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Third Party Involvement in the Settlement of Pasar Raya Conflict Post-earthquake 2009

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Abstract

The market is a place for socio-economic activities in the regional economic growth. The existence of the main market began to be disrupted since the September 30th, 2009 earthquake, resulting in damage to the buildings of Pasar Raya Padang. Rapid handling was made by the Padang City Government through the construction of emergency stalls in the form of stalls along Jalan Sandang Pangan. The construction of emergency kiosks was opposed by some traders because of declining income and lack of visitors. This condition triggered a prolonged conflict for five years (2009-2014). The length of this conflict process makes it important to be explored further with regard to the involvement of third parties in resolving the post-2009 earthquake market conflict. This study uses a qualitative approach with the type of descriptive research. Informants in this study were determined by intentional (purposive). Informants who contributed to this finding were 14 people with 5 women and 9 men. This research shows that the third party is the Regional Representative Council of the City of Padang and the National Commission on Human Rights (KOMNASHAM) of the Republic of Indonesia. The third party involvement carried out by the Regional House of Representatives (DPRD) was hearing to the traders of Pasar Raya Padang and involving their representatives at hearings, working meetings of DPRD which discussed issues related to commission II. The next role is the role as the guardian of the Rehabilitation and Reconstruction process and striving for the realization of the budgeting in the Regional Revenue and Expenditure Budget (APBD) in accordance with the needs of traders. Whereas the KOMNASHAM has a position and commitment not in line with the conflicting parties, but its role as a human rights guard positions it structurally as a neutral mediator.

Keywords: Conflict Resolution, Market, Role of Third Parties

INTRODUCTION

The market is an important part of community institutions. The market can be seen not only as a place and can also be seen as an institution that has values and norms. Some interesting things from the market are the aspects of space and time (Damsar, 2005)(Fitlayeni, Marleni, & Elvawati, 2015). The aspect of space means that here is the market in terms of place (Market Place). The market is a meeting places for sellers and buyers so that buying and selling transactions, exchanges, reciprocity and various other economic activities. The time aspect refers to when a need exists, when a need does not exist.

Traditional markets also have these two aspects, especially aspects of space where space is a place where there are various things that bring together sellers and buyers. On the market there are facilities and facilities that have different assessments, depending on their functioning for economic activities. The market can also be seen from the perspective of conflict, where the market is a place full of conflict (Damsar, 2002). It means that the market is also full of competition or conflict between the various actors involved there, including traders, market managers, governments, buyers, transporters, so the market must be a special concern of the government. Conflicts that arise between various parties consist of hidden (latent) interests and real (manifest) interests. The manifest interest such as the existence of protests, resistance, sabotage, destruction and so forth then the market function will not run as it should. When the market cannot run, many parties will be disadvantaged because one part of the economic system does not work.

The existence of the Padang City Raya Market began to be greatly disrupted when the earthquake occurred September 30th, 2009. The earthquake that occurred to tear down and damage the building facilities on the highway market (Firdaus, 2014). Nearly all buildings did not pass the feasibility test

for use as a market facility so expert recommendations of several market buildings had to be rebuilt. In the aftermath of the earthquake, the Padang City Government issued various policies regarding actions to respond to disasters such as the rehabilitation and reconstruction of Pasar Raya. Basically, Law number 24 of 2007 regulates how relevant stakeholders act when a disaster occurs, including actions and policies that must be made by local governments. Based on research conducted by Firdaus, there has been a prolonged conflict during the process of rebuilding Pasar Raya Padang (Firdaus, 2014). This conflict occurred between the Padang city government as the authority holder and the market traders who were victims of the earthquake, the owner of the right to shop, kiosk and Los in the main market (Firdaus, 2014)(Ariesta, 2014). This condition is inseparable from the changes made by the government in relation to the improvement of the physical structure and market layout which is under the management of the disaster management authority (Zusmelia & Firdaus, 2016).

Various events occur in this series of conflicts, from demonstrations, violence, sabotage, negotiations, and various forms of manifestations of conflict arising from different times and places. Various coalitions came to the surface to voice interests such as the City Citizens Forum (Forum Warga Kota – FWK) and the Pasar Raya Padang Traders Alliance (Aliansi Pedagang Pasar Raya – APPR) as a form of protesting the market traders over the rehabilitation and reconstruction policy to be carried out by the Padang City Government. A series of conflicts that occur between the government and the community are found such as the struggle of women in Manokwari, Papua (Suryawan, 2011) and the conflicts that have arisen during the expansion of urban space in Surabaya (Aminah, 2015).

Conflict in social life is basically difficult to breathe, but conflict needs to be controlled so as not to damage the existing structure. In the case of the Padang Raya Pota conflict in the aftermath of the September

30th, 2009 earthquake, it has occurred in a long period of time, which has been occurring since 2009 and peaked in 2010 and 2011 until 2014, although it has continued to decline despite the scale of the conflict (Ariesta, 2014). The conflict is so long and causes many losses in which this is certainly accompanied by the resolution efforts made by several parties. The protests by the merchants became the basis for the conflict, so there must be a solution. Efforts to resolve and find solutions to this conflict have involved various parties, especially the existence of a third party from the conflict. This paper examines the involvement of third parties in resolving post-earthquake earthquake markets.

Conflict studies in the Pasar Raya Padang case following the September 30th, 2009 earthquake have been examined in several studies conducted by several researchers before. However, in these studies see different sides. The existing studies were initially still in the study of organizations, politics and social movements such as research conducted by Fidel in 2011. This study aims to look at the contribution of the FWK as a Social Movement in democratization in Padang City. Fidel in principle explores the contribution of a mass organization called the FWK in the context of the Conflict that occurred in Pasar Raya Padang Post-Earthquake 2009. The finding is that FWK is a very large mass organization in which it is a combination of several groups such as: Traders of earthquake victims in Pasar Raya Kota Padang, the 2007 earthquake victims whose assistance had not yet been provided by the Padang City Government, Teluk Sirih Residents, victims of annexation of land for the construction of a power plant, Kurao Pagang Residents who were victims of forced annexation, and Pasia Nan Tigo residents who were victims of the BSD road mobility case. which is quite large is incorporated in the FWK for a motion and together made a number of demands directed at the Padang City Government. However FWK apparently did not contribute to democratization in Padang City. This is due to the movements carried out jointly by FWK which are only a mass mobilization for the

interests of several elites and in the end the movements carried out by FWK are in conflict with the Traders of Pasar Raya Padang (Fidel, 2011).

Another study was conducted by Suryanto in 2011, which has similarities with research conducted by Fidel but has differences in the focus of his studies. Suryanto went deeper into the strategy conducted by FWK in fighting for the interests of the Padang City government policy in the construction of the emergency stalls of Pasar Raya Padang. Suryanto found that there are several strategies conducted by FWK in fighting for interests, i.e.; formal strategy and demonstration and violence strategy. These two strategies were conducted by FWK and the demonstration strategy worked well where their demands were granted by Padang City DPRD by forming a team to resolve the problem and accelerate the rebuilding process of Pasar Raya Padang (Suryanto, 2011).

Several studies that have been reviewed beforehand show that the Conflict case that occurred in Pasar Raya Padang City after the earthquake of September 30th, 2009 has been conducted in different levels and context of analysis. The following study will look at it from a different perspective where the conflict resolution efforts that have been made are documented and analyzed by looking at the relationship between the structure of the government and its people. There are two different layers of structure in the conflict relationship that occurs, where the government as the upper structure and society as the lower structure. For this type of conflict the study of third parties that actually has good potential for conflict resolution needs to be analyzed for learning conflict resolution in other contexts.

RESEARCH METHOD

The study was conducted to examine this problem using a qualitative approach by collecting in-depth interview data, documents and observations. In-depth interviews begin with making interview guidelines so that questions do not come out

of the research context. The study was conducted when the informant was not busy working. Interviews were conducted with DPRD members through personal relationships that simplified the process of approaching the informant. Informants are done by deliberate (purposive sampling). The criteria for selecting informants are third parties involved in conflict resolution, i.e. the DPRD and the Indonesian National Human Rights Commission. The number of informants was 14 people consisting of 5 women and 9 men. Data collected from February 2017 to June 2017 were analyzed with Miles and Huberman's (1992) integrative analysis model. Data in the form of interviews, documents that have been studied as well as field evidence of observations are then analyzed and reduced until then can be presented in the form of writings.

RESULT AND DISCUSSION

An earthquake that devastated buildings with a magnitude of 7.9 on the scale made people end their day activities (Singgalang, October 30, 2009). Conditions certainly make people panic and scatter out of the rooms/buildings. Besides being hit by the rubble of the building, the panic was also triggered by the tsunami issue that could come at any time.

The earthquake that damaged the building infrastructure and community service facilities. one that is heavily damaged is the bazaar. This condition disrupts the economic system of society, as a result of the velocity of money circulation in the main market. In addition, the decline in the revenue of the Padang city area was sourced from market fees.

The existence of the main market building due to the earthquake is no longer appropriate for the convenience of all parties, both traders and buyers. The most severe condition due to the earthquake was the Pasar Inpres I building because the building collapsed after the earthquake. These

uncomfortable conditions made the government through the market service build emergency kiosks to accommodate traders affected by the earthquake.

Emergency stalls are prioritized for traders in Pasar Inpres I whose buildings collapsed in the earthquake. After that, they continue to build the collapsed buildings of Pasar Raya Padang (Fitlayeni, Putra, Marleni, Afrizal, & Indraddin, 2019). The development conducted by the Market Service was caused by several things as follow:

1. DPRD Recommendation No. 189.05/DPRD-PDG/2010 concerning recommendations for market relocation, terminals and earthquake relief in 2007.
2. Governor's Decree No. 360-13990/SK-2009 concerning the implementation of emergency response activities and Recovery of earthquake disaster management in the province of West Sumatra.
3. Mayor's Decree No. 952 of 2009 concerning the appointment of Satgas Batalyon Zeni Kontruksi (Construction Engineering Battalion Task Force) 13/KEas the executor of the stalls and emergency booths of the Pasar Raya Presidential Market in Padang.

Development is carried out through the Padang City Regional Budget and the State Budget. As for the construction of Pasar Inpres I, the government has allocated a budget of 59 billion rupiah.

Asymmetrical Conflict Between Traders and the City Government of Padang

Pasar Raya Padang is a regional asset of the City of Padang, which is one of the sources of Padang's Local Original Revenue (Pendapatan Asli Daerah - PAD). These regional assets are fully managed by the government through the Market Service. Thus these market buildings are owned by the government in this case the Padang City Government. The Market Office is partnering with traders, in which traders are given space to carry out economic activities with existing mechanisms in various regional regulations.

Like the mechanism for buying usage rights/store usage rights, Kiosk, designating booths such as rental booths. As well as the existence of a levy mechanism that is levied by the Market Office to be a source of regional income. All subsystems in the market will contribute to other subsystems, with the ownership of traders who organize themselves so much into the merchant organizations that they form together. This organization has an important role as a representation of the whole trader in facilitating communication with various parties, especially Padang City Government.

Pasar Raya Padang is the center of traditional markets in Padang. This condition is certainly inherent in many elements of interest in which conflicts of interest between economic actors. Conflicts of interest between various economic actors are common in the market. As among fellow traders, traders with transporters, traders with market managers (under the City Government). However, the conflict is still at a reasonable level so that it does not damage the existing market system. It means that the market continues to run according to its function.

The existence of the market has damaged the system since the earthquake occurred on September 30, 2009. The earthquake that occurred damaged the building of the main market, one of which was the presidential market building 1. Consequently, the government must immediately deal with it. Handling that occurs not only involves the government, but also involves traders. The involvement of traders is very important especially those directly in contact with the ownership of rights to shops, kiosks and booths that are heavily damaged. However, the government sanctions are not approved by the traders because there are several policies issued by the government that are considered by the traders to be detrimental to them. Traders' disappointment is contained in the conflict between the two parties. This condition was triggered by the Padang City Government to have the power to trigger conflict (Fitlayeni, Marleni, Putra, Afrizal, & Indraddin, 2019).

Conflicts that occur involve two groups, the first party is being sued and the second party is the one who is suing. The party being sued was the Pasar Pasar Office as well as the Padang City Government. The second party is Pasar Raya Traders who are represented by the city government who were also victims of the September 30th, 2009 earthquake. There are two different positions in the social structure of the conflicting parties. Padang City Government is a government organization that is given the power, authority to carry out government functions. With this authority an unequal power relationship is created where the government has an executive position. While the community is in the lower position.

Asymmetrical conflict refers to disputes between those who have power (power) and those who are weak (power less) (Mail, Ramsbotham, & Woodhouse, 1999). The government as the party that has the power to make an emphasis emphasis on society. While the community can be said as a weak party. City Government as a party that has this power has become a trigger for conflict in the Padang highway market. Examples of cases that occurred were policies made and dilaksanakan by the City Government of Padang related to the construction of the Emergency Kios on the 23rd day after the September 30th Earthquake 2009. This development occurred suddenly by involving the TNI Yon Zikon 13/KF, the contract value of 2.4 billion rupiah. The building was built in front of Pasar Inpres III which was not affected by the earthquake. In the construction there were 3 problems, first the construction was not socialized with Traders, secondly the number of Kiosks exceeded the number needed so that the kiosks were built relatively small, thirdly the construction of the emergency kiosks prevented buyers from entering the Pasar Inpres II, III, and IV (Firdaus, 2014). The policies implemented by the Padang City Government in principle are based on the power and authority possessed without involving traders who will use emergency kiosks. This policy is still implemented despite protests from traders.

Third Party Involvement in Conflict Resolution

There are several parties identified as having a role in the Padang Post-Earthquake Pasar Raya conflict in 2009, which are First; the warring parties are the traders of Pasar Raya with the Padang City Government. Second; the party acting as a third party is working to find common ground in conflict resolution efforts.

Parties to the conflict in the Padang highway market conflict are those who filed a lawsuit, namely Padang bazaar traders who were victims of the disaster. The lawsuit is aimed at the next party of the Padang City government. There is anxiety, the concern of disaster victims with government policies that are not pro-traders and the community. Such worries become the seeds of contradiction in which the government issues policies that are not in accordance with the conditions of the traders and are allegedly very damaging to traders. Relationships of traders with the city government at the time of this conflict became damaged until there was a dispute. An unbalanced position on the side of power relations between the government and traders leads traders to gather power by involving several stakeholder groups. One of the large groups involved was FWK (Suryanto, 2011). The group also involved in strengthening the position of traders is the representation of traders who are members of the trader organization, the Pasar Raya Padang Traders Alliance (APPR Padang). This alliance became the representation of the traders to pass on the votes of traders to the Padang city government.

Next is the Second Party. The second party in some concepts implies being a neutral party. The party defined does not take sides with any of the parties to the conflict. Third parties can get involved in conflict resolution efforts after the Arbitration process or the agreement of both parties. The warring parties will certainly define the party as neutral, in this position they might be NGOs, the Government, or the House of Representatives (DPR) (Mail et al.,

1999)(Afrizal, 2015).

Figure 1: Pasar Raya Padang Conflict Map



Source: (Putra, Rinel, Marleni, Afrizal, & Indraddin, 2017)

Figure 1 shows the position of the parties to the conflict. The first party was the Padang City Government which was demanded by traders. Then there is the assistant who helps the Trader to advocate for their rights. And those who upheld it were the Padang City DPRD and KOMNASHAM. The position of the Padang City DPRD is basically as legislation and has a monitoring role for government policy. In this conflict the DPRD is believed to be able to mediate this conflict with the figure of the DPRD members in the Community so as to minimize the emotions of both parties. The DPRD is also a key figure in resolving the Padang Kota Pasar Raya conflict, because the DPRD also shows partiality for one party, and distrust will arise between the parties. In this case, the Padang City DPRD did not show partiality toward any party. So that mediation conducted by the Padang City DPRD can be a valid decision and jointly carried out by both parties.

The involvement of DPRD as one of the parties involved in the asymmetrical conflict resolution of the Padang aftermath market is due to the community's demand for DPRD as a people's representative in the government. The position of DPRD in principle is a balanced relationship in this Asymmetrical conflict position (Putra et al., 2017). DPRD has the main task of carrying

out the oversight function in every policy carried out by the city government. The DPRD also has the right to approve the budget proposed by the City Government of Padang. As is known in individual DPRD organizations therein are loaded with interests. However, the interests in this context are also related to the interests of the community as members of the DPRD members. DPRD in the view of the Government is a partner in carrying out the governance function. In the organizational structure of DPRD and the City Government in the same government structure (Putra et al., 2017). This role is also the result of the encouragement of the companion e.g. West Sumatra PBHI for the Padang City DPRD to continue to function as an institution that oversees the Padang City government (Putra et al., 2017).

With the position of the DPRD of Padang City, it becomes a position that is considered balanced by the warring parties. There are several activities related to resolution efforts involving the Padang City DPRD. This involvement could be the involvement of DPRD members as individuals or as representing DPRD institutions. Initial facilitation was carried out by the National KOMNASHAM, which brought together representatives of the warring parties by involving members of the Padang City DPRD. Next the DPRD conducted Hearing and Hearings with market traders by members of DPRD on November 8, 2011 until then these results were also copied to KOMNASHAM. In the case of arson that occurred at the shelter kiosk on April 22, 2012 by Civil service police Unit (Satpol PP) Padang City, the Deputy Chairperson of DPRD went straight to the scene to conduct an investigation and at the same time as a shock absorber to the turmoil in the Pasar Raya conflict. In the process of tension that occurs DPRD is fighting for the budgeting of the Rehabilitation and Reconstruction of the fixed market in the Padang City Budget so that the realization of the APBD budget can suppress the issue of investor entry in the construction of the market (Putra et al., 2017). The DPRD of Padang City also gave a discussion of the case of the Padang highway market conflict to

Commission II of DPRD which carried out various functions including seeking conflict resolution (Putra et al., 2017).

CONCLUSION

The conflict that occurred in Pasar Raya Padang in the aftermath of the 2009 earthquake was one of the forms of asymmetrical conflict. Conflicts that occur are in an unbalanced structure and position. Resolving a conflict requires the presence of a third party. The presence of third parties is important in conflict resolution efforts. One of the third parties who made several contributions was the DPRD. The contributions included hearing and hearings with market traders. This activity was passed on to the National KOMNASHAM. In addition, the DPRD is fighting for the rehabilitation and reconstruction of the Pasar Raya permanent budget in the Padang City Regional Budget (Putra et al., 2017).

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