

The Analysis on the Role of Timor Tengah Utara District Government in Search for Conflict Resolution between Naiola and Oetalus Village in East Nusa Tenggara Province

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Abstract

This study has twofold objective: (1) to capture the extent to which conflict management efforts performed by Timor Tengah Utara District Government have been carried out for more than five years and (2) to assess the impacts of such efforts. The overall result of this study points out that the dispute over village boundary was in considerable part caused by the less transpance and accountabilty of District Government's public policy.

Equally worth noting from the research result is the fact that, the conflict has revolved around the perception and the notion of administering power over land between state—as clearly represented by Oetalus Village's officials and society—as represented by Naiola traditional community. Conflict analysis highlights that the current use of arbitration approach without involving key stakeholders from both communities deemed less effective, and even perpetuates the conflict. It becomes protracted and conflict management highly adequate to arrive at complete resolution remains difficult to be initiated in such condition. Lack of practical knowledge and skills in dealing with this somewhat complex dispute has worsened the situation .

Key words : conflict, conflict resolution, conflict management, village's boundry, public policy, local wisdom, accountabilty, transparency, participation, district government, village administration

Prologue

This paper seeks to analyse conflict resolution method which has been applied by the local government of Timor-Tengah Utara District in East Nusa Tenggara Province. Such effort was carried out in order to bring to end the inter-community conflict between inhabitants of Naiola and Oetalus Village, in East Miomaffo Sub-district, Timor-Tengah Utara District (in further usage, the district's name will be interchangeably written as TTU District)

The conflict originated in fact from the issuing of the Decree of TTU District Head No 20/Year 1997 on the expansion of Naiola Village as to establish new village administration, Oetalus Village. In early phase after the issuing of the policy, there was no obstacle which might cancel the decision, either from the administrative standpoint or sociological condition of the area. Most villagers shown their agreement on such decision.

Nevertheless, both villages share common genealogical-traditional traits and occupy the same traditional land, that is, Naiola's traditional land which has been one part of Bikomi's traditional territory. Though in terms of administration they are two officially distinctive villages with their highly different but equally legal status, they fall within the hold of the common tradition with its binding rules and norms. They are two legally autonomous villages in one side, but subject together to the traditional imperative and customs including territory on the other side. Each village has its own officially appointed chief who is granted role and responsibility to manage the political, social and economic affairs within its administrative territory. But, as has been stated above, they share similar cultural identity, symbols, customs, and code of conduct.

The different notion of both village administration and village culture together with wide range of their consequences has resulted in different perception among village stakeholders pertaining to their respective identity and interests. In one hand, Oetalus Village's officials hold strong view that their village is autonomous political entity and that they have administrative rights to manage their internal affairs including here the land reform and land redistribution. While on the other hand, Naiola Village's officials remain in an history-based assumption that they are more rightful in determining boundary line between two villages.

Looking at traditional authority, inhabitants of Oetalus Village should listen or be loyal to the so-called Tobe Naiola particularly in dealing with land-territory because Tobe has since long held greatest authority to manage the traditional land in the area. Such contrasting

views on the land status became central issue which then drove both villagers into violent collective acts. Naiola villagers attacked Oetalus inhabitants and the latter then committed a payback at the same scale of violence. The first attack performed by Naiola villagers triggered the subsequent violent acts between two villages

Research Question

The core problem with which this paper deals could be as follows: why conflict resolution mechanism for resolving violent conflict between Naiola and Oetalus Villages seemed less effective, and even deemed so far to failure? What kind of efforts that have been conducted by TTU District Government in resolving the conflict, and what impacts they have so far created?

Methodology

This research remains in the spectrum of qualitative research. In Bogdan and Taylor's perspective¹ on social science methods of appropriating and analysing social facts—what now we carelessly call social data, qualitative methodology is a research procedure in bringing to light descriptive data in forms of written and spoken words of respondents or behavior under investigation. It has been evident that the respondents and their behavior are a set of accessible data to which an observer should treat as trend or inclination in need of critical scrutiny. This approach leads to deconstruct complex context and nexus of actors, organization, and other analytical units that simultaneously shape and reshape social fact under study. It tries to escape the temptation of drawing too general as well as too partial aspects of the social facts into certain variable or hypothesis.

Data collection was taken by determining targeted groups in the conflict as analytical sub-unit, as follows: The first analytical sub-unit is Oetalus Village as represented by the village chief and other prominent figures; the second analytical sub-unit is Naiola Village as represented by the village chief, traditional leaders of Naiola/Bikomi, and other key persons working at Naiola BPD; the third analytical sub-unit is the local government of TTU District as represented by the head of National Unity & Social Order Office (Badan Kesbanglinmas), the Head of Agrarian Office (Badan Pertanahan), East Miomaffo Sub-district's Head, and several officials at TTU District's Secretariat Office such as Tata Praja's assistant, Head and staff of Village Administration Office.

¹ Moleong, L.J. 2000, *Metode Penelitian Kuantitatif*, Remaja Rosdakarya, Bandung, p. 3

Method of collecting data is a set of ways capable of being used by the researcher to appropriate or collect social data or social fact. This research applied two technics in collecting data, namely, observation, interview, and documentation.

Theoretical Framework

Study on the concept of conflict resolution will obtain its practical ground if supported by credible theoretical-analytical framework. The following are three analytical optics by which the phenomenon of communal conflict between two village can be more clearly highlighted.

1. Public Policy as Conflict Resolution Effort

Effort in conflict resolution proceeds from the deep-seated recognition toward human dignity and his or her uniqueness², in terms of individuality and communality. This concept implies that humanity is not destined to be trapped in constantly repeating what has been a bitterest lesson in history. Thus, it is of great urgency to consider wide range of possibility that go beyond the mere conflict management or dispute settlement. There must come certain talented people with their simplicity and generosity, appearing at the public sphere with acceptable vision of bringing the conflict to its complete end.

This sort of leadership is highly able to engage intimately with extreme rage among the conflicting parties and capable of seeing opportunity for tolerance and mutual respect to flourish. Common understanding must take precedence over prejudice and conflictual narrative of each party mainly because they have excellent potentials to keep trust and tolerance at work. Only after these potentials have been transformed into daily practice will social integration and cohesiveness surely continue to develop in sustainable progress. It follows that broken relationship and structural injustice will made easier to be addressed and improved.

In their elaboration on the conflict resolution discourse, Mitchell and Banks³

² Kraybill, R.S. et al, *Peace Skills – Manual for Mediator*, Penerbit Kanisius, Yogyakarta., p. 27

³ Mitchell, C. et al, *Hand Book of Conflict Resolution, The Analytical Problem-Solving Approach*,

delineate third party's effort highly urgent to conflict resolution which already initiated by the conflicting parties. The third party should perform unbiased but professional acts which pin its great deal of assistance on voluntary principle. If assistance is offered under forced condition by making use at will of influence or power to pressure conflicting parties, the violent conflict may come to end in short term (settlement), but it escape from long term stability as comprehensive conflict resolution often suggests.

Furthermore, in order to assess to what extent conflict intervention have succeeded in its effort, Johan Galtung's Conflict Triangle Model⁴ can be taken as analytical tools from which we are enabled to understand what has been actually done in the light of three points or perspectives of the triangle.

First perspective is Behavior (B). Its measure or indication is 'do the third party's intervention succeed in changing conflict actor's behavior as to mitigate or completely end the ever escalating violence. Or conversely, the intervention has caused violence to escalate rapidly and by doing so, it is worsening the conflict situation.

Second Perspective is Attitude (A). Third party should be capable of transforming attitude and conflictual assumptions on the part of the conflicting parties. Quite different from Behavior which is manifest and easily accessible at the first glance and, thus, enables us to take direct and quick responses, Attitude including Contradiction (C) bears latent characteristic which requires comprehensive reading of the fact as to disclose its hidden aspects. In dealing with this perspective, third party is facing a challenge of how to make them completely aware of the unnecessary yet undesirable risks of living in hostility or burdening their mind with prejudice and hatred. Of course, this is not an simple task particularly when dealing with those who have lost family members and other invaluable properties. In so far as this effort focuses primarily on eradicating negative stereotyping among conflicting parties, it needs to complement its approach with that of Behavior-oriented approach.

Third perspective is Contradiction [C]. The central question is how third party manage and resolve the contradiction embedded in the very sructure of the conflit. As this reflects latency, its approach should also pertain to Behavior-oriented approach. Contradiction is a source of conflictual attitude which then gives rise to violent conflict behavior or acts. So, indication to what extent third party is successful in the light of this

Book Ens Limited, Trowbridge, p.3

⁴ Galtung, J. *Studi Perdamaian, Perdamaian dan Konflik, Pembangunan dan Peradaban.* (translated by Asnawi and Safruddin), Pustaka Eureka, Surabaya, p. 248

perspective is 'how third party is actually able to draw greater participation from the the conflicting parties into joint efforts at unveiling Contradiction which is latent issue or root cause of the conflict.

2. Conflict in the Life of a Nation-State

Pluralism in political orientation and diversity in cultural realm constitute an unavoidable phenomena of human life, either at individual or collective level. To resist such difference means to escape the very nature of humanity itself as the latter has comprised immense difference in mode of thinking and walks of life. Such difference often produces social unrest prone, as history has given ample evidence, to social instability and communal violence. Constant encounter with diversity in broader environment can be found in organization and socio-cultural association or community, which propelled in large part by the increasing needs, interests and the more complex nature and nexus of its context. Each individual or group of individual brings together into the encounter their specific, sometimes distinctive needs and interests. In such context, it is highly possible that conflict emerges with its own characteristics and dynamics.

In Durkheim's conceptualization⁵, a number of factors such as remarkable increase in the number of human population, incredible development in technology and communication, and the ever growing concentration of inhabitants in certain areas as unavoidable result of the expansion of urban area, have been introducing division of labor in terms of skill, expertise and gender. Massive struggle for survival in such areas often results in violent conflict among social class drawing on the radicalized difference in profession and ethno-religious background. In his view, conflict of this sort can be at least tamed, if there is a specialization of job and expertise.

Quite different is Ferguson's emphasis⁶ on the fact that the roots of conflict reside in the the human propensity to distinguish his or herself from others as well as in the urgency of survival. On the other hand, Weber⁷ puts forward his conception that conflict is basic trait in humanity. It constitutes a ground upon which social integration and social change take their place, as most revealing in political sphere—power contestatio and in economic sphere—competition for capital accumulation and profit. Conflict, as it has been as old as humanity itself, is directed not only by material interests or economic well being, but also in equal

⁵ Laeyendecker, 1991, *Tata Perubahan dan Ketimpangan: Suatu Pengantar Sejarah Sosiologi*, (Translated by Samekto,S.S.MA), PT Gramedia Pustaka Utama, Jakarta, p.300

⁶ Laeyendecker, Ibid, p. 96

⁷ Laeyendecker, Ibid, p.324

proportion by ideals in thinking and way of life.

Violent dimension of conflict, including ethno-religious conflict, is neither unavoidable nor completely resolved, but there remains possibility where serious effort deserves success in preventing it to materialize. It requires comprehensive, or better say, multi-dimensional breakthrough, even sometimes takes longer time than expected. Latent sources of the conflict need to be carefully addressed and analysed by applying an approach with deliberative stress on initial resolution together with concrete steps to prevent armed confrontation.

3. Concept of Good Governance

Good governance often pertains to local autonomy. In sociological perspective, such autonomy is understood as an independence of local community including local government from central government's excessive power. Without much distinction, it also reflects quite fundamental shift in the way local people think that liberation from poverty and political repression (structural injustice) gains its momentum when they enjoy more political freedom and greater access to natural resources and other economic sources. Regional autonomy, in such view, is an integral part of democratization project aiming at building up a system of power-sharing at each governmental level which, as consequence, necessitates check & balance mechanism. Power distribution should be made in compliance with the fair share of authority between central and local government. Delegation of political-administrative power should be taken at once with the delegation of authority in finance affairs.

In broader usage, the term good governance does not only restrict its applicational meaning in governmental context. It has come to encompass interlinked but complex, if not superimposed, nexus between market, government, and civil society. This treatment enables us to endorse government's transparency and accountability as well as to cultivate civic life leading to the strengthening of civil society and fair competition-based economic market while reducing its negative impacts on social integration and solidarity.⁸

It should be noticed here that conceptualization of good governance above requires practical commitment to comply with standard of procedure. The latter contains at least four characteristics⁹ : (1) Consistent with the targetted goals; (2) Certainty in program

⁸ Dwipana,A. and Eko,S.2003, *Membangun Good Governance di Desa*, Institute for research and Empowerment, Yogyakarta, p. 15

⁹ Hidayat, W.Koryati, & N.D.Tangkilisan,H.N.S.2002, *Kebijakan dan Manajemen Pembangunan Partisipatif*, YPAPI,Yogyakarta, p. 36

implementation; (3) Responsive to the urgency of structural and technical change or progress; (4) Consistent with the already enacted mechanism.

Analysis

In Thomas Dye's perspective, as quoted by Winarno, public policy means 'whatever taken by the government as to be carried out or not at all'¹⁰. Drawing on this definition, this paper comes to understand it as whatever decision taken by the government in order to implement or not to implement. On the other hand, James Anderson, quoted from the same source, puts forward his view that public policy should be understood as 'orientation of action determined by one actor or a group of actors in attempt at managing or resolving a problem or a set of problems either separately or simultaneously'.¹¹

The current expansion-division of local administrative territory (province, district, sub-district, and village) falls within the category of public policy. It is mainly because such policy aims at managing public interests whose mechanism proceeds from policy-making, policy-ratification, policy-implementation, and policy-evaluation. In reference to the Decree of Internal Affairs Minister No 4/Year 1981 on the Guideline for Establishing, Separating, Unifying, and Revocating Village of Village, it is clear that official procedure in separating or establishing new village should begin with policy planning and policy-making which involves villager's participation and other decisive stakeholders.

Result of this democratic process will be taken form of the so-called Village Decision. Such decision, then, will be recommended to the head of district government as the latter may give some correction or advise. Next step is the decision will be sent to the Internal Affairs Minister in order to get approval via Governor. Minister's Letter of Approval will be sent to the Governor to be published or issued as Governor's Decree. The decree will be handed over to the Head of the district whose Letter of Decree will be the final ratification of the Village Decision. Such Decree will be taken as official decision to separate and establish new village.

Among other findings, research result indicates that procedure of policy-making taken by the local government of Timor Tengah Utara District in establishing new village contradicts the democratic principle as clearly stated above. It proceed in wrong direction where elitist approach took precedence over democratic participation of the villagers. The

¹⁰ Winarno, Budi, 2002, *Teori dan Proses Kebijakan Publik*, Media Pressindo, Yogyakarta, p.15

¹¹ Winarno, Budi, *Ibid*, p. 16

foremost indicator is that most of the villagers and prominent figure were not involved from the outset of the process. They have been deprived of their basic rights to determine their own community. As result, the district government was not equipped with accurate data and information from the stakeholders particularly concerning their opinion and local tradition-enacted agreement on the redistribution of land and population, including access to natural resource within the area. It is the accumulation of all discontents relating to the neglecting of their rights that has rendered such implementation highly contradictory and then led the villagers into violent conflict.

TTU District Government 's involvement in resolving the conflict between villagers of Naiola and Oeatalus took place one year later, on September 5th 2000. Until the time this research was completed in the late September 2005, the conflict management remained in the process without any certainty when it will completely end. The worst part of this story is that during the years of conflict management, there have taken place a series of replacement of the government officials central to the conflict management process. Such replacement has made the peace prospect more uncertain. Thus, in order to delineate the process and its impacts, this paper classifies the period into four episodes in accordance with the replacement of Sub-district's head as he became, in this conflict context, the spearhead of the local government in the area where both villages are part.

Concept of Complex Political Emergencies (CPEs) is widely accepted as an analytical approach to global or macro level conflict, be it natioanal or international in scale. Goodhand dan Hulme¹² has worked with this approach when they analysed NGOs intervention in mitigating or reducing impacts of communal violence on a large number of community in Sri Lanka, Afghanistan and Liberia. Both specialist assert that conflicts that fall within CPEs are those with the following characteristics¹³ : within and across state boundaries; political origins; protracted duration; social cleverages; predatory social formations; dan multi mandate nature. It follows that in sofar as a conflict combines at least several of six characteristics above, it can be understood as result of state's mismanagement or dysfunction since such conflict falls within the category of Complex Political Emergencies (CPEs).

Looking more closely at the origin and the characteristic of the conflict between Naiola and Oeatalus villagers, it is undeniably true that TTU District Government comes out as the most responsible party whose task is to manage the conflict because both villages are located within its legal territory. That is the very reason why the district government has

¹² Goodhand, J. and David Hulme, 1997, *Peace Building and Complex Political Emergencies* Working Paper Series, Paper No.1, IDPM, University of Manchester, p.10

¹³ Goodhand, J. and David Hulme, 1997. *ibid*, p. 8

taken on a number of policy and procedure on conflict management in compliance with the current institutionalized rules which then legalized arbitration approach in the three early phases of conflict management.

Five years or more of the district government's intervention have witnessed unpredictable conflict dynamics which sometimes escalating and in other times descalating which left impression that the conflict was over. Conflict descalation in the late 2000 up to the end of 2001, including here the seemingly peaceful coexistence in 2005, could not obscure our view that the latent conflict remained at work. The descalation did not touch the very roots of the conflict as there were a series of sporadic, uncontrollable violent acts within and outside the area. Bloody fights among youth and even adults from both villages often occurred, let alone other smaller scale triggers.

The brief potrait of the conflict above reveals that it has been a protracted yet ongoing one particularly because there has not been any comprehensive, equally acceptable resolution for the conflict. In response to such condition, we can take Goodhand and Hulme perspective¹⁴ that the conflict is identified as protected-duration with no single worked out solution ever introduced. The longer it takes place, the greater the obstacles might stand in the way of futher confict resolution. Time, we are suggested to reflect partially on phenomenological perspective, is not merely a indicator of conflict continuum, but a spectrum where conflict factors and dynamics circulate in ways that embed prejudice and hatred more deeply on the the memory and narrative of the each conflicting parties. In short, it perpetuates the conflict.

The TTU District Government must have realized that violent conflict between two villages began with Tobe¹⁵'s feeling of being embarrassed or underestimated including the entire traditional community of Naiola Village when knowing that Oetalus Village's officials distributed traditional land to their villagers. This act, however, represents a kind of competition over power or authority between local government (the Oetalus Village's officials) and society (traditional community of Naiola). Access to the ownership and management of scarce resources) has become central to the conflict as it determined the dynamics of their protracted conflict. The government saw the area as part of state's territory, while traditional community insisted that it belongs to traditional land as material but invaluable legacy of their remote ancestors. In the perspective developed by Lewer and

¹⁴ Goodhand, J. and David Hulme, 1997. *ibid*, p. 8

¹⁵ Tobe is the most influential figure in this traditional community, whose authority is to manage and regulate the entire traditional land of Naiola. His authority is a genealogically-given, and must belong to Funan Ethnic. The current Tobe is Frans Kolo Funan.

Ramsbotham¹⁶, such dispute or conflicting claims over the land constitutes political origins which is also confined to one of the CPEs' characteristics.

In response to the politically related root factors, third party's intervention, in this case TTU District Government, needs to take into account the active participation of the local leading figures including traditional and non-formal leaders in pursuit of mutual trust for sustainable peace. However, efforts in trust building just started with the creation of a Committee for Managing Naiola-Oetalus Conflict through the Decree of TTU District Head No 470/Year 2005 Date 11th July 2005. This Decree stresses the importance of local people participation, especially prominent figures from both villages.

As mentioned earlier, one among other factors of this protracted conflict is the frequently replacement of District Government's officials whose department and role related to the conflict management. Local people often complained this condition because the presence of new officials means the new policy in managing the conflict, or they felt that they had to comply with different, even contradictory programs. Beside, during the period of program implementation there emerged contrasting perceptions among those officials, poorly-designed coordination, and approaches lacking of dynamics and improvisatory mechanism. Such defects are obviously understandable since the roles they exerted were based not upon practical knowledge and experience in engaging with the conflict, but solely upon the tasks *ex officio*.

Drawing on the information delivered by the leading figures from both villages, the weakness, or even the failure, of the government's intervention has left tremendous negative impacts on the overall dimension of both community's life, individually and collectively. In economic sector, the greatest part of their agricultural land is located in the disputed area where agricultural activity became less productive because the peasants preferred to look for another area for plantation rather than putting their life at risk working in the area. They also removed their livestock such cows and goats into safer area though the latter lacks of sufficient grass as to feed their livestock. Access to the district town market is equally disturbed, while it has become one of their trading center where their agricultural products are sold for cash and they then could be able to buy household necessary stuffs.

Looking at the impacts on the local political sphere, such protracted conflict has resulted in remarkable decline in mutual trust between the residents from both village, particularly trust in dealing with joint development efforts. Development plans for both villages remained uncertain and failed to be executed, while leaving an impression that the

¹⁶ Goodhand, J. and David Hulne, 1997, *opcit*, p. 7

villagers were unwilling and stubborn in their attitude and behaviour. District's officials firmly hold this stereotyping which then discourage their own commitment to assist and mediate both community's interests.

The inhabitants, by contrast, have complained of this protracted conflict, and found no better solution to reintegrate them. In such condition Oetalus villagers have been the most desperate party. This village has not so far had its own Village office and since the time of its establishment five years ago, house of the temporary head of village has been used as office where villagers dealt with administrative affairs. Moreover, the status of the village's head has for five years been temporary without any certainty about when legally fixed status will be issued. Such uncertainty also happens to its inhabitant's residential-demographic status especially because Bnoko Seo community seems not to take fixed residential status due to the insecure situation which might threaten their lives.

In socio-cultural aspect, it is undoubtedly apparent that social capital, as commonly considered the driving and binding force in their community before the conflict erupted, has been in remarkable decrease. Family-relative based relationship which perpetuated the spirit and practice of Gotong-Royong (joint effort) and mutual help underwent dramatic decline because traditional building and rituals, either at Subethnic or Tobe level, seemed unable to bind both communities together. Students from Oetalus (Bnoko Seo) who studied at Naioa's Elementary School had to remove to another school quite far away from their residential area. Such condition became worse as the current conflict resolution has brought no promising impacts as to endorse integration and mutual trust.

Concluding Remarks

Drawing on the analysis above, some remarks can be made as to summarize the overall research results:

1. Conflict over village boundary between Naiola and Oetalus Village resulted for most part from the District Government's public policy making which has violated the principle of transparency and public accountability
2. The main obstacle which has made the conflict resolution less effective, is the weak coordination of the conflict management team from the District Government. Many important stakeholders whose involvement are supposed to be decisive were not included such social organization, cultural association, and youth, while the government's official who involved in the

process seemed to performed their task based upon formal appointment (ex officio), and entirely not upon their practical knowledge, experience and skills in conflict management which deemed urgent and adequate to manage the protracted conflict.

3. Most of the key actors within Naiola Village and Bikomi traditional community have not been involved in the current conflict resolution process. Without their participation, a series of meetings and their results or decision will be deemed groundless and exceedingly ineffective.
4. Conflict resolution can be taken by addressing and making use of social and cultural capital as its norms and practice remain embedded in the very structure of their society. A call for local wisdom finds its justification in the historical and genealogical relationship between two conflicting communities. The working of Local norms and traditional permits them to cultivate sustainable, well-grounded peaceful coexistence rather than enforcing them to comply with the formal or state-enacted laws somewhat alien to their custom. It is worth noting that the implementation of formal law might be suitably applied in modern society whose cultural dimension and characteristics are highly complex and rational.
5. Economic motive, political interest, and cultural distinction might have driven them to be extremely assertive, but the local wisdom is not completely disappearing which, if successfully brought into the process, will bring the conflict to end in more effective ways.

Further Reading

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