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## **Intercultural Dialog and Education: Initiating Social Conflict Reconciliation and Peace Building Initiative Methods into Law School Curricula<sup>1</sup>**

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I, along with my colleagues from the Faculty of Law and Communication, had an opportunity to conduct a research project to develop a module aiming to introducing law student the state-of-the-art methods in settling social conflict resolution especially religious and ethnic conflict in 2013-2014. The theme of the project is Intercultural Dialog and Education in Indonesia: Encountering Social Conflict with Reconciliation and Peace Building Initiative In Law School Curricula funded by United Board for Christian Higher Education in Asia<sup>2</sup>. The aim of the research and module is to introduce law school students to alternative dispute resolution models for settling inter-religion/cultural conflicts as well as developing peace-building initiatives.

The main reason why this program is needed is that the most curricula for faculty of law throughout Indonesia (including SCU) has only been prepared for settling the disputes mostly through litigation systems. Alternative disputes resolutions such as reconciliation; mediation and peace building initiative have not been placed as a priority. For instances, problems such as how can inter-cultural conflict be avoided or how can it be transformed to a peace situation, or what could we learn from the conflict have never been taught in law school classes. The problem will escalate when there is an inter-cultural conflict (based on ethnics or religions). Most students of the Law school will emphasize on punishing the perpetrators without settling the disputes. Once the perpetrators were imprisoned disputes have considered been settled. In fact, the wound that has been created is still there. Without further action, a small friction within the parties to the disputes can easily fuel this wound again.

Therefore, despite the need to teach law students on how to settle disputes through litigation process, the urgency to teach them how to settle the disputes outside the court is inevitable.

In this project, we tried to involve 8 (eight) SCU different law school partners and all are agreed that the issues are important to be thought in law school. The research project and module were focused on introducing theories, researches and simulations on how to deal with intercultural conflict, so that the students will understand and learn how to settle it. We believe that with the help of social science, students will learn about cultural studies, identity and differences, and multiculturalism. The 'small step' or effort started by doing the research and developing the module hopefully could be transmitted to our student and later followed and also developed by various law schools in Indonesia in the future.

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<sup>1</sup> The Author expresses her gratitude to B. Danang Setianto, SH., LL.M., MIL for his comments and input in finalizing this paper

<sup>2</sup> See in Marcella E. Simandjuntak, B. Danang Setianto, Y. Budi Sarwo, Valentinus Suroto, Yuni Kusniati, 2014, *Intercultural Dialog and Education in Indonesia: Encountering Social Conflict with Reconciliation and Peace Building Initiative In Law School Curricula*, Semarang: UB and Soegijapranata Catholic University.

We found that several courses related to conflict resolution were thought in these 8 (eight) law schools, but they did not specifically discuss the understanding of conflict and conflict alternative resolution based on religion and ethnicity. In FGD and workshops, the lecturers at eight (8) Schools of Law were aware that each School of Law have to make a 'breakthrough' by preparing their students to be mediators and reconcilers in various social conflicts, including religion and ethnic-based conflict.

### **Indonesia: a Pluralistic Country with High Potential Conflicts**

Indonesia is an archipelagic country extending 5,120 kilometres from east to west and 1,760 kilometres from north to south. Geographically, it lies on the equator, between Asia and Australia, as well as, between the Pacific and Indian Oceans. As a very fertile and rich archipelago that stretches from Sabang to Merauke, Indonesia is not only overwhelmed with natural resources such as mining, natural gas, tropical forest, and flora-fauna, but it is also endowed with cultures, ethnics, customs, languages and religions diversity. Various challenges and opportunities currently faced by Indonesia, among others, uneven distribution of population, exploitation of natural resources, diversity of either ethnic, religion, customs or cultures lead to the vulnerable potential social conflicts.

With a population of over 240 million people, Indonesia is the 4 (four) most populous country in the world. Indonesia also is one of countries with the largest Muslim population in the world, followed by India and Pakistan which is the country with the second and third largest Muslim population in the world. There are 5 (five) major islands in Indonesia; i.e. Sumatra, Java, Kalimantan, Sulawesi and Irian (Papua), but the total population of Javanese is the largest, approximately 95.2 million people or 41 % of the entire population in Indonesia. The other largest tribes are Sundanese with the number of 36.7 million people (15.5 %), Batak 8.5 million people (3.6 %), and some tribes from Sulawesi 7.6 million people (3.2 %)<sup>3</sup>. Although they mostly live on the island of Java, millions of Javanese tribe have been migrated to various islands throughout the archipelago. There are 31 ethnic groups in Indonesia with an overall reached more than 1,300 ethnics spread in the various islands in Indonesia<sup>4</sup>. Muslims in Indonesia, according to the statistics, reach nearly 88% of the total population with over 200 million people<sup>5</sup>. Beside Islam, there are five (5) official religions used in the demographic statistics in Indonesia, namely Christianity, Catholicism, Hinduism, Buddhism and Confucianism. However, in some certain remote areas people still hold cults.

Being aware of this diversity, since the independence, the founding fathers chose the country motto of *Bhinneka Tunggal Ika*, which means Unity in Diversity. This motto was consciously chosen by the founding fathers in order to maintain national unity. However, in reality, the watchword believed to be a unity reflection is not always able to prevent conflicts in society. Ichlasul Amal even stated that Indonesia's modern history is the history of conflicts<sup>6</sup>.

In Indonesian history, inter-religion and inter-ethnic conflicts in Indonesia were ups and downs and even occurred in the days of the New Order regime under Suharto's authoritarian rule<sup>7</sup>. This conflict continued in transition period exactly after the fall of Suharto and the

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<sup>3</sup> See [www.bps.go.id](http://www.bps.go.id)

<sup>4</sup> <http://www.ethnologue.com>

<sup>5</sup> According to National Statistic Bureau 2010 ([www.bps.go.id](http://www.bps.go.id))

<sup>6</sup> See Ichlasul Amal in Bambang W. Soeharto, 2013, *Menangani Konjlik di Indonesia*, Jakarta: Kata Hasta Pusaka, p. xv

<sup>7</sup> The New Order regime under Suharto administration gives priority to economic growth. For this purpose, the depoliticization of society and authoritarianism deemed necessary. The presence of opposing

period after the reforms era. Granting autonomy to the regions after the reformation era is proven also to trigger many new conflicts which were regional in nature.

### **Understanding Conflict**

The latest conflict in Indonesia occurred last month (July 2015). When Moslem were preparing their Idul Fitri Celebration by praying in Karubaga District, Tolikara Regents, West Papua, some local people, who mostly are Christian, started to throw stones to dismiss the Moslems. In response to this throwings, Police shot brutally to the crowd, tried to stop the throwing incidents. However, this shooting brings about an anger mob. They started to burn the building, including one Mosque. When I tried to finish in writing this paper, at least there have been more than 50 persons questioning and interrogating by the police to settle the case. However, the people cannot wait for the result, a retaliation action has been done in different area. It has been reported that several churches have been distracted, one by burning the front door of the church, another one by destroying their fences.

This case illustrates on how easy riots, burnings and other anger manifestations erupt in a country with a diverse culture. In Indonesia, for some decades, a series of religious (and ethnic) nuanced violence and conflicts continues to occur. They were ranging from religious nuanced riots up to the mobilization of the faith-based army and terrorist groups carried out bombings in the name of jihad. Conflict between the school of Syiah and Sunni, conflict and sectarian violence that afflicted the Indonesian Ahmadiyya had also added arithmetically the incidents of violence and conflicts in religious nuances in Indonesia<sup>8</sup>.

Many conflicts were started by small and minor incidents. For instance, in Ambon Conflict during 1999-2001, the incident reportedly was triggered by a simple issue, which was a bicker between a Christian city transport driver and his Muslim passenger who was a newcomer. This quarrel instantly turned into a big incident because both came with anger to their respective communities. The incident suddenly turned into communal clashes between the Muslim community residing in Kampung Batu Merah which is the home of Islam and the Christian community in the neighbouring village, Pasar Mardika. This conflict lasted for three days in a row. The conflict spread to other areas in the city of Ambon in either Christian or Muslim villages: in Batu Gantung, Waringin, Benteng Karang, Passo, Nania, Wailete, Kamiri, Hative Besar and others. The conflict in Ambon eventually spread to other areas outside of Ambon. In February 1999, Christian versus Muslim conflicts spread of to Central Maluku, in the land of Seram, and Saparua. In March 1999, a large-scale conflict broke out in Ambon and both, the Christian and Muslim, finally declared Ambon as a “war zone”<sup>9</sup>.

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ideologies (including Islam) and some political parties (including the Islamic parties) were seen as obstacles to development. Pancasila, the ideology of the state, was propagated as the only ideology and 'single principle' for political parties in Indonesia. Although they suppressed all forms of Islamic expression, the New Order government really gave support to the implementation of pure worship aspects. Many mosques were built with the help of government, rapidly growing Islamic religious education, religious holidays were celebrated with government support, even Musabaqah Tilawatil Quran (MTQ) was sponsored by the government, see the van Bruinessen Matin, 2013, *Rakyat Kecil, Islam dan Politik*, Yogyakarta: Gatling Publishing, p. 241.

<sup>8</sup> See Ihsan Ali-Fauzi, Rudy Harisyah Alam, Samsu Rizal Panggabean, 2009, *Pola-Pola Konflik Keagamaan di Indonesia (1990-2008)*, Research Report, Jakarta: Collaborative Research between Paramadina Wakaf Foundation (YWP), Master Program of Peace and Conflict Resolution, Gajah Mada University (MPRK-UGM), and the Asia Foundation (TAF), p. 2

<sup>9</sup> *The Document of Religion-Based Discrimination: the Riots in Maluku and North Maluku*, without year, issued by the Denny JA Foundation for Indonesia without Discrimination. Of the documents issued, the Foundation considered that the conflicts in Maluku and North Maluku were one of the worst categories of religious-based conflict.

From several sources, it was noted that about 907 died as casualties of this conflict. From the data made by various parties, the conflict in Maluku was divided into 4 phases. The first phase occurred from January to April 1999, the second from July to October 1999, the third from December 1999 to January 2000, the fourth from April to December, 2000. There were also the studies that show the presence of large-scale conflict in April 2002 in Soya, Ambon. For the number of victims - in the absence of official data – it was estimated that the phases of conflict in Maluku had caused 5.000-9.000 deaths, 300.000 - 700.000 people displaced, and around 29.000 houses burned. In North Maluku, Kesbanglinmas data shows the great number of fatalities and property losses. They were about 2.052 people died, 1.769 people injured, 2.315 people lost/ran into the woods, 23.336 houses broken/burnt, 127 churches destroyed, 114 mosques damaged, 95 shops/kiosks burnt, 106 government facilities damaged, 66 educational facilities destroyed, and 7 health facilities also damaged. The total number of the refugees was around 197.327 people<sup>10</sup>.

Many conflicts also arise as a result of discriminatory policies and constitute a form of pressure from one religious' group to another religious group. One form that appears is a ban on the establishment of worship houses of particular religion in one area and the prohibition to worship. This was done by a group of people with or without the support of government officials and security forces such as police forces and police civil service.

Although being a majority, in certain areas, Muslims more or less are also experiencing the same discrimination. They also find difficulties in building a new mosque in some non-Muslim area such as Bali or Manado. Thus, it can be concluded that the portraits of discriminations over write all kinds of religion groups. In fact, many of this discrimination depend really on the area in which they live.

Figure 1<sup>11</sup>

Damaging church by throwing stones  
(in Temanggung)



Figure 2<sup>12</sup>

Catholic Church damage in Temanggung



<sup>10</sup> *Ibid.*

<sup>11</sup> [http://sphotos-e.ak.fbcdn.net/hphotos-ak-xpa1/t1.0-9/169076\\_486974321900\\_7879652\\_n.jpg](http://sphotos-e.ak.fbcdn.net/hphotos-ak-xpa1/t1.0-9/169076_486974321900_7879652_n.jpg)

<sup>12</sup> <http://gerardvf.blogspot.com/2011/02/kerusakan-gereja-katolik-di-temanggung.html>

Figure 3<sup>13</sup>  
The church to pray outside the building (at the yard)



Figure 4 and 5<sup>14</sup>  
The church to pray outside the building (outside the yard of the church)



Figure 6<sup>15</sup>  
Local Government announcements: Church is sealed



<sup>13</sup> <https://search.yahoo.com/search?p=GKI+Taman+Yasmin+Bogor&ei=UTF-8&fr=moz35>

<sup>14</sup> *Ibid*

<sup>15</sup> [https://images.search.yahoo.com/search/images;\\_ylt=A0SO81H7ubVT5F4AjYVXNyoA;\\_ylu=X3oDMTB0bmpiNTdhBHNIYwNzYwRjb2xvA2dxMQR2dGlkA1ZJUDQ2MF8x?\\_adv\\_prop=image&fr=moz35&va=GKI+Taman+Yasmin+Bogor](https://images.search.yahoo.com/search/images;_ylt=A0SO81H7ubVT5F4AjYVXNyoA;_ylu=X3oDMTB0bmpiNTdhBHNIYwNzYwRjb2xvA2dxMQR2dGlkA1ZJUDQ2MF8x?_adv_prop=image&fr=moz35&va=GKI+Taman+Yasmin+Bogor)

It is difficult to understand and explain the phenomenon of a conflict. Blagojevic once said that the danger of attempting to develop a comprehensive approach for understanding a conflict phenomenon that manifests in various contexts, across the globe, is simply the one of trying to do “too much”. Social conflict (ethnic and religion) occurs when a particular set of factors and conditions converge: a major structural crisis; presence of historical memories of inter-ethnic-religious grievances; institutional factors that promote ethnic-religious intolerance; manipulation of historical memories by political entrepreneurs to evoke emotions such as fear, resentment, and hate toward the “other”<sup>16</sup>. Further Blagojevic says that each conflict has its own unique characteristics and nature. In different contexts, some of these elements will be more prominent than the others, but all of them, according to him are the “common denominators” necessary for conflict to occur. Regarding to ethnic conflict, the primordialist approach helps explain the role of emotions and the conflict potential of ethnicity. The institutional, political entrepreneurs and competition over resources approaches explain how the interaction of institutional and political factors with *ethnic emotions* leads to ethnification, ethnic intolerance, competition, and eventually – violent conflict<sup>17</sup>.

According to Simonsen, ethnic and religion identities are dynamics both in their salience and in their character. Important opportunities for peace-building may be lost if intervening actors fail to acknowledge the dynamic nature of ethnicity and religion, especially in the situation where social conflict occurs<sup>18</sup>.

Peace-building is difficult to define and even more difficult to achieve in practice. According to Lambourne, post-conflict peace-building is a strategy designed to promote a secure and stable lasting peace in which the basic human needs of the population are met and violent conflicts do not recur”. This definition takes a long-term focus and incorporates the goals of both negative peace (absence of physical violence) and positive peace (absence of structural violence), a distinction first outlined by Galtung<sup>19</sup>.

People have different priorities in relation to reconciliation. For some people an apology is a critical first step, while for others forgiveness and even reconciliation may be possible without such acknowledgement of the harm perpetrated. Whether or not justice is required for reconciliation is a matter of some debate, and different people will regard different types of justice as more relevant for reconciliation. An undertaking to avoid the harmful acts of the past and build a new relationship built on trust and respect is another step which is normally seen as essential to the reconciliation process<sup>20</sup>. Lambourne provides some meaning of reconciliation such as to be friends again after an estrangement; transformation of relationship; restoration of broken relationships to create community again; returning to peace, cooperation and harmony after a conflict; values the justice which restores community rather than justice which destroys it; and conflict resolution with more profound implications. Therefore, reconciliation is fundamentally significant goals that need to be addressed in the design of successful post-conflict peace-

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<sup>16</sup> Bojana, Blagojevic, 2009, *Causes of Ethnic Conflict: A Conceptual Framework*, Journal of Global Change and Governance, Volume III, Number 1, Winter 2009, New York: Rutgers University, p. 3

<sup>17</sup> *Ibid*

<sup>18</sup> Simonsen, Sven Gunnar, 2005, *Addressing Ethnic Divisions in Post-Conflict Institution-Building: Lessons from Recent Cases*, Security Dialogue vol. 36, no. 3, September 2005, Norway: International Peace Research Institute, Oslo (PRIO), p. 297

<sup>19</sup> Lambourne, Wendy, 2004, *Post-Conflict Peace-Building: Meeting Human Needs for Justice and Reconciliation*, Journal of Peace, Conflict and Development – Issue Four, April 2004, p. 3

<sup>20</sup> *Ibid*, p. 8

building processes and mechanisms<sup>21</sup>.

Hadar asserted that many social conflicts occurred in Indonesia are multi-dimensional conflicts. Let alone, once a conflict is erupted, other parties will try to take advantage so that it will prolong the conflicts. He believed that the educational system either in school or in the family which emphasizes on the differences rather than on the sameness of certain groups in the society penetrates the youth mind so that it can easily be triggered by small friction<sup>22</sup>. Therefore, multiculturalism is seen as something that leads to conflicts rather than as an asset of the country.

Actually, state has a very important role during conflict primarily to prevent loss of life and loss of property. Unfortunately, according to Mahfud MD, states are often powerless, or even by the activists, it is said that state is very often being absent in conflict situations<sup>23</sup>. When state is present, it usually comes with a repressive-militaristic way in order to stop and abolish existing conflicts. Generally, the conflict response by security forces was only when the conflict has occurred by using a model of force to end the conflict that has already enlarged and caused casualties and property losses.

In fact, the critical point that must be presented before a conflict occurs in a plural society, like Indonesia, is a mutual appreciation, understanding, tolerance and consideration. Such a condition would not likely be present in the absence of adequate education about the nature of pluralism and/or multiculturalism. A quality inter-cultural dialogue becomes an important part in order to maintain a favourable climate and in order to maintain peace and harmony in society.

In current situation, conflict resolution system developed in Indonesia is more directed to militaristic and repressive models. Prevention and conflict resolutions through reconciliation, mediation, and peace building initiatives have not become a top priority. Intercultural dialog and education are vital components of any conflict resolution strategy. I believe that informed and educated citizens (including students) are more effective in preventing conflicts.

Both in peace and in conflict-affected situations, education is more than service delivery because it is a means of socialization and identity development through the transmission of knowledge, skills, values and attitudes across generations. The *Two Faces of Education in Ethnic Conflict* challenges a widely-held assumption – that education is inevitably a force for good. While the provision of good quality education can be a stabilizing factor, Kenneth Bush and Diana Saltarelli show how educational systems can be manipulated to drive a wedge between people, rather than drawing them closer together. In short, education reflects the society around it. The attitudes that flourish beyond the school walls will, inevitably, filter into the classroom<sup>24</sup>. Education, according to Smith, may therefore be a driver of conflict (fuelling grievances, stereotyping, xenophobia and other antagonisms), but can also be a way of contributing to ‘conflict transformation’ and ‘peace-building’<sup>25</sup>. Therefore, education is a fundamental right that should be maintained at all times, even in the most difficult circumstances such as in conflict situations. Where the opportunity of

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<sup>21</sup> *Ibid*, p. 24

<sup>22</sup> Hadar, Ivan A, 2000, *Berbeda Tanpa Konflik*, dalam Paul Tahalele (ed.), *Indonesia di Persimpangan Kekuasaan: Dominasi Kekerasan Publik atas Dialog Publik*, Jakarta: the Go-East Institute, p. 22

<sup>23</sup> See Ichlasul Amal in Bambang W. Soeharto, *Op. Cit.*, p. xi

<sup>24</sup> Bush, Kenneth D. and Diana Saltarelli (ed.), 2000, *The Two Faces of Education in Ethnic Conflict: Towards a Peace Building Education for Children*, Florence Italy: UNICEF, p. v

<sup>25</sup> Smith, Alan, 2010, *The Influence of Education on Conflict and Peace Building*, Background paper prepared for the Education for All Global Monitoring Report 2011, Unesco, p. 1



6 education has been lost due to conflict, it is not just a loss to the individual, but a loss of social capital and the capacity of a society to recover from the conflict. So, education can be both, a part of the problem as well as a part of the solution. Policies and practice at all levels within the education system need to be analyzed in terms of their potential to aggravate or ameliorate conflict<sup>26</sup>.

### **The Need of Intercultural Dialog and Education to understand and Manage Conflict**

Our beliefs, perceptions, values, needs and feelings are inescapable parts of every conflict in which we are involved. The way we resolve conflict is influenced by how we feel about our-selves, how do we relate to others, and how we value and view the world<sup>27</sup>. Understanding and managing conflict are understanding and managing differences. Its ultimate goal is not wiping out the differences. If handled correctly, conflict could be productive and constructive<sup>28</sup>.

1 While most people view conflict as a negative and destructive force, it can be an opportunity for growth and learning. As a part of society, it is important to give students the specific conflict management skills so they could analyze social situations, decide on wise course of action, and take responsibility for the consequences of their action. 1 Although certain conflicts cannot be resolved, they all have positive potential. For instance, two disputing students may not find a solution to their conflict, but their relationship may improve. So it is important to deal with it constructively and learn to view conflict as a powerful stimulus for growth and change<sup>29</sup>.

It is important to prepare students to learn and understand the nature of conflict to allow students to learn theories of conflict and critically analyze their own attitudes and perspectives on the issues. The emphasis is not on having students memorize definitions, but instead on having them learn and understand useful, specific skills to enable them to deal with conflicts in their own lives and societies. Learning facts is often not sufficient for true understanding. Experience is the key to understanding. For example, many people know what discrimination is, and yet they still discriminate. Therefore, the important goal is to have student experience and share the feelings involved in discrimination.

Stimulating discussion is needed for developing understanding. By stimulating discussion, student share different opinions, positions and viewpoints and this process of exchanging is the foundation from which solutions for conflict emerge. Discussions and shared experiences enable students not only to become closer to one another, but also to learn something new about them-selves. Students should be encouraged to openly express their opinions and to see that it is natural to disagree and to be different<sup>30</sup>.

These are challenging work to be handled by education. It should be understand that the most important thing to do is having good communication or dialogue between people. Skills and information will empower us to communicate, cooperate, and manage the conflicts successfully.

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<sup>26</sup> *Ibid*, p. 1

<sup>27</sup> Simon Fisher (et.al), 2001, *Mengelola Konflik: Ketrampilan dan Strategi untuk Bertindak*, the British Council, p. 3

<sup>28</sup> Tamrin Amal Tomagola (ed.), *Mengelola Konflik: Buku Saku bagi Staff BPProyek Tangguh, Bintuni-Papua, Indonesia* (Draft), CERIC FISIP UI, p. 3

<sup>29</sup> Daniel Shapiro, 1971, *Conflict and Communication: A Guide through the Labyrinth of Conflict Management*, USA : IDEA Press, pp. 2-5

<sup>30</sup> *Ibid.*, pp. 2-5

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**Our beliefs, perceptions, values, needs and feelings are inescapable parts of every ...**

University of Maryland, University College on 2020-11-26

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**in conflict-affected situations, education is more than service deliverybecause it is...**

journalcra.com

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**that many social conflicts**

vdocuments.mx

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**phases. The firstphase**

core.ac.uk

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**the establishment of worship houses of particular religion in one area and theprohi...**

vdocuments.mx

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**Batu Gantung, Waringin, Benteng Karang, Passo, Nania, Wailete, Kamiri, Hative Bes...**

vdocuments.site

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**the founding fathers chose the**

vdocuments.mx

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**Ichlasul Amal even**

vdocuments.mx

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**With a population of over**

vdocuments.mx

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**Indonesia is an archipelagic country extending 5,120 kilometres from east to west ...**

Arndell Anglican College on 2015-02-12

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**largest Muslim population in the world, followed by**

CSU, San Jose State University on 2006-04-24

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**the country with the**

Curtis, Justin. "Patterns of Islamist Mobilization in the Muslim-Majority World.", The University of Arizona, ...

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**five) major islands in Indonesia; i.e. Sumatra, Java, Kalimantan, Sulawesi and**

www.degruyter.com

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**the number of 36.7 million people (15.5 %), Batak**

School of Business and Management ITB on 2016-08-23

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**fundamentally significant goals that need to be addressed in the design of success...**

espace.curtin.edu.au

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