto. (2009). *Hukum dan Perilaku: Hidup Baik adalah Dasar Hukum yang Baik*. Jakarta: Kompas.
- Rosana, Ellya. (2014). Kepatuhan Hukum sebagai Wujud Kesadaran Hukum Masyarakat. *Jurnal Tapis: Jurnal Teropong Aspirasi Politik Islam, Universitas Islam Negeri Raden Intan Lampung*, 10(1), 61 – 84. doi: <https://doi.org/10.24042/tps.v10i1.1600>
- Soekanto, Soerjono. (1977). Kesadaran Hukum dan Kepatuhan Hukum. *Jurnal Hukum & Pembangunan, Universitas Indonesia*, 7(6), 462 – 470. doi: <http://dx.doi.org/10.21143/jhp.vol7.no6.742>
- The 1945 Constitution of the Republic of Indonesia.