Civil society and model of Dayak identity struggle in Central Kalimantan: framework of neo Gramscian-Toquevillean analysis

Anyualatha Haridison, University of Palangka Raya
Jhon Retei Alfri Sandi, University of Palangka Raya

The Dayak communities of Central Kalimantan as one of the ethnic communities in NKRI have questioned the position of relations with the state in the political, economic, social and cultural arena. The struggle of Dayak identity in the post-reform era is assumed as an indication of the operation of civil society institutionalization process in Central Kalimantan. This studies limited to the post-reform era, 2001-2015 with approach civil society theory. The results show some facts, the Dayak-Madura ethnic conflict tragedy, the formalization of Dayak customary institutions (Perda 16/2008), the application of local content in educational curricula, customs and customary law enforcement, nature and prosperity. Through analysis, the model of the Dayak identity struggle is illustrated in two patterns, first, the resistance to the repressive actions of a particular community as a form of resistance to the state; secondly, a collaborative pattern with the local government to gain legitimacy for the institutional role of the Dayak community in all arenas. Further asserted that the model of the identity struggle by Dayak community is sporadic. Not only dominant in one of the models, but the combination frame between civil society neo-Gramscian and neo-Toquevillean.

Keywords: Civil Society, Identity Struggle, Dayak, Central Kalimantan

1. Introduction

Hobbes's notion (Suhelmi, 2001: 197) about the form power of the state as "leviathan" emphasizes that the power of the state becomes an absolute and autonomous political entity of any intervention. This conception makes the state become independent relatively when facing the society without considering its actions and the logic of power. The conception of the "leviathan" state will greatly imply the decline of civil society as the arena for the society in confronting with the state. According to Chandhoke (1995: 8-13), civil society is a place where people enter into relations with the state. Civil society becomes a basis or a place for the emergence of rational discourse in order to question the accountability of the state. In addition, Chandhoke study (1995) also shows that the civil society acts as the space for the implementation of relations between society and state in terms of accountability, participation and autonomy.

The concept of the state as "leviathan" matches for describing the power of the New Order regime in Indonesia. According to Hikam (1996: 243) the politics of depolitization during the New Order regime causing splitting of civil society. The communities loses the right of its participation in governance and is no longer autonomous neither independent in political life. The communities are powerless; and access to social, economic and political environments clogged up by repressive state agents. In those conditions, the requirement for the existence of an autonomous and independent entity of civil society is impossible.

The accumulation of state pressure in all arenas is enhance the public distrust of the New Order governance system. The emerged consequences were the demand for regime and government change, since the mid-1990s until the outbreak of reformation in 1997. The reforms era provide places and positions for people in order to questioning the power of the state which had large and massive authority. Responses by civil society also vary, either individually or in groups. Efforts are made to strengthen its position, both economically, socially, culturally, and politically. The civil society movement in pursuing political and social change in the national level has affected local level and occurred in almost all regions in Indonesia.

The meaning of civil society for this study refers to the conception of civil society as an “agent”, indicating the areas of associative life, associations and non-association groups, formal and non-formal, non-violent groups, all based on religion, ancestry, ethnicity and class,
addressed to non-enforced environments and a series of relational networks (Alagappa, 2004; Walzer, 1994). Empirically, the constellation of the civil society movement in Central Kalimantan had already felt before the end of New Order regime. The civil society in Central Kalimantan is understood as the Dayak movement in confronting with the New Order's power. According to Kusni (2009), Dayak movement at that time was not as an organized and programmed action, but only as a discourse. Although thereafter, various organizations appeared (such as non-governmental organizations even activated the Dayak customary institutions) as well as the claim from Dayak community. The discourse of "putra daerah" (indigenous people) was one of the facts presented at that time, in order to question the Dayak's access to political leadership and the pattern of resource management by the New Order's power.

This study wants to describe the role of Dayak communities as a civil society agent in the post reform era without neglecting the sequence of activities that occurred before in the New Order era. Toward the end of the New Order Regime until the transition period, the Dayak community is still looking for deep-rooted thinking and within the context of identity struggling. The elaboration of the role of the Dayak community as a civil society is intended to get a picture of the model of its identity struggle in Central Kalimantan especially in the post-reform era.

2. Methodology
This study aims to illustrate the model of Dayak identity struggle in Central Kalimantan. The main focus is on the relations between Dayak community and other ethnic communities, corporation, and local government. Technically, the relationship is reflected from the civil society activities to confront with local government, corporation and other communities components. To answer the purpose of the research, the qualitative descriptive method is used. Research data was obtained through the observation and in-depth interviews toward a number of key informants. The use of secondary data also becomes an important technique to support the fundamental argumentation and proposition. The process of data analysis refers to Moleong (2005), which are: recording, classifying, synthesizing, making an overview, data meaning, finding the patterns of data relationships, and making general findings. The study was limited to the post-reform era, from 2001-2015, based on the events and activities of the Dayak communities as a community or an organization in the social and political arenas.

3. Discussion
3.1 Neo-Gramscian and neo-Tocquevillean approaches
The tradition of civil society thought is influenced by Hegel and Marx thought, which later is developed by Gramsci based on the experience of civil society in Italy and Tocqueville by comparing with the development of democracy in America. These two civil society theorists develop a basic to describing the phenomena of civil society. Gramsci sees the existence of civil society in the context of totalitarian government, in which civil society becomes very weak due to the hegemonic state power. Meanwhile, Tocqueville thought was set out from the period of American democracy, where civil society is free from state intervention and becomes an independent entity (Bakker, 2002; Alagappa, 2004).

This research is use the analysis framework approach of neo-Gramscian and neo-Tocquevillean derived from the development of Gramsci and Tocqueville's theories on civil society. Those approach is undertaken because of the development of several research studies in the Asian region about civil society, including Indonesia, could explain the civil society movement in the pre-democratic and democratic era (Alagappa, 2004; Aspinall, 2004).

The neo-Gramscian approach clarifies further the differences between civil society, the state and the market, in which civil society is seen as an important place in the struggle of counterhegemonics (Alagappa, 2004: 469) against the state and market position as well as formulating democracy that will influence the state. Robert Cox (1999) views civil society as a
place for counternarrative struggle and construction for alternative forms of democracy that serve the needs of subordinate classes. The main emphasis is on the recovery of civil society in defending society from the stranglehold of the state and the threat from capitalists. In the liberal democracy era, especially in the context of modern societal pluralism, its focus is on formulation of public expectations to influence politics and policy. Alagappa observes further that the neo-Gramscian framework occurs in situations where the lack of agreement or minority groups is confronted with the configuration and identity of the state and political system, and then the civil society organization is divided, supporting the great goal toward great change. At this level the civil society becomes a field of struggle and very dominant. The lower classes are faced with the dominance of state and political society, as well as ethnic or military communities. Some segments showed a civil society area as a battleground to provide counterhegemonic’s struggle against other segments of society or state.

The focus of the Neo-Tocquevillean observation is on the state activity, especially decentralization of democratic government. The main concern is the relationship at the core of democratic institutions and the process at the state level. The civil society is shown as a support structure towards a state democracy. The indicators can be a thought to provide social infrastructure for liberal democracy, demand for goods limitations, resistance, and restraint excesses from states and markets, the presence of alternatives when society fails, facilitate direct service to the local sector, assist conflict management, democratic quality, voice public complaints and promoting economic development. Furthermore Alagappa (2004: 41) explains that the dominant neo-Tocquevillean picture can be seen from the state order and political organization that has a high degree of legitimacy and the state has a great capacity in governing.

3.2 The model of Dayak identity struggle

3.2.1 Against hegemony of the state

As we all know that in Indonesia, hegemony and control in almost all areas of community life in the New Order regime made the limitation of civil society development both at the national and the local level. The strategy of the de-politicization of the New Order through various mechanisms, such as corporatization, cooptation and hegemony, has effectively made the state do strict control on interest groups and communities, even extremely did direct intervention into civil society organizations. This condition, which in Gramsci terms is "hegemony" by the state, and accepted by society as a mutual consensus. The public distrust was at the point of culmination, and the economic crisis of 1997 was the momentum that triggered Indonesia's democratic transition (Aspinall, 2004). The era of democratic transition or reform was implicitly became the beginning of the awakening of civil society in Indonesia. A number of studies of civil society in Indonesia showed that this period of resurrection is marked by the swift demands of society on the democratic agenda; the significant growth of NGOs or civil society organizations; the emergence of NGOs and NGOs that are based or characterized by local culture.

Constellation of democratic transition in various places was finally fulfilled by the central government with the enactment of law 22/1999 about regional government, or better known as the law about regional autonomy. This law embraces the principle of decentralization, whose primary purpose is the division of authority in the management of government from the centralist and then given some function to the region as an autonomous region (decentralized). After the enactment, all local regions were felt like being given by new mandates in managing their own government. The democracy channel is wide open, marked by freedom of expression, open political system through direct regional head elections, managing their own households by autonomous regions.

The demands of society on democratic life also occur in Central Kalimantan through the "putra daerah" discourse. The peoples of Central Kalimantan strongly rejected the appointment governor by the New Order government. The public wants the governor who leads Central Kalimantan is comes from region without neglecting the criteria needed by the development. The ongoing polemic against the discourse of the "putra daerah" was responded by the Central
Kalimantan government by issuing Local Regulation 14/1998 (Perda 14/1998) on customary institutions in the province of Central Kalimantan. This Regional Regulation is intended to strengthen the existence of an independent, self-contained institution. At reform era, many peoples expect this customary institutions that a separate from this circle of power can do much for the empowerment of the Dayak communities, but it is still far from reality. It can be seen from several instances where the role of the Dayak communities as a civil society are still concerned with issues of identity and human rights as a civil right, the right to life, the right to freedom (Budiman 1990:34).

The neo-Gramscian analysis is dominant to dissecting the pre-democratic era until the transition to democracy, as the Alagappa proposition compiled from civil society studies in Asia, including Indonesia. The pressure and format of the new order government are still left various polemics in Central Kalimantan. These issues and demands have long been voiced by Dayaks and Dayak organizations to the government. The issue is massively concerning the economic and livelihood issues of Dayak people who are crushed by the penetration of capitalism (logging companies); the issue of "putra daerah" regarding the political leadership such as in the military and government at the time; the Dayak culture which is regarded as an underdeveloped, barbaric and marginal culture. The accumulation of pressure in all aspects, whether economic, social, cultural and political is a time bomb. A socio-political change as like as the fall of the New Order was started by a momentum. The outbreak of ethnic conflict in Central Kalimantan in 2001 coincided with the readiness to welcome regional autonomy.

This tragedy is discussed numerous times by Dayak figures, scholars, academics, Western researchers, and even the Dayak communities in various occasions. They agreed to conclude that the trigger of the conflict is generally caused by a number of interests and rights of the Dayak communities that has not been accommodated by the government. The ethnic conflict, between the Dayak-Madurese, is regarded as purely ethnic or ethnic conflict, and this cannot be removed from the leadership of the New Order regime. From a political demographic perspective, the transmigration program implemented by the New Order government aims to cope with population explosions on the islands of Java and Madura, and extend the management of the vast unproductive lands of the less populated islands. Borneo is one of the targets of the transmigration program, so that Madurese ethnicity also fights in Central Kalimantan. Several analysts believe that the transmigration program is the New Order strategy in order to extend political support and establishment of the status quo, which had been effectively proved. From the perspective of Dayak peoples, the conflict occurred because of the embodiment of Madura ethnic violence culture altered in the economic sectors with the interaction to the Dayak communities. This attitude is not in accordance with Dayak cultural norms and values. In addition, from the social and political perspective, the conflict occurred due to channel obstruction or access to political and economic power in various segments resulting from a pattern of political leadership perceived to marginalize the Dayaks, and then the pattern of economic sector domination that destroys local wisdom and livelihoods.

Several parties’ perspective are relatively agreed that the ethnic conflict occurred because the security forces (TNI and Polri) were failed to prevent conflicts and let people slaughter ("ethnic cleansing") occur. TNI and Polri are the state agents that exist to provide security and protection to conflicting communities, but in reality are powerless, so this can be a justification that the state is also powerless. When ethnic conflict occurred, the Dayak organization at that time played a role in the Dayak Community Consultation Region Central Kalimantan Institution/ Lembaga Musyawarah Masyarakat Dayak dan Daerah Kalimantan Tengah (LMMD-KT). The organization as the place for the Dayak intellectuals gathered often sounds the slogan "where the earth is step on, is the same place for the heavens need to be upheld" is a symbol of resistance against anyone who seeks to destroy and disrespect the Dayak culture. But on the other hand, the Dayak ethnic communities also informally has a strong initiative to fight.

When constructing the understanding of the Dayak peoples at that time, the Madurese were regarded as the representation of the state. Memories of the repressive or "leviathan"
nature of Hobbes in the New Order regime still remain, apparently very easy to identify with Maduranese ethnic behavior and ethical attitudes over other ethnicities. In the neo-Gramscian tradition that civil society as an arena of community resistance to the state and other societies. It can be understood from this perspective that the Dayak communities act as an agent to face-to-face with the state to gain access to various sectors that are controlled by other societies. Resistance to the ethnic Madurese as a form of pure independence Dayak ethnic communities to confront with the state. The principle of voluntarism as a powerful driver of struggle such as Bakker's (2002) opinion and the opposition of the Dayak ethnic community is seen as a central action strategy for changing social order as well as Robert Cox (1999) thinks that the resistance is "the agent representing the revolution".

The picture of revolution here is not the interpretation of Marx's mind, that is, the subordinate class opposition to the domination of the burjois (capitalist) classes. The revolution is related to resistance to hegemonic power, as Gramsci's idea. The Dayak ethnic community is fighting against conflicting ideas and behaviors that are inconsistent with Dayak customs, which are believed and maintained as the values or norms guide life. In this context, civil society is not a structured organization but an informal institutional of community. The institutionalization is based on an institutionalized ideology, which is the Dayak customary values adopted by the community so far. Institutionalization will be seen when there are efforts to destroy the Dayak customs, thus, create solidarity, tolerance, volunteerism, and relationships interpreted as a stock of social trust to perform collective action. The collective role of the Dayak ethnic community in 2001 described a strong and independent civil society movement free from the state intervention. However, that Dayak organization at that time, LMMDD-KT as a Dayak organization was considered to be an important player in conflict resolution and intermediary conflict. This certainly cannot be denied because a number of publications of the figures and the construction of mass media influence the thoughts of several parties. However, when it is examined in more depth, the collective action and resistance is solely because of a sense of solidarity and ethnic community initiatives. The presence of Dayak organization, LMMDD-KT is only a formal channel for publication and information on events in the community. The security agents as a state tool is powerless and unable to control the ethnic Dayak resistance movement against the Madurese.

Based on the above analysis, lag institutionalization as Alagappa's proposition (2004) relates to study in the countries of Asia region, such as Japan, have instituted civil society by providing rules and protecting the people, but in reality the field does not occur, neither in the Central Kalimantan. The local government has provided the regulation, namely Perda 14/1998 about the customary institution, however, the implementation of the Perda 14/1998 in field is not effective to overcome the hegemony and pressure of other groups on the Dayak community. In many cases, when the rules provided by the government cannot work properly, it is believed that the social and political movements that took place in past ethnic conflicts, are based on a number of institutionalized values and norms among individuals in the Dayak community. It can be said that the institutionalization of Dayak cultural values occurs in a long process on the individual and institutionalized in the Dayak community. The exposure to the Dayak-Madura conflict is not to elevate the superiority of Dayak ethnicity, but solely for the necessity of proving a civil society proposition. The 2001 experience in many aspects led to solidarity, a sense of shared destiny, the power to promote non-violent Dayak customs, as well as the desire to modernize Dayak institutions.

### 3.2.2 Institutionalization of civil society by local government

The neo-Tocquevillean observational focus (Alagappa, 2004:41) is the state activity toward decentralization of democratic governance. His study in Asian countries states that the role of the state is to institutionalize civil society, in which the government supports the regulation of civil society organizations outside government. This is primarily for the independence of civil society organizations when confront with state institutions and markets.
This institutionalization according to Hikam (1996) in his study, is one efforts of empowering civil society to become a strong and autonomous organization and institution.

The reality in Central Kalimantan, the institutionalization of civil society exist during the leadership of the Governor Agustin Teras Narang. Since 2005 there have been a number of discourses to establish a Dayak customary institutional organization and materialized in 2007 under the name of the Dayak Customary Council of Central Kalimantan/ Dewan Adat Dayak Kalimantan Tengah (DAD-KT). In order to strengthen the institutional position and legitimacy, the Regional Regulation 16/2008 was issued which has aims to prepare Dayak community aspirations and channels for accessing various sectors (Widen, 2017). In addition, the strengthening of the legal side is also to encourage the function of Damang (customary head) to continue preserving the culture and custom of Dayak so it’s not extinct. The local government intervened in the context of strengthening the cultural values of betang (long house) and re-strengthening the position of customary head for preserving Dayak life. Moreover, in order to strengthen the structure and organization, the local government regulates that DAD-KT gradually reaches the village level headed by the head of government in their respective areas.

Formal establishment of Dayak customary institution encouraging the emergence of the role of Dayak community organizations in supporting the implementation of local governance in Central Kalimantan. In Regional Law 16/2008 stated that the establishment of Dayak customary institution is to encourage the effort of empowering Dayak customary institution to be able to build Dayak customary character through conservation effort, development and empowerment of customs, customs and enforcing customary law in society in order to support efforts to improve welfare local communities, and support the smooth implementation of government. The goal is to empower Dayak institutions to encourage, support and enhance the participation of Dayak indigenous people for the smooth implementation of governance, development implementation, and community development in the region.

How the role of local government is being assessed and what is the existence of Dayak community institutions as a civil society in Central Kalimantan? Referring to Arato (2000) that the role of local government in the context of rules and roles encourages the process of transforming civil society from social movement groups to a set of institutions. Institutionalization of civil society takes the form of basic rights, separation of powers, legal independence, decentralization of power, authority over local government resources and institutional safeguards. In other words, that civil society is a legally protected area that different from the state and political society. The Dayak movement was previously seen as a massive social movement in the form of collective action and volunteerism (ethnic conflict), however after 2005, there have been several activities from the Dayak community to increase its legitimacy into an organizational tangible institution. Does local governments practically give a space for Dayak community institutions to implemented their roles?

Empirically, the local government guarantees the implementation of DAD-KT programmes and activities, implement in the budget assistance sourced from provincial and district/ city. Furthermore, the welfare for the functionaries of the security institutions are given through a fixed monthly income equivalent to a certain level of government service allowance. The provision of this allowance is one of the efforts to provide space for Dayak community institutions in order to carry out their roles and functions. Nevertheless, a number of parties sometimes questioning the formalization of DAD-KT whether it was originally intended to empower the Dayak community or for any other purpose? These questions arose in response to the fact that DAD-KT administrators, especially in their top leadership positions were filled by local government elites, the chief executive of government, at various levels of the DAD-KT organization. Alagappa (2004) confirms that civil society in Asia still needs government donations in the process of empowerment, especially financing sources. When speaking in the context of empowerment, donations to financing sources are not meant to be widely understood as placing local government resources on DAD-KT organizational structures. The discussion above illustrate the role of local government is very strong in controlling DAD-KT. This ambivalent role also says that the decentralization of government to the DAD-KT organization
only occurs at the level of discourse and not empirically. White’s study (2005) also use this fact and put forward the premise that the boundaries between state and civil society are often blurred, in which the state may play an important role in shaping civil society or otherwise; even individuals play an important role in the two sectors; the principle of volunteer association may be violated through political or legal pressure.

Therefore, when the goal is solely for the empowerment of the Dayak community, the efforts of local government in the formalization of Dayak community institutions can be regarded as a progressive step. However, if the formation of DAD-KT as an effort to smooth the way of implementation of local government policy and avoid group confrontation to the policy, it can be said the existence of DAD-KT as the fulfillment of short-term needs and means of struggle of interests. Neo-Tocquevillean's view of civil society as a supporting structure toward the state's democracy has been diverted into civil society as a supporter of local government interests.

3.2.3 Dayak Cultural Construction as a public culture

Alagappa (2004) illustrates that the role of civil society is the strengthening of autonomy from institutional and regulatory development of self-governance. It is consist of institutionalization; organizational development; finding and solving problems in the wider community through extending to authorities not exercised by the government; prevent abuse of state power and restrict interference into the private, social and economic aspects of society; development in the meaning of articulation, aggregation, and representation of the public interest. Alagappa's to comment on other issues, which local governments cannot work because of their different areas of activity. However, the Dayak cultural area is the authority possessed by the DAD-KT and not the area of local government. It's just difficult to distinguish the pure role of DAD-KT and the role of local government, because the personnel in DAD-KT are also the government elite personnel. A number of issues packed by DAD-KT are to construct the Dayak cultural and customary areas in order to gain legitimacy from the wider community and the national context so that Dayak culture is public. Some of the issues and cases that occur can reinforce this argument, the various roles of DAD-KT in fighting for cultural identity can be recognized and accepted by the local government and the wider community.

The Dayak customary institution is a community organization, both deliberately established and which has been fairly developed and raise alongside the history of Dayak customary community with its customary law territory, and is entitled and authorized to manage various life issues with reference to Dayak customs and customary law. The fact that this arrangement refers to this Dayak customary institution can be measured from the role of DAD-KT in upholding customary law. This customary law enforcement related to the attitude and norm of life of Dayak people and other society should lead to Dayak customary law as an agreed rule. When there are parties who violate, anyone, including the Dayak community itself, it will be dealt with or resolved with customary rules that have been agreed upon. From some of the cases, DAD-KT wants to revive the customary justice as the ancestors did thousands of years ago. For example, there is a case of Thamrin Amal Tomagola, a sociologist from University of Indonesia that considered insulting the Dayak people that occurred in 2011. Another example is the customary court to the Air Forces Indonesia officers (TNI AU) in West Kotawaringin regency because it disturbs the order and make an uproar in the year 2017.

The case of giving Dayak titles should indeed be given to Dayaks for their useful services and achievements for the community. The Dayak title was given to the Governor of Central Kalimantan Agustin Teras Narang and Sugianto Sabran. But in this latest development, the Dayak title is also given to those who are not Dayak descendants. This provoked the Central Kalimantan people towards DAD-KT as the institution which authorized to deliver the titles. The Dayak titles are given to non-Dayak people, such as to the President and Vice President and Governor of Bank Indonesia. The delivering of Dayak title to those who are not Dayak is the interest of DAD-KT to increase the popularity of Dayak people in the national level. Some of the core administrators of DAD-KT themselves understand that this award is a reminder of the
person who holds the title, especially in every policy not to neglect the Dayak people. For example, because the president, vice president and governor of BI hold a Dayak title, thus, every development policy should not neglecting the development in Dayak land.

Another case in Sandi’s research study (2016) describes the steps taken by DAD-KT is to urge local governments to formulate legal regulating and implementing protection and learning as well as introduction of Dayak culture, customary law, and indigenous knowledge of Dayak indigenous people. Based on the demands, inputs and encouragement from DAD-KT, the local government set one of the important policies related to local content learning materials in the form of Governor Regulation 22/2011 (Pergub 22/2011). The Regulation on local content, regulates the 11 local wisdoms to be implemented, including: (1) regional languages, (2) local literature, (3) local arts, (4) customs and customary law, (5) local history, (6) food / cuisine (7) medicine and treatment, (8) design / engraving / sculpture (technology), (9) sports, (10) the environment and (11) customary rights. Furthermore, it follows by the implementation of publishing books and applying local curriculum to primary schools in some districts in Central Kalimantan.

Alagappa says (2004: 53) in the state arena, civil society is a territory to influence the functions and policies of the state, through the aggregation of interests, forming public opinion, guarding policy changes. These cases apart from the process and their implementation are in fact a manifestation of the role of DAD-KT in Dayak law enforcement (customary court); the struggle against the popularity and interests of the Dayak community (title); knowledge of Dayak culture to be accepted as a public culture (local content). This is a picture of the autonomy of self-governance of DAD-KT. In some ways this is also a form of decentralization of power to civil society as Arato (2000) or it may be an extension into the authority (Alagappa, 2004) which local governments cannot do or also the resolution of problems developed in society (such as the massive action of society to sue the sociologist from University of Indonesia).

The role of DAD-KT to construct Dayak culture into this public culture can be said to be a normative contribution to the development and empowerment of Dayak communities widely. This is also similar to what have been done by Islamic organizations such as NU and Muhammadiyah, within this very long institutional range and almost in tandem with the history of Indonesia seeking to fight for Islam as a public religion, a normative contribution that is freely debated in the public space because there is no more exclusivity in the agenda. This note can be done by DAD-KT in empowerment agenda and its participation as a civil society organization while maintaining consistency and rationality. The fact that there are political agendas, of course, if not strictly protected can make the Dayak cultural agenda as an unlawful public culture and become a stigma for society as a whole. The case of the Katingan District Leader in March 2017, became one of the helplessness of DAD-KT. Dayak customary law did not play at all when the Leader of DAD Katingan District involved in the case. This can make the development of civil society can be obstructed when the interest for the struggle is faced by political interest to leverage the Dayak cultural identity.

3.2.4 Questioning the ownership rights of local resources

There are several cases that can support the proposition on the right of ownership of local resources and fight for the welfare of the Dayak community in the academics context. These movements are represented by DAD-KT, LMMDD-KT and indigenous communities. First, these customary law and areas were also extended to the management of economic sectors by capitalist organizations, such as the activities and interactions of oil palm companies and mining with local communities. Empirically, Murung Raya indigenous people dispute case with PT. Indo Muro Kencana (PT.IMK) Straits to the mining activities of the company which occupied Puruk Kambang cultural conservation area. The DAD-KT, serves as an intermediary in the settlement of this case by filing a number of demands to PT. IMK to stop mining on this sacred site. PT. IMK is considered to violate customary law so that it is held customary court
and impose sanction and must be fulfilled by PT. IMK. Although already subject to sanctions, PT. IMK continues to mine, so the local indigenous people take LMMDD-KT to accompany the advanced settlement process. Various efforts were made, among others, demands and threats by letter to related institutions (such as the House of Representatives and PT. IMK), mediation with PT. IMK and community, demonstrations but none is responded. The most effective way is to disseminate information by sends news across mass media and electronic media related to the conflict between the demonstrator and PT. IMK. This final method has response from various parties including the Governor Agustin Teras Narang. The governor asked PT. IMK temporarily suspends mining operations until a boundary agreement with the public relates to the existence of cultural sites Puruk Kambang with PT. IMK (Mangobay, 2013; Siahainenia, 2017).

Second, the formation of coordination forum for farmer groups Central Kalimantan (FKKTDM) in Central Kalimantan by DAD-KT. This formation is an implementation of the issuance of Governor Regulation 13/2009 (Pergub 13/2009) on customary land and rights on land in Central Kalimantan Province. This further strengthens the role and authority of customary head in handling and issuing Indigenous Land Certificates (SKTA). As the result of the research, there are three focuses of the bottom-up FKKTDM program: (1) applying to the government and local government to give recognition, protection and legality of land, forest or land 5 hectares/household in each village, in the form free or in any other form of certificate such as HGU, HTI, HTR or any other name; (2) appeal to the government and local government to provide recognition, protection and legality of at least 10 ha of customary forest each Dayak Misik village in each village or join a village in the same region of peace; (3) the land of 5 hectares/household referred to after being acknowledged and given the legality, is requested to the government and local government, to be facilitated to be cooperated with the investor in the form of partnership, to be productive as a source of family income.

The FKKTDM program gains a number of obstacles in its implementation and according to some parties has shifted from the initial agreement. The initial concept is calculation of this forest area can be converted into extent of other allocation of use instead of disturbing land that has been allocated. The status of forest areas that are already hundreds of years old can be owned by indigenous peoples. The problem is whether or not all villages have land to meet the needs of 5 hectares/household? Since its establishment and to this day, FKKTDM is still running, among the failures of this program, there is also success and appreciation from various quarters such as attracting investors to enter, success of some farmers with existing land management.

Third, the pattern of DAD-KT struggle as a formal institution of Dayak community is also done by taking steps in fighting for the welfare of society. DAD-KT once urged the amendment of Regulation of Minister of Agriculture 26/2007 (Permentan 26/2007), especially requested the implementation of 20% plasma in HGU. However, Permentan 26/2007 was revised to Permentan 98/2013 and this revision actually benefited entrepreneurs. Through regional forums and other forums to send a letter to the Minister of Agriculture for Permentan 98/2013 to be revoked because there are indications of transactions inside the article. The efforts undertaken by DAD-KT are in the form of recommendations, and are considered insufficient to make urgent the central government to change the regulation changes.

The cases of local natural resource management by investors; establishment of FKKTDM; and also initiated changes Permentan is a picture of the struggle as well as differences of opinion on the management of local resources by investors. More management by investors according to the Dayak community contradicts the Dayak customs and disturbs the customary territory and the allocation to the welfare of the Dayak community. This concerns the question so far about the right to ownership of existing natural resources. That in the conduct of struggle or demands when confront with business organizations or also with the state, civil society is a region in questioning the rights of individuals in relation to the right for welfare and common good.

Dayaks resistance who mediated by DAD-KT and LMMDD-KT is one of the subordinate struggles in questioning justice in the management of local resources (Haridison,
This pattern is a form of struggle for autonomy in the management of local resources. The empowerment effort by establishing FKKTDM is positive. But the resistance movement against the investors does not mean that the law or the rules that become the common guidelines should be violated. At this point the meaning of the empowerment of the Dayak community in obtaining the right of ownership of local resources must be balanced with the revelation of the applicable legal rules. Something that should be appreciated from FKKTDM is the success of some Dayak Misik farmer groups who are able to develop farming in some areas. But what needs to be criticized is its role as a civil society agent which in some cases passes the grabbing and even seizure of the jurisdiction of other parts, especially licensed companies. This study suggest that the DAD-KT that struggle through FKKTDM should emphasize an independent and empowered civil society region by displaying modesty or civilized values (Whitehead, 2005).

4. Conclusion

There are two phases of the model of Dayak identity struggle in the post-reform era. First, it is a purely Dayak identity struggle of the Dayak community in counterhegemonic, counternarrative and even revolutionary forms confronting other communities as a form of representation of the state. Secondly, the institutionalization of civil society (DAD-KT) as an organization and several accompanying roles in collaborative and accommodative form is considered a struggle of Dayak identity that is political. The desire to decentralize governance into the civil society space has occurred but has been refracted into the interests of the elite, which indirectly undermines the position of DAD-KT when faced with state policy and struggle for the interests of society at large.

Theoretical implications, on certain aspects of the Dayak community institutions, become independent and oppositional, but on the other hand, participate independently and politically in collaboration with local governments. The first phase gives a clear picture if the neo-Gramscian framework is so dominant. In the second phase, the institutional phase of the DAD-KT, neo-Tocquevillean framework is helpful in describing the role of local governments in making changes to Dayak organizational entities, but in fact the relationships reflect weakness in DAD-KT organizations. So that the logic of local government to empower the Dayak community in the form of institutionalization of DAD-KT interpreted as another form of power hegemony.

Reference


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