



# The Role of Law Enforcement in Managing Communal Conflict

Sostones Yakobis Sisinaru<sup>1\*</sup>, Eko Basuki<sup>2</sup>, Marthin Jonas Maspaitella<sup>3</sup>

<sup>1</sup>, Faculty of Law, Universitas Kristen Indonesia Maluku, Ambon, Indonesia.

<sup>2,3</sup>, Faculty of Social and Political Sciences, Universitas Kristen Indonesia Maluku, Ambon, Indonesia.

 : sostonessisinaru08@gmail.com

Corresponding Author\*



## Abstract

**Introduction:** Research on communal conflict in Maluku has received little attention from researchers in the fields of law and social sciences.

**Purposes of the Research:** This study was conducted to understand communal conflict in Maluku and the role of the police in managing it.

**Methods of the Research:** This study used a qualitative approach, with narrative analysis used for data analysis.

**Results of the Research:** Village boundary disputes and interpersonal conflicts remain the dominant factors influencing the emergence of communal conflict within society. Law enforcement agencies, particularly the police, are considered not yet optimal in implementing anticipatory and preventive measures to address the potential escalation of communal conflict. Furthermore, the police intelligence function is viewed as not fully effective in conducting early detection of social frictions and emerging conflict potentials within the community. Communal conflicts have the potential to generate prolonged collective resentment, thereby increasing societal vulnerability to provocation and involvement in communal violence against individuals or groups with whom they have previously been in conflict. In the context of handling customary territorial boundary disputes between the Sawai and Huaulu communities, the police, in collaboration with judicial institutions, have undertaken legal resolution efforts in accordance with applicable procedures and statutory regulations. Nevertheless, segments of the community who perceive themselves as disadvantaged by the legal decisions have not been able to fully accept the outcomes of those rulings. Therefore, the police and other law enforcement institutions need to intensify legal outreach and public legal awareness education, particularly among conflict-prone indigenous communities, regarding disputes over territorial boundaries or customary land.

**Keywords:** Communal Conflict; Boundary Disputes; Role of The Police.

Submitted: 2025-08-25

Revised: 2025-12-26

Accepted: 2025-12-31

Published: 2025-12-31

How To Cite: Sostones Yakobis Sisinaru, Eko Basuki, and Marthin Jonas Maspaitella. "The Role of Law Enforcement in Managing Communal Conflict." SASI 31 no. 4 (2025): 429-437. <https://doi.org/10.47268/sasi.v31i4.3379>

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## INTRODUCTION

Communal conflict remains a recurring issue in the social life of Maluku society. Various conflicts during the period 2021–2025, triggered by village land boundary disputes, inter-youth altercations, and lingering communal grievances from past conflicts, have resulted in loss of life, destruction of property, and disruptions to social stability. These conflicts demonstrate that the social relations of indigenous communities in Maluku remain vulnerable to the escalation of violence when territorial issues and group identities are not managed effectively. In addition to being influenced by social and historical factors, communal conflict in Maluku also involves complex legal dimensions. Disputes over customary land boundaries are directly related to issues of legal certainty, recognition of customary (ulayat) rights, and the effectiveness of the state legal system in accommodating

customary law. The handling of conflicts through formal legal mechanisms is often not fully accepted by local communities, thereby leaving residual social tensions and the potential for subsequent conflicts.

This study focuses on the communal conflict between the communities of Sawai Village, Rumah Olat Hamlet, and Masihulan Village that occurred on April 3, 2025. This case was selected to gain a deeper understanding of the dynamics of communal conflict within indigenous communities in Maluku, as well as the role of law enforcement authorities in the prevention, resolution, and enforcement of law in relation to such conflicts.

Although communal conflicts result in thousands of deaths each year, they remain an under-researched area within peace and conflict studies.<sup>1</sup> Studies examining conflicts in Maluku during the 2021–2025 period are still limited. The novelty of this research lies in its integrative analysis of communal conflict by empirically linking customary law with the state legal system. This study highlights the limitations of the effectiveness of formal law in preventing and resolving communal conflicts shaped by conflict memories and collective grievances. Overall, this research offers a more contextual and responsive legal perspective on the dynamics of indigenous communities.

## METHODS OF THE RESEARCH

The research was conducted using a qualitative approach, which is expected to provide a deep understanding and interpretation of relevant meanings and realities. Denzim and Lincoln state that qualitative research prioritizes a series of interpretations, obtained from data collection in the form of field notes, interviews, conversations, photographs, recordings, and personal memos. This means that researchers seek to understand and interpret the phenomena studied during the research process.<sup>2</sup> According to Robert M.Z. Lawang, any method used in research must be subject to the nature of the underlying problem being studied, and not the other way around. The depth and density of information regarding the social, political, and economic structures of society are more appropriately obtained through a qualitative approach.<sup>3</sup> Giddens explains that social science research is more appropriate using a qualitative approach because it is related to social life processes.<sup>4</sup> The research data was obtained through interviews with community leaders and members of the community involved in the conflict, and through online news documents related to the conflict between the Sawai village community and the Rumah Olat and Masihulan villages. The data analysis technique used in this study was narrative analysis, a research analysis that focuses on stories or narratives collected from data (such as interviews or field notes). The purpose of narrative analysis is to understand how people tell their experiences and how these stories shape their understanding of the world (the object being studied). Based on the views of Gee, Kirkman, Riessman, and Linde, Charlotte Burck concluded that narrative analysis focuses on how individuals present their stories about themselves and views self-narratives as constructions and claims of identity. The use of narrative analysis can explain how narratives are constructed and their relationship to social patterns.<sup>5</sup>

<sup>1</sup> Brosché, Johan, and Emma Elfversson. "Communal Conflict, Civil War, and The State: Complexities, Connections, and The Case of Sudan." *African Journal on Conflict Resolution* 12, no.1 (2012): 9-32.

<sup>2</sup> Creswell, J. W. "Qualitative Inquiry and Research Design", (California: SAGE Publications, 2007), p. 36

<sup>3</sup> Lawang, Robert M. Z. "Stratifikasi Sosial di Cancar Manggarai Flores Barat Tahun 1950-an dan 1980-an". (Depok: FISIP UI Press. 2004.)

<sup>4</sup> Giddens, A. "The Constitution of Society". (Cambridge: Polity Press, 1997). p. 334.

<sup>5</sup> Burck, Charlotte. "Comparing Qualitative Research Methodologies for Systemic Research: The Use of Grounded Theory, Discourse Analysis and Narrative Analysis." *Journal of family therapy* 27, no.3 (2005): 237-262.

## RESULTS AND DISCUSSION

### A. Boundary Dispute between Huaulu and Sawai Villages

The Huaulu village community in resolving the customary land boundary conflict with the Sawai village community is considered correct because the resolution process is through legal channels or does not resolve it through violent actions. On October 14, 2024 through lawyers and legal advisors (Obeth Lohi and Waldi Hatumena), the Huaulu village sent a letter to the Sawai Village Government with case Number: 29 / Pdt.G / 2024 / PNMsh. The lawsuit is that the customary land of the Huaulu village totals 200,000 hectares with boundaries namely to the north bordering the sea, to the south bordering Lesitoa Tamilouw, to the east bordering Wahenama Waekua, and to the west bordering Wae Salawai which is currently customary land under Sawai. The Huaulu village community sued the Sawai village to pay a fine of: IDR. 3,150,000,000 (three billion one hundred and fifty million rupiah). The lawsuit trial presented witnesses from the Huaulu side, namely Yondri Patalatu (Head of Masihulan Village), Agustinus Lapatui (Head of Opin Village), Esli Ipaana, Elis Illellah, and Christina Pasinau. The Sawai Village Government through its lawyer (M. Nur Nukuhehe) presented its witnesses, namely Budiman Maba, Lukman Weno (Secretary of Besi Administrative Village), Hasan Ipaenin, and Sahune Maatoke. The Rumah Olat community has prepared witnesses for the trial of the customary boundary lawsuit between the Huaulu and Sawai villages, but in the trial process witnesses from the Rumah Olat community were not called to be witnesses.

The Sawai community was disappointed with the Masihulan community who presented Yondri Patalatu and Agustinus Lapatui as witnesses at the civil lawsuit hearing at the Masohi District Court. Yondri Patalatu's testimony was considered detrimental to the Sawai community, because Yondri Patalatu stated that the Masihulan village to the east borders Salawai. According to the Sawai community, Salawai (the object of the dispute) is historically customary land under the authority of Sawai, and to the west borders Horale. After going through the trial process on March 18, 2025 through case number: 29 / Pdt.G / 2024 / PNMsh, the Masohi District Court decided that the Huaulu community's lawsuit was inadmissible (niet ontvankelijk veklaar) by sentencing the plaintiff to pay all court costs of: IDR. 6,461,000 (six million four hundred sixty-one thousand rupiah). Following the court ruling on March 18, 2025, several homes of Sawai residents were burned on March 21, 2025. The victims included the homes of Arsal Bugis and Askam Tuasikal, and the clearing of productive crops belonging to Wan Tomagola and Amin Rumasoreng. The Wahai Police have investigated the arson and clearing of productive crops belonging to the Sawai community, but the perpetrators have not been identified. Issues such as a village boundary dispute between the Huaulu and Sawai communities, as well as numerous incidents of burning down residents' homes and clearing of productive crops, have made the security situation in North Seram Bay less conducive. The situation worsened when threats were made via social media against witnesses from Masihulan village who were testifying in court, which were deemed detrimental to the Sawai community. Village boundary conflicts in Maluku are not a new social phenomenon. The complexity of the 1999 Maluku conflict was partly triggered by old grudges arising from inter-village boundary disputes.<sup>6</sup> Such village boundary conflicts in Maluku were also found in the conflict between the Pelauw

<sup>6</sup> Adam, Jeroen. "How ordinary folk became involved in the Ambonese conflict: Understanding private opportunities during communal violence." *Bijdragen tot de taal-, land-en volkenkunde/Journal of the Humanities and Social Sciences of Southeast Asia* 166.1 (2010): 25-48.

and Kariuw village communities,<sup>7</sup> and between the Porto and Haria village communities on Saparua Island, Central Maluku Regency.<sup>8</sup> Other research found that conflicts in Maluku regarding ownership of village boundaries not only occurred between village communities, but also between individuals and the Village Government.<sup>9</sup> Communal conflicts stemming from land disputes in Maluku are relatively similar to those in Nigeria. Communal conflicts in Nigeria are largely caused by land disputes.<sup>10</sup> Billon explains that conflict is closely related to the struggle for and/or control of resources.<sup>11</sup> Other studies on the struggle for economic resources, for example, the conflict over the struggle for nile river resources by several countries in Africa,<sup>12</sup> and disputes in South Africa<sup>13</sup> and Sudan.<sup>14</sup>

## B. Individual Conflict Turns into Communal Conflict

On March 31, 2025, at around 08.00, several residents of Rumah Olat village who wanted to buy fuel oil in Sawai forced their way through the guard post set up by the Sawai village community, which resulted in a dispute and acts of violence carried out by the Sawai village residents against three residents of Rumah Olat village at around 09.00. The Rumah Olat community had handed over the violence issue to the authorized security forces, but when the security forces were about to arrest the perpetrators of the violence, they were blocked by the Sawai village community, making it difficult for the security forces to arrest the perpetrators of the violence. The residents of Rumah Olat village, who refused to accept the violence, eventually blocked the road between Sawai and Olong. The roadblock lasted for three days, angering the residents of Sawai and Olong, further escalating the situation. This route is the main road across Seram, which is crucial for transporting goods and for visiting residents during the Eid al-Fitr holiday.

The violence, initially sparked by individuals and a dispute over a roadblock, eventually escalated into a communal conflict, with the Sawai villagers attacking the villages of Rumah Olat and Masihulan. Jaideep Gupte once explained the phenomenon of individual conflict turning into communal conflict, explaining that collective violence is still carried out by individuals. The transformation of individual conflict into communal conflict occurs because individuals are influenced by various motivations and drives, which can include psychological, economic, social, and political dimensions. Although Gupte emphasizes micro-analysis (the role of individuals as agents), he does not ignore the role of structures in influencing the occurrence of civil violence.<sup>15</sup> The role of individuals in the occurrence of communal conflict was also demonstrated by Chris Wilson. The results of research on communal conflict conducted by Chris Wilson in Maluku showed that: (1) the emergence

<sup>7</sup> Basuki, Eko, and Korneles Balak. "Konflik Masyarakat Desa Pelauw Dan Kariuw di Maluku." *Prosiding Konferensi Nasional Sosial dan Politik (KONASPOL)* 1 (2023): 359-374.

<sup>8</sup> Matakena, Fransina, Tonny Donald Pariela, and Yurnie Darakay. "Kosmologi Negeri dan Resiliensi Sosial Masyarakat Pulau: Upaya Pengelolaan Konflik dan Damai Keberlanjutan." *Jurnal Ilmu Sosial Dan Humaniora* 13, no. 1 (2024): 191-201.

<sup>9</sup> Beckmann, Franz von Benda. "Pak Dusa's Law: Thoughts on Law, Legal Knowledge and Power." *The Journal of Transdisciplinary Environmental Studies* 4, no. 2 (2005).

<sup>10</sup> Okpa, John Thompson, et al. "Communal conflict and violence: Causes and impact." *Handbook of Anger, Aggression, and Violence*. (Cham: Springer International Publishing, 2023). 1-17.

<sup>11</sup> Le Billon, Philippe. "Diamond wars? Conflict diamonds and geographies of resource wars." *Annals of the Association of American Geographers* 98, no. 2 (2008): 345-372.

<sup>12</sup> Kagwanja, Peter. "Calming The Waters: The East African Community and Conflict Over the Nile Resources." *Journal of Eastern African Studies* 1, no. 3 (2007): 321-337.

<sup>13</sup> Sundnes, Frode. "The Past in The Present: Struggles Over Land and Community in Relation to The Dukuduku Claim for Land Restitution, South Africa." *Forum for Development Studies*. 40, no. 1 (2013).

<sup>14</sup> Brosché, Johan. "Conflict over the Commons: Government bias and communal conflicts in Darfur and Eastern Sudan." *Ethnopolitics* 22, no. 2 (2023): 199-221.

<sup>15</sup> Gupte, Jaideep. *What's Civil About Intergroup Violence? Five Inadequacies of Communal and Ethnic Constructs of Urban Riots*. MICROCON Research Working Paper 62, Brighton: IDS, 2012.

of anger in the communities involved in the conflict was triggered by elite propaganda, (2) the perpetrators of collective violence had interests, namely material, political, or simply criminal interests in committing violence, and (3) individuals involved in the riots were generally directly connected to the elite, and became a link in the chain of communal conflict violence.<sup>16</sup> Regarding communal conflicts in Indonesia (including in Maluku), Klinken concluded that agent-structure interaction (agent-structure collaboration) is behind all communal conflicts in Indonesia. The underlying issues are always related to the struggle for resources, both economic and political.<sup>17</sup> The reality of communal conflict between the Sawai village community and the Masihulan and Rumah Olat village communities is purely caused by boundary disputes and acts of violence that are not related to ethnic, religious or political identity as in Nigeria.<sup>18</sup>

### C. Attack on the Villages of Rumah Olat and Masihulan

Rumors of an attack on Masihulan and Rumah Olat villages by the Sawai villagers had already spread among the Masihulan and Rumah Olat villages before April 3, 2025. The Masihulan and Rumah Olat villagers did not believe these rumors because they had learned from the experience of the 1999 Maluku conflict that they were not involved in the conflict. During the 1999 Maluku conflict, the Sawai, Masihulan, and Rumah Olat villages lived peacefully, even helping each other in building churches and mosques. Community activities before April 3, 2025, were normal, but precisely on April 3, 2025, at around 08.30, the Masihulan and Rumah Olat villagers saw a large concentration of people from Sawai village moving towards the border of Masihulan and Rumah Olat villages.

Conflict was unavoidable, and the residents of Masihulan and Rumah Olat villages simply tried to hold out on the village border to confront the rioters from Sawai village. The residents of Rumah Olat were attacked from the border between Rumah Olat and Olong villages, and from the direction of Sawai village. The rioters were unable to enter Rumah Olat village, but they managed to attack Masihulan village, burning 61 houses belonging to Masihulan residents and damaging several public facilities. The incident killed one police officer. This incident proves that if conflict cannot be controlled, conflict begets conflict, and crime begets crime.<sup>19</sup> The residents of Rumah Olat and Masihulan villages stated that the attacks on Rumah Olat and Masihulan villages were carefully planned. The rioters' attacks on Rumah Olat village were only intended to disrupt the residents of Rumah Olat village, preventing them from assisting them in confronting the rioters, as their primary goal was to destroy Masihulan village. This analysis is understandable, given that in the village boundary dispute between Huaulu and Sawai villages, the residents of Rumah Olat were not involved as witnesses in court, which was detrimental to the Sawai villagers. Based on the facts surrounding the attack on Masihulan village, the residents observed that the rioters' arson attempt on 61 houses belonging to Masihulan residents occurred quickly. This means that the rioters had prepared fuel to burn the houses, as it is impossible for a house to burn quickly using only a match. Based on this analysis, the residents of Masihulan and

<sup>16</sup> Wilson, Chris. "Provocation or Excuse?: process-tracing the impact of elite propaganda in a violent conflict in Indonesia." *Nationalism and Ethnic Politics* 17, no. 4 (2011): 339-360.

<sup>17</sup> Van Klinken, Gerry. "Communal conflict and Decentralisation in Indonesia." *The Australian Centre for Peace and Conflict Studies Occasional Paper* 7 (2007).

<sup>18</sup> Berebon, Charles. "Identity Conflicts in Nigeria: Historical Perspectives and Contemporary Implications." *Tamaddun* 23, no. 1 (2024): 177-189.

<sup>19</sup> Usman, Abubakar, and Shehu Mohammed. "The Role of Education in Effective Management of Communal Conflicts Involving Nomadic Pastoralists in Nigeria." *KWASU International Journal of Education (KIJIE)* 7, no. 2 (2025): 103-111.

Rumah Olat villages stated that the attacks on Masihulan and Rumah Olat villages by the rioters were carefully planned.

#### **D. The Role of the Police as Law Enforcers**

The beating incident on March 31, 2025, against a resident of Rumah Olat village, carried out by residents of Sawai village, has been fully handed over to the police. Police officers have held meetings with residents of Sawai and Rumah Olat villages to resolve the problem. Since the beating incident until April 2, 2025, the security situation on the border of Sawai, Rumah Olat, and Masihulan villages has become increasingly unstable. The residents of Rumah Olat and Masihulan villages have fully handed over to the police, including issues about an impending attack by the Sawai village community. On April 3, 2025, when a large crowd from Sawai village moved towards the village border, the police were unable to suppress the mass movement, until the rioters attacked the village of Rumah Olat and finally managed to enter the village of Masihulan. Based on reports from the residents of Rumah Olat and Masihulan villages and considering the less than conducive security situation before April 3, 2025, the police should have been able to anticipate the conflict by increasing the number of police officers before April 3, 2025 to prevent conflict. The lack of police officers allowed the rioters to freely attack and burn the houses belonging to the residents of Masihulan village. The increase in the number of police officers occurred when the rioters had already succeeded in entering and attacking the village of Masihulan.

Observing the process of the rioters' attack on Masihulan Village and Rumah Olat, it is clear that the local elite who became community leaders and the police in Sawai Village did not have the ability to control the masses moving from Sawai Village. Lewis Coser agrees with Max Weber that group leaders or charismatic figures have a big influence on the occurrence of conflict, because charismatic figures have the ability to mobilize hatred and peace.<sup>20</sup> The police, as an institution protected by the state, were unable to use legitimate coercion to ward off and disperse the rioters.

#### **E. Conflict Resolution Efforts**

Communal conflict significantly disrupts individual livelihoods, weakening economic activities such as agriculture and trade, while eroding social capital. Consequently, communities' ability to recover and develop is severely hampered, exacerbating poverty and instability.<sup>21</sup> The impacts of communal conflict such as that which occurred in Nigeria include loss of life, displacement and refugee crises, destruction of property (homes, schools and health facilities), destruction of the local economy, delays in infrastructure development, destruction of foreign and local investment, difficulties in the distribution of socio-economic resources and increased poverty.<sup>22</sup> In an anticipatory effort to prevent the spread of conflict in North Seram District, community leaders, the Maluku Regional Government, and the Central Maluku Regency Government, the police and the military made peace appeals and held various meetings with the people of Sawai, Masihulan and Rumah Olat villages. The Chairman of the Maluku Protestant Church Synod (Elifas T. Maspaitella) stated that crimes against humanity should not be tolerated for any reason and if there are legal issues, efforts to resolve them must also be legal and must not provide

<sup>20</sup> Turner, Jonathan H. "The Structure of Sociological Theory", (Wadsworth Publishing Company, 1998). p. 160 – 174.

<sup>21</sup> Nagombe, Joseph Titus. "Impact of communal conflict on livelihoods of some selected communities in NGADA special development area Taraba State, Nigeria." *International Journal of Conflict and Security Management* 1, no. 02 (2025): 100-111.

<sup>22</sup> Egobueze, Anthony. "A Nation in Disarray: Communal Conflicts and Socio-Political Instability in Nigeria." (2025).

opportunities for people who are anti-peace and behave anarchically. The Nusa Ina Muslim Brotherhood Association of Maluku issued an appeal to the people of Sawai, Masihulan, and Rumah Olat to maintain brotherhood and refrain from actions that can damage togetherness and hand over all conflict issues to the police. The government must go beyond the use of force to bring lasting solutions and peace to communities facing communal conflicts.<sup>23</sup> On April 4, 2025, Hendrik Lewerissa (Governor of Maluku), Major General Putranto Gatot Sri Handoyo (Commander of the XV/Pattimura Regional Military Command), and Inspector General Eddy Sumitro Tambunan (Chief of the Maluku Regional Police) visited the villages of Masihulan, Rumah Olat, and Sawai. They held separate meetings with village leaders and the community of Masihulan, Rumah Olat, and Sawai. Through these meetings, Hendrik Lewerissa expressed his hope that the conflict would be stopped, that the community would not be easily provoked, that community leaders would play a role as peacemakers within the community, and that all conflict issues would be handled by the police. Joint security forces (police and military) were deployed in the border areas of Sawai, Masihulan, and Rumah Olat villages to prevent further conflict.

Zulkarnain Awat Amir (Regent of Central Maluku), on August 15, 2025, held a conflict management evaluation meeting and stated that there is zero tolerance for provocation, hate speech, and other actions that could trigger new conflicts. Communication between community leaders from conflicting villages must be strengthened to build mutual trust so that the community is not easily provoked by those who do not want peace. Gasparello explained that strengthening local trust networks and incentivizing collective participation in decision-making and reconciliation options is the right way to resolve and minimize communal conflict.<sup>24</sup> According to Quinn, it turns out that mutual trust that is anchored in social relationships that are bound by the values and norms contained in local society has an important role in improving and increasing social stability and social reintegration.<sup>25</sup> Zulkarnain Awat Amir also explained that the established Reconciliation Team must work diligently as an information command center and support routine dialogue between conflicting communities to prevent social friction and discrepancies in data on the ground. The houses of the burned-down Masihulan villagers must be rebuilt immediately with assistance provided by the Central Maluku Regency Government.

## CONCLUSION

Communal conflict in Maluku, particularly in North Seram District, is not an interreligious conflict but rather the result of an accumulation of unresolved structural, historical, and social issues. This study confirms that disputes over customary land boundaries, interpersonal violence, as well as conflict memories and communal grievances are the primary factors driving conflict between the communities of Sawai Village, Rumah Olat Village, and Masihulan Village. The findings indicate that conflicts originating from individual actions can rapidly escalate into communal conflict when reinforced by group sentiments and the weakness of local social control mechanisms. The research findings also indicate that conflict resolution through formal legal mechanisms has not been fully

<sup>23</sup> Esara, Umoh Victor, Mfon Effiong Asuquo, and Mercy Emmanuel Samuel. "Remapping and Communal Conflicts in Akwa Ibom State, Nigeria." *International Journal of Culture and Society* 2, no. 2 (2024): 60-71.

<sup>24</sup> Gasparello Giovanna. "Communal Responses to Structural Violence and Dispossession in Cherán, Mexico". *SAGE Journals, Latin American Perspectives*, 48, no. 1 (2021): 42-62.

<sup>25</sup> Quinn, Joanna R. "Beyond Truth Commissions: Indigenous Reconciliation in Uganda." *The Review of Faith & International Affairs* 4, no. 1 (2006): 31-37.

effective in reducing social tensions. Court decisions in disputes over customary territorial boundaries, although legally valid, have not been fully accepted by segments of the community, thereby leaving a sense of injustice and latent conflict that may potentially trigger further violence. Moreover, the role of the police in the prevention and management of communal conflict continues to face significant limitations, particularly in the early detection of potential conflicts, crowd control, and the optimization of intelligence functions and preventive measures on the ground. The legal implications of these findings underscore the need for a more contextual and responsive legal approach to the dynamics of indigenous communities. In terms of prevention, there is a need to strengthen preventive legal mechanisms based on conflict mapping and the involvement of local leaders. In the aspect of resolution, the integration of state law and customary law is essential to ensure that legal decisions obtain social legitimacy. Meanwhile, in the realm of law enforcement, consistency and firmness on the part of law enforcement authorities are required to break the cycle of communal resentment and prevent the recurrence of communal conflict in the future.

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