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Karrie McLaughlin | Ari Perdana

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# Conflict and Dispute Resolution in Indonesia

Information from the 2006  
Governance and  
Decentralization Survey

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**Karrie McLaughlin  
Ari Perdana**

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## **ABSTRACT**

This paper draws on data from the 2006 Governance and Decentralization Survey. It has three main objectives: to understand (a) national patterns of conflict and dispute resolution; (b) use of police services and the formal legal system; and (c) connections between governance factors (corruption, bribery and information about development projects) and conflict and dispute resolution. National and regional typologies of conflict and use of dispute resolution actors are presented along with analysis of the characteristics of households using police services and the justice sector. Regression analysis is used to determine correlations between governance indicators and conflict reporting and use of dispute resolution actors.

Findings point to the need to continue to understand linkages between local dynamics of conflict and dispute resolution and socio-economic and governance factors. Analysis shows that the presence of a development project and increased access to information about development are both, unsurprisingly, linked to increased conflict reporting. While the village head remains the most frequently used dispute resolution actor, both for addressing development and other problems, willingness of villagers to take problems to the village head is linked to the quality of governance. Perceptions of village head corruption are associated with a decrease in the use of the village head as a dispute resolution actor, while perceptions of bribery are associated with an increase in his or her use. Analysis also demonstrates that police services and the formal legal system are utilized by the elite far more than the poor. Given that the poor may not always be well served by informal dispute resolution, or may have fewer options in the face of weak village governance, they may need additional assistance in seeking access to justice.

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## 1. INTRODUCTION

Indonesia's transition out of the political and economic turmoil of the late 1990s has been accompanied by moments of unrest throughout the country. In some locations, such as Aceh, Kalimantan, Papua, the Maluku, and Central Sulawesi, there have been outbreaks of large-scale communal or secessionist conflict (Varshney, Tadjoeeddin and Panggabean 2008). There is also evidence of widespread 'local conflict', violent but smaller-scale incidents between individuals or groups that play out within or between villages (Barron, Diprose and Woolcock 2006). While recognition and understanding of both large- and small-scale conflicts is increasing, a satisfactory picture of conflict across Indonesia that allows for consideration of factors that contribute to the eruption or escalation of disputes is still being drawn (Barron, Kaiser and Pradhan 2009; Barron and Sharpe 2008).

Many of these conflicts are started or inflamed by weak dispute resolution mechanisms or justice poorly served, in either the formal or informal system. Indonesia's justice system is largely regarded as corrupt, slow and too distant to be a viable option for many people (UNDP 2006; World Bank 2004; Asia Foundation 2001). Most Indonesians resolve disputes using informal or non-state channels, partly due to the inadequacies of the formal system and partly due to the fact that the informal system has certain advantages: where informal dispute resolution actors have local legitimacy and authority, they can effectively resolve disputes, and do so quickly and inexpensively.<sup>1</sup> However, there can also be problems with non-state justice. Most importantly, it often excludes minority groups and women (World Bank 2009; IDLO and UNDP 2007; World Bank/AC Nielsen 2006). Power imbalances, lack of capacity or insufficient authority can lead to solutions that are forced on weaker parties, that are never effectively enforced or that only partially resolve the problem.<sup>2</sup> In the worst situations, the absence of any legitimate dispute resolution actors may result in citizens taking justice into their own hands in the form of mob killings or vigilantism, thus increasing violence.

The lack of a clear interface between formal and informal systems and actors also creates legal ambiguity and occasionally leads to conflicting outcomes of disputes in different forums.<sup>3</sup> A multiplicity of dispute resolution options can favor the elite, who have greater capacity to move between (and influence) various forums (Tamanaha 2008). It can also increase the space for rent-seeking (World Bank 2009) and, in the worst cases, can increase violence. Useful roles for both state and non-state actors in the provision of justice in Indonesia exist. However, there is a dearth of information regarding how different types of dispute resolution interact and how these manage, or trigger, conflict.

<sup>1</sup> This is true around the world. For examples from Latin America and North America, see Buscaglia and Stephan (2005) and Ellickson (1991), respectively.

<sup>2</sup> The formal legal system can suffer from similar problems. In addition, there has been a shift toward alternative dispute resolution (ADR) methods, such as mediation or arbitration in many countries (largely due to an overburdening of the formal legal system). These methods face many of the same problems as non-state justice, particularly in that they do not deal well with power imbalances. There is much discussion of these issues in the ADR literature. For overviews specific to the development context, see USAID (1998) and Wanis-St. John (2000).

<sup>3</sup> In some cases, legal rights are provided to non-state actors or systems, as is the case with *adat* (traditional) rights to land. However, the scope of these rights is usually not clearly specified, creating confusion between state and non-state actors (von Benda-Beckmann 1990, 2003). This may have increased with decentralization, which has led to increased recognition of *adat* law. For an excellent discussion of *adat* law and decentralization, see McCarthy (2004).

Finally, changing roles of local officials under decentralization have the potential both to generate conflict and to create greater variation in local responses to conflict. Decentralization changes power dynamics and creates new roles for citizens. By giving more power to local leaders, it potentially opens up new opportunities for corruption and bribery.<sup>4</sup> Increased local development further shifts power structures and resource allocation, and challenges entrenched interests and existing values, all potential sources of increased conflict (Bates 2000). These changes put increasing pressure on local leaders, and how they respond, either by pursuing personal gain or developing effective leadership approaches, may impact on their ability to avoid or resolve conflict. While there has been some exploration of the links between development and conflict, in Indonesia (Barron, Diprose and Woolcock 2006) and elsewhere (Anderson 1999), there has been little exploration of the links between corruption and conflict outside of post-conflict situations.

Drawing on information from the Governance and Decentralization Survey, this paper adds to the understanding of conflict and dispute resolution patterns across Indonesia. It then goes farther to explore the correlations between conflict and dispute resolution and indicators of governance quality, such as corruption, bribery and access to information about village development.

The paper proceeds as follows. After a brief introduction to the data and methodology used, the paper explores patterns of conflict in Section 3. After describing national patterns, it turns to an examination of regional patterns and differences between 'high' and 'low' conflict areas. Section 4 presents patterns in dispute resolution across the country, before breaking these down by region and type of conflict. It also examines the individual characteristics of respondents who have used the formal legal system, including police services. Section 5 explores links between governance and conflict and dispute resolution patterns. Section 6 concludes.

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<sup>4</sup> While some studies claim that decentralization can reduce corruption, many find that it actually increases rent-seeking at the lowest levels. See Fjeldstad (2003) for a useful literature review of studies on decentralization and corruption. Bracanti (2006) explores links between ethnic conflict and decentralization.

## 2. METHODOLOGY

The World Bank in Indonesia commissioned the Center for Population and Policy Studies at the University of Gadjah Mada to undertake a survey to assess decentralized governance and service delivery in Indonesia, the Governance and Decentralization Survey 2 (GDS2, in this paper GDS). The national survey was fielded from April to July, 2006.<sup>5</sup>

The primary goal of the GDS is to compile data to allow a greater understanding of the connections between the decentralization process and governance. The survey collected information from many types of respondents to get a well-rounded picture of service delivery in a decentralized Indonesia, as well as the governance environment in which those services are provided and used. GDS was fielded in 89 randomly selected and 45 purposefully chosen districts, covering a total of 12,862 household respondents, 1,595 hamlet heads and 832 village heads in 29 provinces across the country.<sup>6</sup> The sampling framework used allows the randomized GDS to be a valid instrument at the national level, but it is not statistically representative at the district level. Regional analysis can be undertaken with caution.<sup>7</sup>

The household survey contains three sections of particular interest for this paper. First, it asks respondents if different types of conflict have occurred in the village in the past two years.<sup>8</sup> In cases of reported conflict, the survey continues to ask who took part in the dispute resolution effort and whether the parties involved were satisfied with the resolution.<sup>9</sup> Aggregated household responses allow for the identification of national and regional patterns in conflict reporting and dispute resolution.

Second, it asks questions about the use of police services and the justice sector in the previous two years. Unlike the questions about conflict and dispute resolution, these questions gather information about the respondent's own experience, not events at the village level. This data allows for an analysis of the individual characteristics of those who use the police and the formal legal system to solve disputes. In addition, respondents are asked about their knowledge of legal rights and their level of trust in the judicial system.

Third, household respondents are asked about their perceptions of the village administration and the formal legal system including the police. Respondents are asked if they know of instances of bribery or corruption in the police or village administration.<sup>10</sup> Similarly they are asked if they

<sup>5</sup> Two versions of the GDS (GDS1 and GDS1+) were previously implemented. Unfortunately, they are not comparable to the GDS2 survey.

<sup>6</sup> Purposefully selected districts were picked to provide baseline indicators for a number of World Bank, ADB and GtZ projects.

<sup>7</sup> This paper conducts regional analysis. Findings are interpreted as indicative only.

<sup>8</sup> This question is also asked of hamlet heads and village heads. See Annex C for a comparison of responses.

<sup>9</sup> We do not analyze data on satisfaction, since respondents are asked to evaluate the satisfaction of the parties involved in the conflict with the resolution. Without being very close to the disputing parties, this question lends itself to speculation and a likely overstatement of satisfaction.

<sup>10</sup> Corruption in the village administration is defined as taking money that should be used for village development, such as money from the village budget or from regional or national development or poverty alleviation programs (such as RASKIN or PKPS BBM), and using it for personal gain. Corruption in the police is defined as taking money from the police budget for personal use. Bribery for either the village administration or the police is defined as paying additional money for services beyond what is legally allowed. In the cases of bribing village heads, this can include paying for the processing of land certificates or other documents such as identity cards, health cards or poverty cards. In the case of bribing the police, it includes payments to drop criminal charges, avoid traffic tickets, ensure that documents are processed (driver's licenses, etc.), or 'protection money' to ensure that business interests are not disrupted by the police.

have access to information about village development. Relevant survey questions are included in Annex B.

This paper primarily makes use of the GDS household dataset. While there is reason to believe that this dataset underreports conflict (see Annex C for a comparison of responses from household, hamlet head and village head reporting and further discussion of biases in the dataset) it provides new information about how villagers themselves see conflict and its resolution, as well their perceptions of certain government actors and police services.

While the GDS dataset provides useful new information, it also has certain limitations that should be acknowledged up front. The GDS provides data on *reports* of certain types of conflict. This means that the information about conflict and dispute resolution is one step removed from actual levels of conflict incidence and dispute resolution, since it depends on both what respondents know (about a conflict, about its resolution) and what they are willing to report.<sup>11</sup> There is the very real chance that household respondents simply do not know about conflicts that happen in other hamlets of their village, or about smaller-scale conflicts such as domestic violence. This leads to under-reporting in the household sample.<sup>12</sup> Given the history of Indonesia's repression of 'inflammatory' information some respondents may still be uncomfortable discussing conflict.<sup>13</sup> Where respondents are becoming more willing to talk about sensitive issues such as conflict and corruption, there is the additional problem that correlations between reported conflict and reported information about governance may not accurately reflect real patterns, but capture primarily the openness of respondents to discussing sensitive issues (Kaiser, Pattinasarany and Shultze 2006).

In addition, respondents are asked whether or not any particular *type of conflict* has occurred in their village. The data does not attempt to count the number of conflicts over the two-year period, nor does it capture the severity or impact of conflict, in terms of deaths, injuries or property damage. As a result, when a respondent reports that conflict has occurred in their village in the last two years, they could be referencing a single case or 25, a conflict that was resolved quickly and peacefully or one that is ongoing and violent.<sup>14</sup>

Though we recognize these problems, we believe that the data still has considerable value, particularly in areas where it is less likely to suffer from systematic bias, such as in describing the main dispute resolution actors for the various types of conflict, and information on use of the police and legal system, which is not biased.

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<sup>11</sup> Note that we use the word 'report' here to mean that a respondent has provided information on a type of conflict for the survey. This could mean that the respondent has simply heard about the conflict, and does not necessarily mean that conflict has been formally reported to the police or government.

<sup>12</sup> This is the case. See Annex C for a further discussion of bias.

<sup>13</sup> Under the New Order SARA policy (an acronym for ethnic (*suku*), religious (*agama*), racial (*ras*) and inter-group or class (*antargolongan*) media reporting of any topics that could inflame tensions between different identify groups was forbidden (Sen and Hill 2000).

<sup>14</sup> This also leads to the fact that reports of multiple types of conflict by respondents in one village could lead to it being seen as having 'more' conflict than a village with only one reported type. However, since in one village, the multiple types could be single cases of petty thievery and a quickly resolved family dispute, and the other many violent land conflicts, this approach would be misleading. To avoid these problems, we do not consider conflict in the aggregate, but only by type.

In examining the relationship between governance and development variables and reports conflict and dispute resolution, we make use of regression analysis. In light of issues of endogeneity discussed later in this paper, a standard statistical caveat is made: all findings presented here do not imply causal effects. We interpret the findings as merely correlations, although we have controlled for as many variables as we could.

We conduct two sets of regressions, both using a probit model. In the first, we examine determinants of individual conflict reporting. The dependent variable is one if the respondent identifies a particular type of conflict and zero otherwise. The explanatory variables include demographic, geographic and welfare characteristics, and proxies for social capital, security and community engagement. Marginal effects are reported in Table A.2 (Annex A). The explanatory variables are defined in greater detail in Annex D. In the second set of regressions, we examine determinants of reported use of different dispute resolution actors. The dependent variable is also binary: whether the respondent reported the village head, the police or informal leaders as actors engaged in resolving a type of dispute. We conduct separate regressions if the particular actor was the sole actor involved in dispute resolution, or was reported as one of multiple actors involved in resolution. The same explanatory variables were used. Results are reported in Tables A.3-A.5.

Throughout the paper, we use the full household dataset. In the regression analysis, however, we introduce a dummy to control for purposefully sampled areas. Interestingly, the coefficients for this variable are either not statistically significant or have relatively small values. This may indicate that the non-random districts are not significantly different from the random ones.

### 3. A PICTURE OF CONFLICT IN INDONESIA

This section briefly presents a national typology of conflict in Indonesia, and then looks more closely at regional conflict variation. It also considers differences between ‘high’ and ‘low’ conflict areas as defined by Varshney, Tadjoeeddin and Panggabean (2008) using the UNSFIR dataset.<sup>15</sup> The goal of this analysis is to understand patterns of different forms of conflict as reported by villagers themselves, both regionally and with a focus on areas emerging from large-scale violent conflict.<sup>16</sup> Overall, 34 percent of respondents reported some form of conflict. Key findings include:

- Nationally, criminal activities and land conflicts are the most frequently reported conflict types, followed by family disputes and domestic violence.
- There are very low levels of electoral disputes, abuse of power and ethnic/religious conflicts, with less than 3 percent of respondents reporting any of these types.
- There is considerable regional variation in types of conflict reported.
- Conflict is reported more frequently in ‘low’ conflict areas than in ‘high’ conflict areas for all types of conflict except ethnic/religious and domestic violence. There is no statistically significant difference in reported levels of land conflict in ‘low’ and ‘high’ conflict areas.

There are two clear implications stemming from the national and regional conflict analysis. First, regional variation in conflict forms shows that conflict prevention and dispute resolution efforts should be firmly grounded in local context. Second, the presence of conflict in both ‘high’ and ‘low’ conflict areas emphasizes the need to explore different approaches to conflict resolution or de-escalation in order to understand why some conflicts spin out of control while others are effectively managed or resolved.<sup>17</sup>

#### 3.1. National Levels of Conflict: a Typology

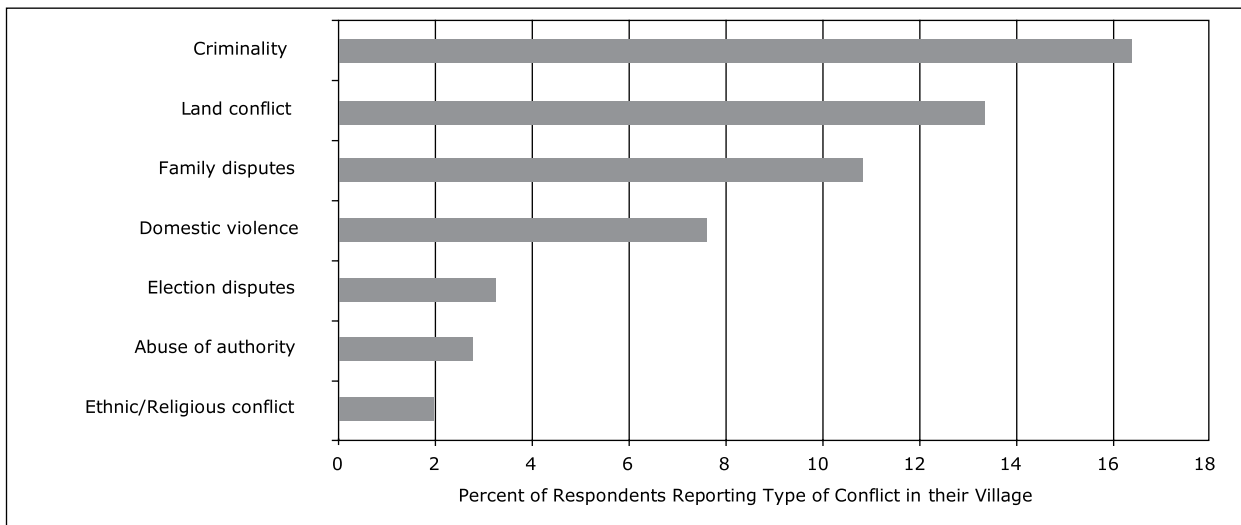
While Indonesia has received international attention for large-scale violent conflicts in the past (in Aceh, East Timor, the Maluku, etc.), there is also a growing body of literature on smaller scale local conflicts, and their impact on Indonesian life.<sup>18</sup> While much of this work has been based on qualitative research focusing on specific regions, Barron, Kaiser and Pradhan (2009) use a national village level survey (PODES) combined with the results of qualitative data to present an initial picture of the conflict throughout the country. The GDS survey built on this work by addressing some of the shortcomings in the categorization of conflict in PODES. The categories of conflict used in GDS were developed based on extensive qualitative research (Barron and Sharpe 2008; Barron, Diprose and Woolcock 2006) and hence more accurately reflect the types of local-level conflicts that people face.

<sup>15</sup> With the addition of Aceh, which was not originally covered in the UNSFIR dataset due to martial law being in place at the time that the data was being collected

<sup>16</sup> We do not breakdown conflict reporting by respondent characteristics (economic or social status, gender, religious or ethnic minority) due to the fact that there are very little differences between the groups. Full results can be found in Table A.2. In the case of categorization by gender or minority status, small sample sizes affect the power of the analysis.

<sup>17</sup> Barron, Diprose and Woolcock (2006) have developed a “conflict triggers” model that begins to respond to some of these issues.

<sup>18</sup> These include, by region: Sumatra - Welsh (2008), Tajima (2004), Barron and Madden (2003); Java: -Barron, Smith and Woolcock (2004), Peluso (1992); Bali - ICG (2003b); Kalimantan -Smith (2005), McCarthy (2004); Sulawesi - Brown and Diprose (2007), ICG (2003a); NTT - Baare (2004), Prior (2003), ICG (2002), Vel (2001); Maluku and Papua - Barron et. al. (2009), ICG (2007, 2009).

**Figure 3.1: National Conflict Reporting by Type**

Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?<sup>19</sup>

As shown in Figure 3.1 above, criminality is the most common form of reported conflict, followed closely by land conflict.<sup>20</sup> Over 16 percent of all households report incidents of criminal activity in their village, which might include petty theft or destruction of property. This category could also include cases of vigilantism and retribution, which may be part of larger identity conflicts (Welsh 2008; Sidel 2006; Tajima 2004).<sup>21</sup>

While households report criminal acts more frequently than they do conflict over land, village heads report more land conflict. Reasons for this may include the fact that small criminal acts are less likely to be reported to village heads, or that village heads play a larger role in civil matters such as land disputes. Over 13 percent of households report land conflict as having occurred in their village in the last two years. Based on other research, these conflicts can stem from increased pressure on resources or boundary disputes (Yasmi, Guernier and Colfer 2009). They can also involve questions of ownership or use of privately-owned land, state-owned land or *adat* (traditional law) controlled communally-held land (Clark 2005; Peluso 1992). Relatively high levels of reported land conflict is consistent with the findings of many qualitative and quantitative studies on conflict in Indonesia, most of which identify land as a both a major cause of dispute in the country and one that frequently turns violent (Barron, Diprose and Woolcock 2006; Asia Foundation 2001).

Family disputes and domestic violence are reported by 11 percent and 8 percent of households, respectively. Family disputes are likely to include conflicts regarding inheritance or divorce. There may be some overlaps in categories, since these conflicts may involve disputes between family members concerning ownership or division of assets, including land. Prior research

<sup>19</sup> For more detailed wording on each type of conflict, see the questionnaire in Annex B.

<sup>20</sup> Full results are presented in Table 3.1 (Annex A).

<sup>21</sup> In classic criminology (and in the field of conflict to a certain extent) crime and conflict are seen as distinct, with the former generally referring to crimes committed by individuals, and the latter referring to group behavior. They are generally believed to have different root causes. However, many crimes can be seen in the larger context of group behavior (see Barron and Sharpe 2008). As such, we consider crime in this study.

suggests that domestic violence is likely to be under-reported due to social stigma involved in reporting incidents (World Bank/AC Nielsen 2006; *Komnas Perempuan* 2002) so true rates are likely higher.

The remaining types of conflicts are reported infrequently, each with 3 percent or less of households reporting. Given Indonesia's rapid decentralization and changing political system, it is encouraging that there are low levels reporting of electoral conflict and of conflicts stemming from the abuse of power. There is some evidence that election related conflicts related to ethnic and religious tensions in Maluku and Central Sulawesi are being avoided through more inclusive approaches by politicians<sup>22</sup> (ICG 2009; Brown and Diprose 2007). While the low level of ethnic/religious conflict may seem surprising, it is consistent with Varshney, Tadjoeidin and Panggabean (2008) finding that few locations suffer from high levels of ethnic or religious conflict.<sup>23</sup>

### 3.2. Sub-National Patterns of Conflict: Regional Patterns and 'High Conflict' areas

#### *Regional Patterns*

As Table 3.1 shows, there is considerable variation in both the types and frequency of conflicts reported between regions.

**Table 3.1. Regional Conflict Reporting by Type of Conflict (%)**

Conflict type	Indonesia	Sumatra	Java/ Bali <sup>24</sup>	Kalimantan	Sulawesi	NTB/ NTT	Maluku/ Papua
General criminal	16.4	15.6	16.0	10.9	16.9	24.2	18.6
Land/building dispute	13.3	9.6	9.2	14.2	17.5	23.3	19.5
Family-related dispute	10.9	8.3	11.0	8.0	9.8	17.3	15.3
Power abuse	2.8	1.7	3.0	2.4	2.3	4.0	4.8
Domestic violence	7.6	5.1	6.2	5.2	4.1	13.8	19.8
Election-related dispute	3.2	1.3	4.2	1.8	2.0	2.6	8.8
Ethnic/religious	2.0	1.2	1.7	1.2	3.4	1.9	3.9

*Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?*

There are a number of reasons why this may be the case. First, local institutional, economic and cultural factors help shape incidents that erupt into conflict both by determining the types of conflicts that develop and by shaping the responses of individuals, communities and leaders (Mancini 2005; Barron et. al. 2004). For example, as Barron, Diprose and Woolcock (2006) show in studies of local conflict in East Java and Flores, conflict can be strongly driven by historical and cultural factors. For example in East Java, there is a strong tradition of rival *silat* groups (traditional martial arts groups) which drives a large amount of the local conflict in the Ponorogo

<sup>22</sup> In both South Sulawesi and Maluku, local politicians are more frequently choosing members of the opposite religious group as running mates.

<sup>23</sup> See Bertrand (2008) and Brancanti (2006) for a further discussion of factors influencing the sharp rise in ethnic conflict in Indonesia.

<sup>24</sup> The number of locations surveyed in Bali was very small. Though Bali is culturally distinct from Java, the results from the two islands are combined since they are geographically close and have similar levels of development. Conflict reporting patterns are only slightly different between the two and generally not statistically significant.



area. However, in Madura, a key driving factor seems to be a culture that supports and even seems to insist on retribution over matters of honor (again culturally defined). Similar locally-based patterns emerge in Flores, where communal conflicts over land ownership and use are far more common.

Second, perceptions of what constitutes conflict vary by location. This may be particularly true of problems such as domestic violence or abuse of power. For example, in Flores, the Catholic Church has responded to high levels of domestic violence with attempts to raise awareness of the problem (Barron and Sharpe 2005). The higher level of reported domestic violence in that region may be representative of both higher actual levels of domestic violence<sup>25</sup> and of an increased recognition of domestic violence as more than an internal family matter.

A few findings stand out. Reports of land and other types of conflict in eastern Indonesia are high, which is consistent with findings in other studies (Barron, Diprose and Woolcock 2006; Barron and Sharpe 2005; Prior 2003).

Comparatively high levels of reported election conflicts, ethnic/religious conflict, and abuse of power in Maluku and Papua are consistent with the types of problems that have plagued both regions and the importance of local politics in both areas (ICG 2009, 2007). As will be considered further below, the comparatively high levels of reported domestic violence is consistent with many findings regarding post-conflict situations.

Some levels of reported conflict are lower than expected. For example, reported land conflict in Sumatra is lower than might be expected, given the amount of coverage protests and responses in southern Sumatra have received (Indonesian Legal Aid Foundation 2007; Rinaldi 2003; KPA undated) and given the numerous difficulties in sorting out land ownership in Aceh following both the tsunami in late 2004 and the end to the conflict in 2005 (Stephens 2009). Levels of election related tensions in Sulawesi are lower than expected, given the comparatively high level of ethnic/religious tensions reported which have often spilled over to political problems in that area. However, other research points to more effective political management of tensions that in the past (Brown and Diprose 2007).

### ***High and Low Conflict Areas***

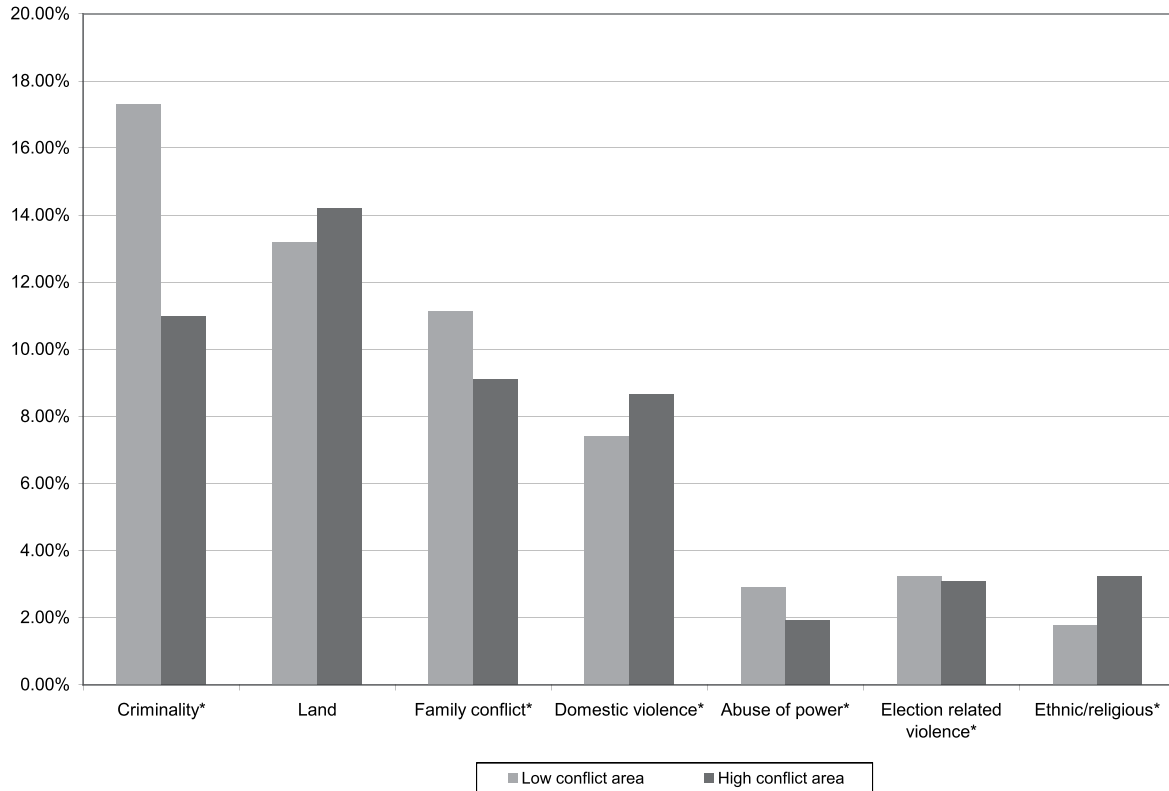
The data presented in Table 3.1 presents a picture of widespread local conflict in Indonesia. Here, we examine levels of reported conflict in ‘high’ and ‘low’ conflict areas, with the goal of identifying patterns in forms of conflict in high or post-conflict locations compared to non-conflict areas.<sup>26</sup> It is important to point out that a number of the high conflict areas could reasonably be considered post-conflict areas. For example, Kalimantan, the site of extreme violence in the late 1990s that has largely not resurfaced, would be in this category. While the 2005 peace

<sup>25</sup> Studies have consistently indicated higher levels of domestic violence in NTT. Baare (2004) found that nine out of ten women had been the victim of domestic violence.

<sup>26</sup> Defined using the districts identified by Varshney, Panggabean and Tadjoeidin (2008) from the UNSFIR dataset, with the addition of Aceh. They claim that 85 percent of deaths across Indonesia (outside of Aceh) came from 15 districts. Some of the districts have split since the paper was written. If this was the case, both districts are included. Eleven of the 15 “violent” districts or cities identified by Varshney and his team were available in the GDS sample, though due to splitting, 18 districts were included. With the inclusion of Aceh, 23 districts are included in the “high conflict” category.

agreement in Aceh moved the province into the post-conflict category, higher levels of conflict persisted at least through 2006 when the GDS survey was conducted.<sup>27</sup> Central Sulawesi, while certainly not experiencing violence on the scale that it did between 1998 and 2001, continued to smolder, particularly following the beheadings of three Christian schoolgirls in late 2005.

**Figure 3.2. Conflict Reporting in High Vs. Low Conflict Areas**



Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?

\*Indicates a statistically significant difference between high and low conflict areas for the type of conflict.

Surprisingly, conflict is more frequently reported in villages in low conflict areas for all types of conflict except ethnic/religious conflict and domestic violence, which are higher in high conflict areas, and land conflict, where low and high conflict areas report similar levels.

Higher reporting of ethnic/religious conflicts is in line with the Varshney, Tadjoeeddin and Panggabean’s (2008) finding that the most violent conflicts were ‘ethnocommunal,’ indicating that these tensions have continued in the three years after the end of their dataset.<sup>28</sup> In addition, higher reports of domestic violence in high conflict areas are consistent with other literature documenting higher levels of domestic violence in high conflict and post-conflict areas. This points to the need for ongoing assistance for women in post-conflict situations (IDLO and UNDP 2007; Komnas Perempuan 2002).

<sup>27</sup> The Aceh Conflict Monitoring Updates (available at <http://www.conflictanddevelopment.org>) track incidences of conflict every month starting in August 2005. A review of the updates during the period that the GDS survey was fielded reveals that there was still notable ongoing conflict at the local level.

<sup>28</sup> Varshney, Tadjoeeddin and Panggabean (2008) define “ethnocommunal violence” as including inter-ethnic, inter-religious and intra-religious conflicts. This category is nearly synonymous with the category of ethnic/religious conflicts in the GDS dataset.

However, the lower levels of reported criminality in high conflict areas compared to low conflict areas is not expected and noteworthy. There is a substantial literature that points to high levels of criminal activity in conflict and post-conflict areas, for a number of reasons: either side may attempt “spoiler” activities (Darby 2001), a “culture of violence” may develop (Steenkamp 2005), and decommissioned soldiers or gang members may resort to criminal activity (Call and Stanley 2001). Finally, conflict may highlight poor governance (Tilly 2003), either nationally or more locally where leaders do not step in or do not have sufficient authority to stop criminal activity.

The data could either show that there are lower absolute levels of criminal behavior in conflict and post-conflict areas, or that individuals are less willing to report it. This finding raises important questions both about how communities negotiate disputes in post-conflict situations, and also about how individuals or communities understand the causes of conflict following ethnic or religious violence.

There are a number of reasons why households may report lower levels of criminal or other types of crimes in areas where there have been large ethnic or religious conflicts. First, this may stem from the way that individuals and communities understand and attribute the cause of conflict: following ethnic or religious conflict, other conflicts may be more quickly categorized as racially or religiously driven (Montiel and Macapagal 2006). For example, if an animal is stolen or property destroyed, it may be characterized in a low-conflict area as criminality, but in a high conflict area as ethnically or religiously motivated. This ‘re-categorization’ would account for lower reports of criminal activities if they incidents are re-categorized as ethnically or religiously driven. Second, it may stem from the priority that individuals or communities give to certain types of conflicts in a post-conflict environment, or the way that they are managed. Following high levels of ethnic or religious violence, people may underreport smaller, local conflicts, since they seem less problematic in the face of larger, more intractable problems. Similarly, those wishing to commit smaller criminal acts may find themselves with less space to do so if they are threatened by the larger conflict. Finally, and most optimistically, individuals or communities may actually change their behavior to prevent conflicts from occurring or to solve small problems quickly, so that they do not spiral out of control (Barron et. al. 2009). Recent studies in Central Sulawesi and Maluku point to attempts to prevent events that could serve as ‘spoilers’ and develop into election-related conflict (Brown and Diprose 2007; ICG 2009). Since the gap between low and high conflict locations is so large, it seems unlikely that the difference is due entirely to underreporting and that there are most likely attempts at conflict prevention.

## 4. PATTERNS OF DISPUTE RESOLUTION

This section first looks at national patterns in the use of dispute resolution actors. It then considers the use of primary dispute resolution actors (village officials, informal leaders and the police) regionally and by type of conflict for the most frequent types of conflict. The section concludes with an examination of the characteristics of individuals who have turned to the police or the legal system to resolve a dispute in the last two years. Key findings include:

- Nationally, the main dispute resolution actors are village officials (generally the village head), informal leaders and the police. In many cases however, more than one actor is involved in resolving a dispute.
- Dispute resolution in Indonesia is primarily informal and takes place predominantly at the village level.
- Both the legal system and the police disproportionately serve the elite.
- Those who have made use of the legal system or police services are nearly twice as likely to state that they know their legal rights.
- Those who believe they are aware of their rights are more likely to trust the legal system than those who are not. Even with this difference, less than half of those who believe they know their rights trust the legal system.
- Though individuals who have used the legal system are slightly more inclined to believe that it is fair than the general population, less than half of those who have used the legal system think that it is fair.

Three programmatic implications flow from the above findings. First, dispute resolution assistance must target informal as well as the formal systems to be effective. Second, programs that provide education about legal rights may help to open options for all—poor and rich, elite and non-elite—in accessing different dispute resolution actors and in having confidence to use them. Finally, more work needs to be done to determine why those who have used the legal system continue to believe that it is not fair. While it is easy to point to corruption as a source of many problems, other factors may be at work, such as communication practices or bureaucratic hurdles that make citizens feel that they are not being dealt with fairly.

### 4.1. A Picture of Dispute Resolution in Indonesia

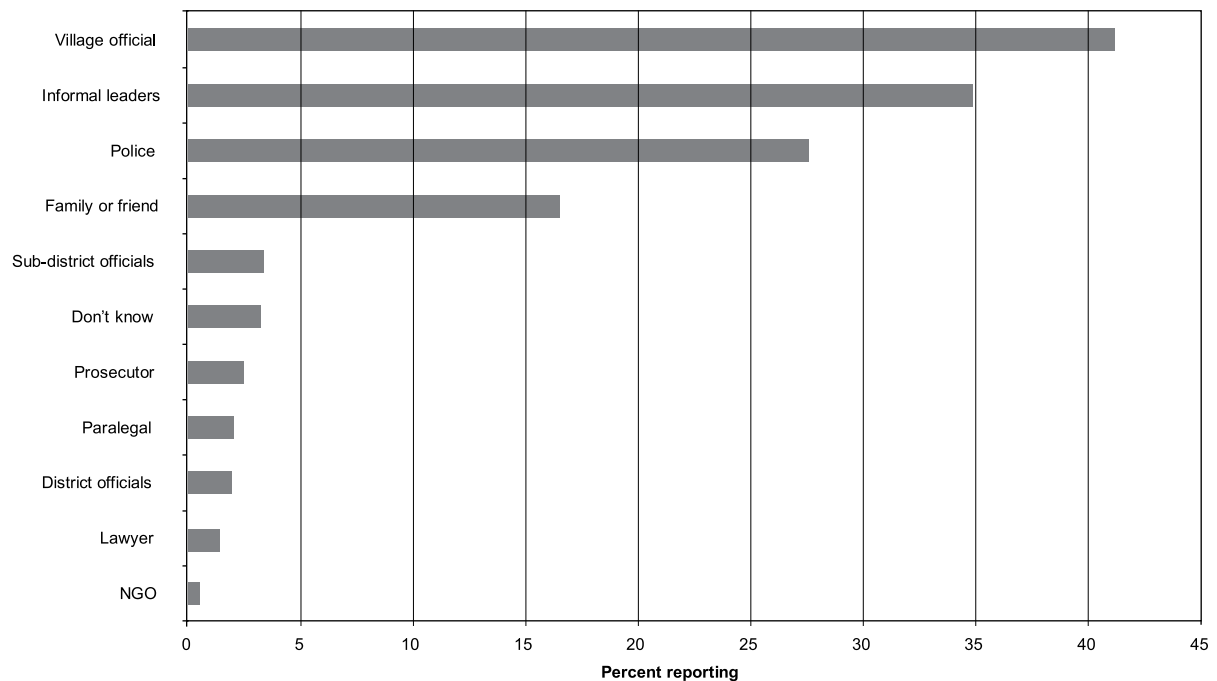
#### *National Patterns of Dispute Resolution*

Analysis of national patterns of dispute resolution provides two immediate findings. First, most dispute resolution efforts take place within the village. Village officials, informal leaders and family and friends have predominant roles in the dispute resolution effort.<sup>29</sup> Other than the police, assistance from non-village dispute resolution actors, such as NGOs or paralegals, is notable only for its absence. NGO use is particularly low, at 0.5 percent.

<sup>29</sup> We do not present a breakdown of different reporting patterns by social, economic or minority status, or by gender, though results are contained in Tables A.2- A.4. For the top three dispute resolution actors, there is little significant difference between the different groups. The large differences in sample size between men/women and religious minority/majority undermine the power of statistical analysis. Ethnic minorities cannot be identified in the data in any meaningful way.

Second, most dispute resolution is informal. Of the dispute resolution actors listed in the GDS, the police and prosecutors are part of the formal system. They are involved in 28 percent and 2 percent of cases, respectively. While the relatively high use of the police may indicate a role for the formal legal system, research suggests that the majority of cases handled by police are mediated rather than forwarded to court (World Bank 2009). Lawyers were reported in only one percent of all cases.<sup>30</sup> The village level actors who are involved in the majority of dispute resolution efforts often draw on traditional law or social norms to navigate problems, rather than turning to law ‘on the books.’

**Figure 4.1. Dispute Resolution Actors**



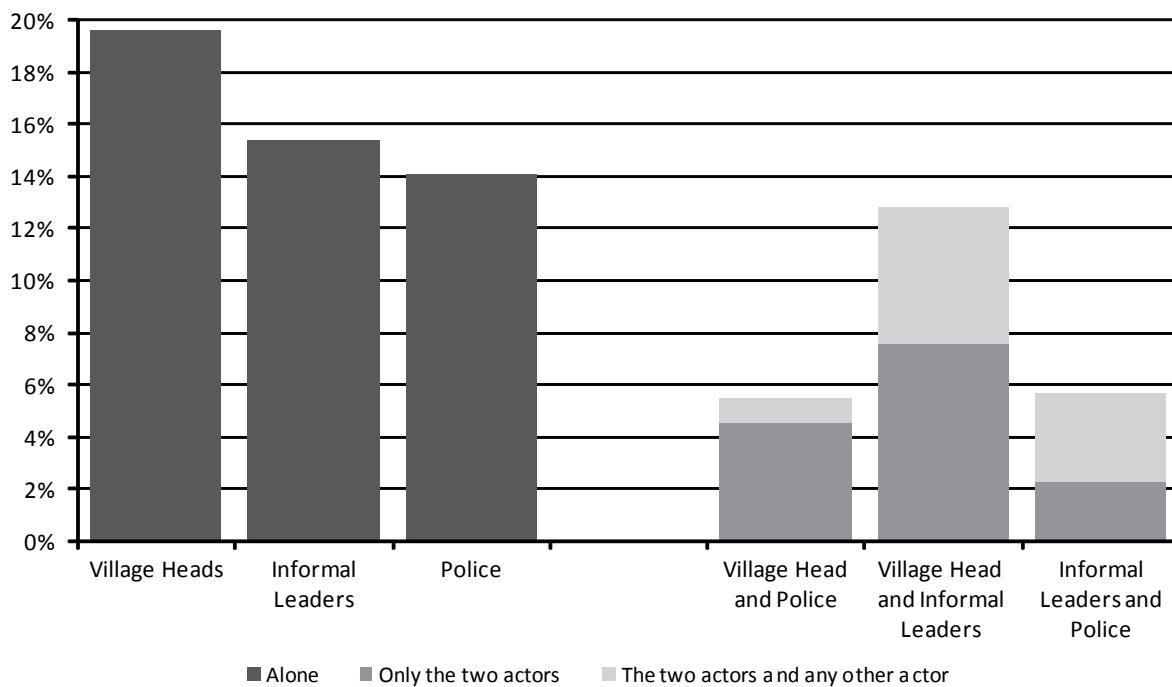
*Q: In general, who would usually take part in the effort to resolve the dispute/conflict that occurred?  
(Multiple responses allowed)*

In roughly half of the cases, these actors are jointly reported. Figure 4.2 below shows how the different dispute resolution actors are reported together. These overlaps are important to highlight, since they may mean that the dispute resolution actors work together to attempt to craft an acceptable solution, or that a different dispute resolution actors were involved in working toward resolution at different times. It may also mean that different dispute resolution actors are involved in different varieties of conflict within a particular type. For example, a boundary dispute between two neighbors may be able to be addressed by the village head, but a serious land conflict involving violence will most likely involve the police. It may also be the case that different actors represent different parties in the dispute or are involved at different phases of the conflict. If different parties seek redress under different systems, there is the possibility that conflict will be exacerbated and further efforts at dispute resolution stymied.

<sup>30</sup> This seems low, even by Indonesian standards. In comparison, the Asia Foundation (2001) found that of those who were personally involved in a dispute within the last ten years, 57 percent sought a non-formal solution, 18 percent used the formal legal system, and 32 percent did nothing.

As the graph below shows, village heads are jointly reported as dispute resolution actors with informal leaders and, to a lesser extent, the police. However, there is very little overlap between the police and informal leaders. Different approaches to dispute resolution are visible in these overlaps. Informal leaders, for example, are jointly reported with the village head nearly 8% of the time. Nearly as often (over 5%), they are reported working with the village head and someone else, indicating that more actors are involved. The same pattern is even stronger with informal actors working with the police. They are twice as likely to be reported with other actors (4%) than jointly (2%). This may be indicative of the fact that informal leaders draw more strongly on social norms, engaging with more actors as they do so, or that only some parties trust them to resolve disputes. By contrast, if the police are jointly reported with the village head, they are rarely reported to work with other actors.

**Figure 4.2. Dispute Resolution Actors: Working Alone and Together**



#### 4.2. Dispute Resolution and the Main Types of Conflict

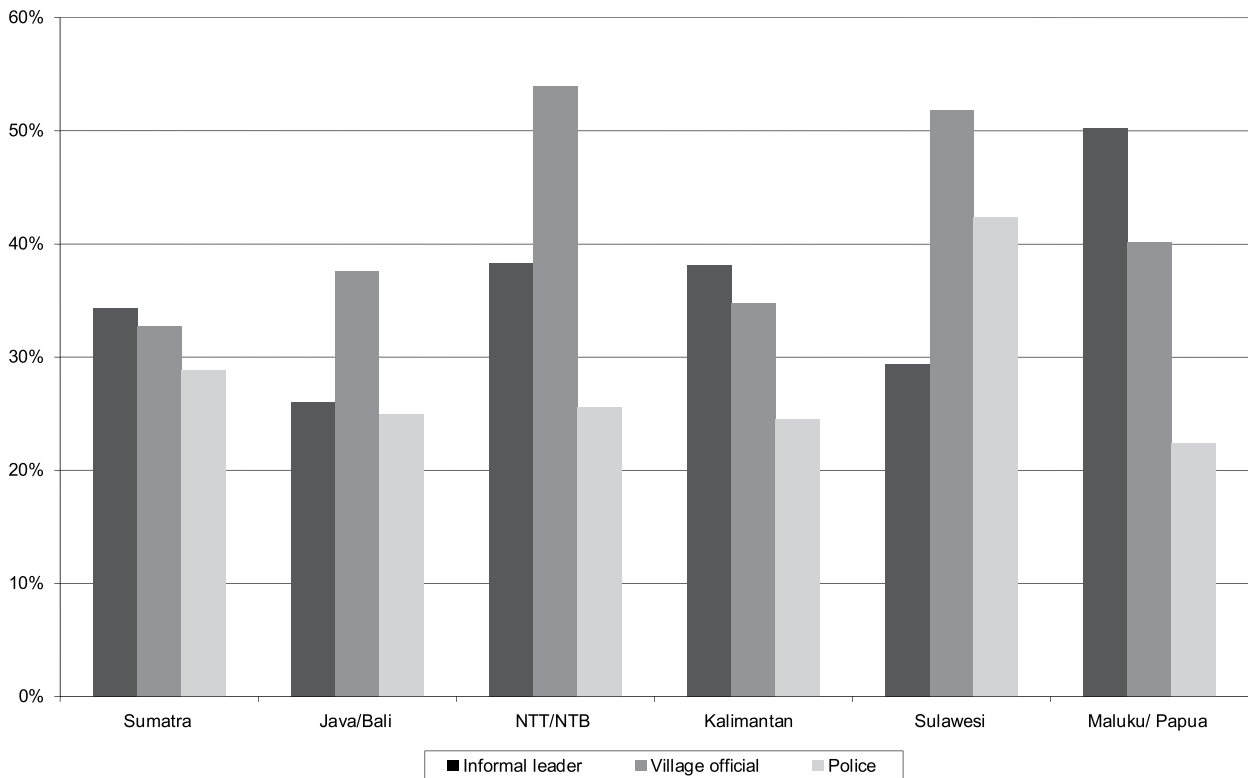
This section explores variation in the roles of the top three dispute resolution actors in two dimensions: between regions and across different types of conflict.<sup>31</sup> In doing so, it builds a more pluralistic picture of ‘justice.’ Just as conflicts are driven by local factors, so is dispute resolution. Across regions, different dispute resolution actors respond to different types of problems using local norms and rules. This more complex picture of dispute resolution points to the clear role of non-state, informal dispute resolution bodies. As will be clear from the analysis below, this support must be regionally tailored, both so that it can meet regional needs and so that it can engage with the appropriate dispute resolution actors on a given problem.

<sup>31</sup> Only the four most frequently reported types of conflict are considered here, since the small sample sizes on the remaining types of conflict make analysis problematic.

### Regional Patterns of Dispute Resolution

As Figure 4.3 shows, the importance and use of dispute resolution actors varies depending on local context. Village officials are reported most frequently as dispute resolution actors in Java/Bali, NTT/NTB and in Sulawesi. However, the role of informal leaders remains critical in Maluku/Papua and important in Kalimantan. The level of police use is similar across regions, with the exception of Sulawesi, where it is dramatically higher.

**Figure 4.3. Regional use of Dispute Resolution Actors**



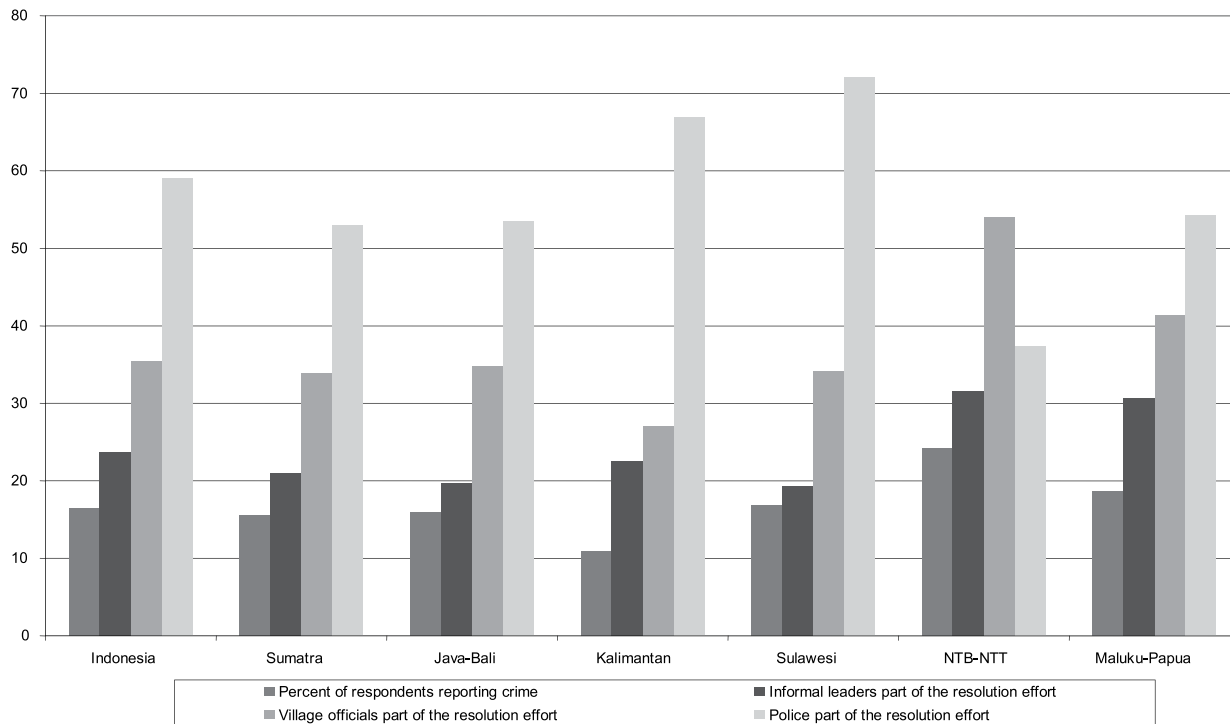
*Q: In general, who would usually take part in the effort to resolve the dispute/conflict that occurred?  
(Multiple responses allowed)*

### Criminality

As Figure 4.4 shows, the police are the primary dispute resolution actors for criminal cases in every region except NTB/NTT, where criminality is both reported more frequently, and more often addressed by village officials rather than the police. Use of the police is particularly high in Kalimantan and Sulawesi, where it seems to offset lower use of village officials to attempt to resolve criminal cases.<sup>32</sup>

<sup>32</sup> In all of the graphs in this section, we disaggregate reported dispute resolution actors, allowing for “double counting.” For example, if a respondent says that both a village official and an informal leader were involved in dispute resolution, we count them both separately.

**Figure 4.4. Conflict and Dispute Resolution: Criminality**

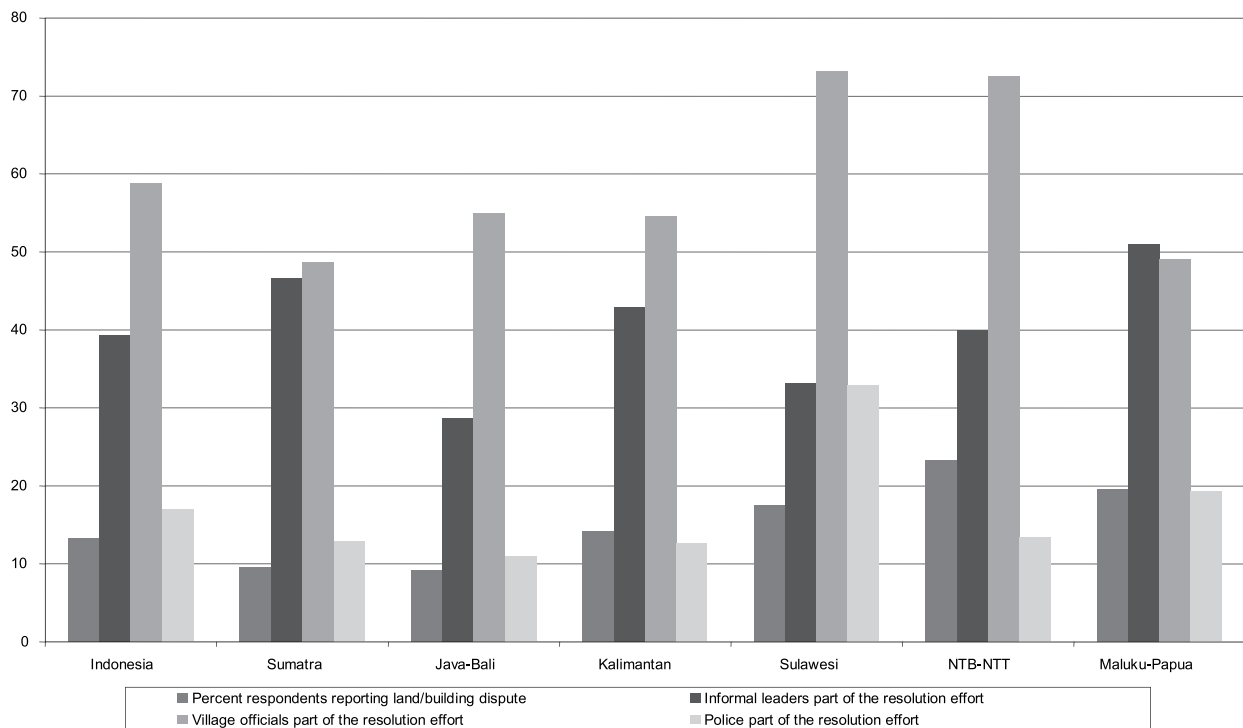


*Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?  
 (If yes) Q: In general, who would usually take part in the effort to resolve the dispute/conflict that occurred?*

**Land Conflict**

As Figure 4.5 shows, land conflicts are most often addressed by the village head or informal village leaders. Village heads have the largest role in dispute resolution. This is likely to be because they are aware of the local issues and are often involved in the maintenance of land records. The involvement of informal leaders varies by region. For example, in some areas (such as Maluku or Papua) where *adat* control of land is still strong, informal leaders may have a large role in mediating land disputes. Some of these disputes have to do with communally held land, and while they may be resolved within a community, they are not always recognized under Indonesian law. Only in Sulawesi are the police involved in resolving land disputes to a notable extent.



**Figure 4.5. Conflict and Dispute Resolution: Land Conflict**

*Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?  
 (If yes) Q: In general, who would usually take part in the effort to resolve the dispute/conflict that occurred?*

While village heads are the main dispute resolution actors addressing land conflicts, there are a number of factors that can undermine their authority or complicate their role. In particular, the 1960 Agrarian Law (Law 5/1960), the umbrella law governing land ownership, recognizes *adat* principles that would generally applied by a village head, it provides very little legal support for actually implementing *adat* solutions. For example, it provides no way to register communally owned land or otherwise legally protect *adat* holdings (Indonesian Legal Aid Foundation 2007). In addition, land conflicts more frequently involve large power imbalances, in cases that involve community members against a company or against the state.<sup>33</sup> The process of decentralization created legal uncertainty and created conflict in a number of locations (Yasmi, Guernier and Colfer 2009).

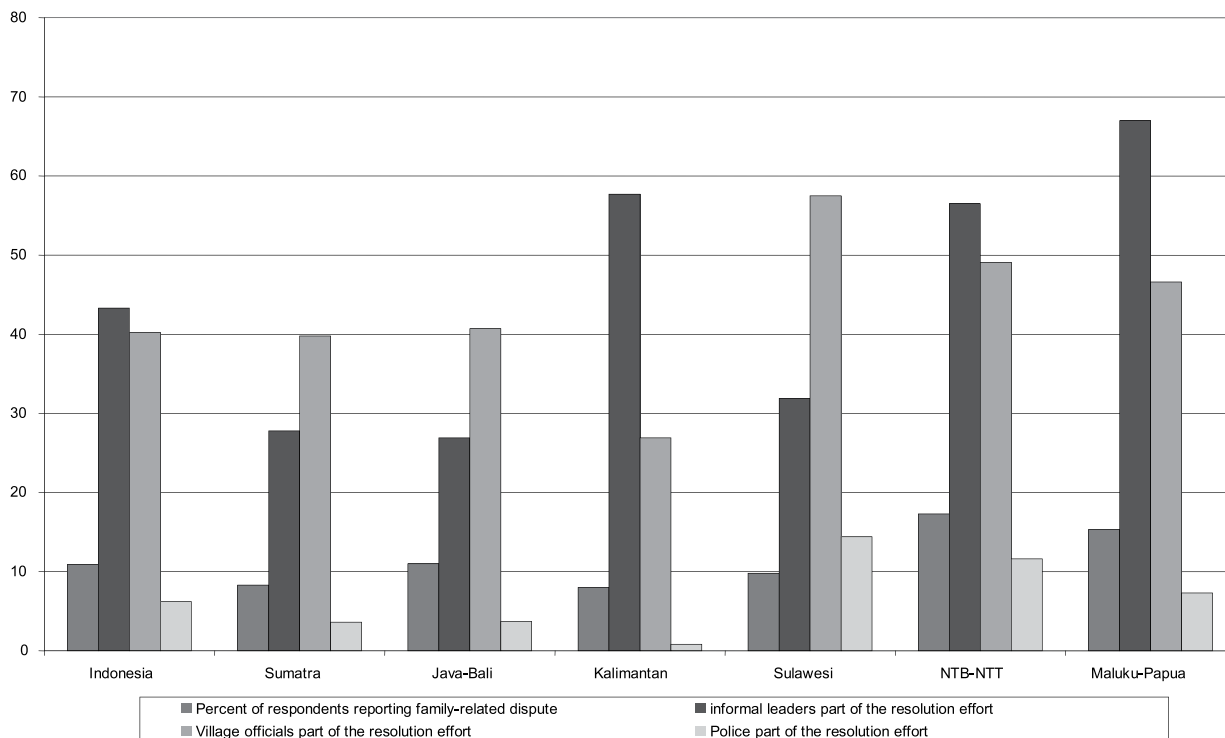
### **Family Conflicts**

As Figure 4.6 shows, informal leaders play a very large role in resolving family disputes, which generally have to do with issues of inheritance, marriage or divorce. They have the largest roles in regions where family disputes are most frequent: NTB/NTT, Maluku and Papua. The use of the formal system is very rare; the police, for example, are used in just over 5 percent of reported cases.

<sup>33</sup> For example, the Ministry of Forestry controls a huge proportion of the land in Indonesia (around 70 percent by most estimates). While a large number of people live on this land, they cannot own the land outright and claims are often tenuous. Forestry borders are often unclear.

While it may seem that informal leaders are in the best position to address family problems in line with local customs, traditional law can be discriminatory toward women or minorities (IDLO and UNDP 2007; World Bank/AC Nielsen 2006). A World Bank study concluded that informal leaders and institutions are not serving women equitably. Imperatives to maintain social harmony in the village are often prioritized at the cost of justice for women. As a consequence, many women are unable to secure their legally entitled property rights on divorce (World Bank 2009). An ongoing study shows that while women were able to successfully resolve disputes on some occasions through the courts or the police, this does not always ensure the maintenance of social harmony at the village level (World Bank forthcoming).

**Figure 4.6. Conflict and Dispute Resolution: Family Conflicts**



*Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?  
 (If yes) Q: In general, who would usually take part in the effort to resolve the dispute/conflict that occurred?*

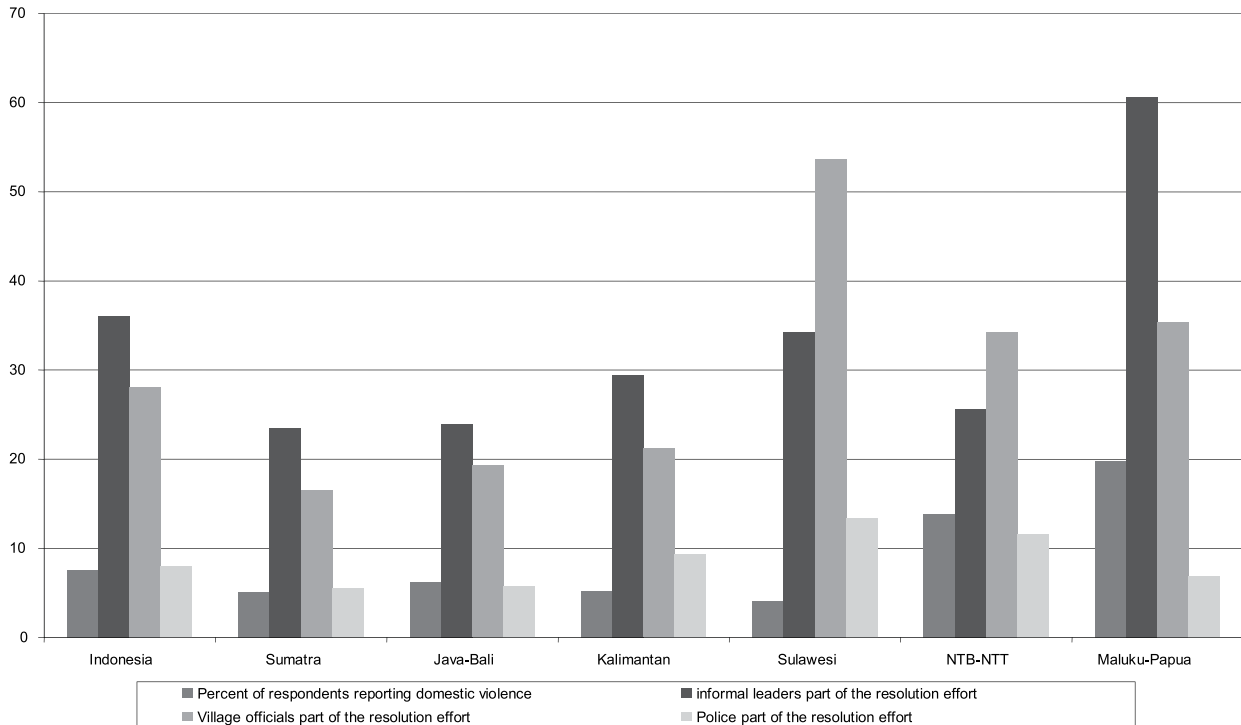
**Domestic Violence**

As with family disputes, problems of domestic violence are most often solved by informal leaders, followed closely by village officials. Research indicates that, as for family disputes, these processes of resolution are not always likely to be equitable for women, as suppression and conflict avoidance are frequent strategies to addressing problems.

With only 7 percent of respondents reporting domestic violence in the village, it may not be considered a critical problem or a top priority. However, there are some aspects of the problem that deserve to be highlighted. First, there is reason to believe that there is greater underreporting of domestic violence than other types of conflict (World Bank/AC Nielsen 2006;

UNDP 2006; *Komnas Perempuan* 2002). Second, while there is evidence that perceptions of domestic violence can be changed through more open discussion of the problem (Barron and Sharpe 2005), it is not clear that recognition of the problem is yet translating into more equitable treatment of women.<sup>34</sup>

**Figure 4.7. Conflict and Dispute Resolution: Domestic Violence**



*Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?  
 (If yes) Q: In general, who would usually take part in the effort to resolve the dispute/conflict that occurred?*

The data yields a number of interesting findings. First, there is no significant difference in patterns of male and female reporting of domestic violence.

Second, there is a correlation between (self-professed) knowledge of one's rights and willingness to report domestic violence. Eleven percent of those that feel that they know their rights report domestic violence as having occurred in their village, compared to only 6 percent of those who do not.<sup>35</sup> While those who have been exposed to cases of domestic violence may more actively seek information on their rights, it is unlikely that those individuals would account for nearly double the reported rate of conflict. This implies that education and awareness regarding domestic violence can help people to be more comfortable in discussing the issue, and hopefully contribute to more effective responses to the problem.

<sup>34</sup> Open discussion of the problem is still an obstacle in many locations. Indeed, there may also be underreporting of domestic violence (especially by women) since the survey was conducted in an open environment with other people present, making it less likely that domestic violence would be mentioned or discussed.

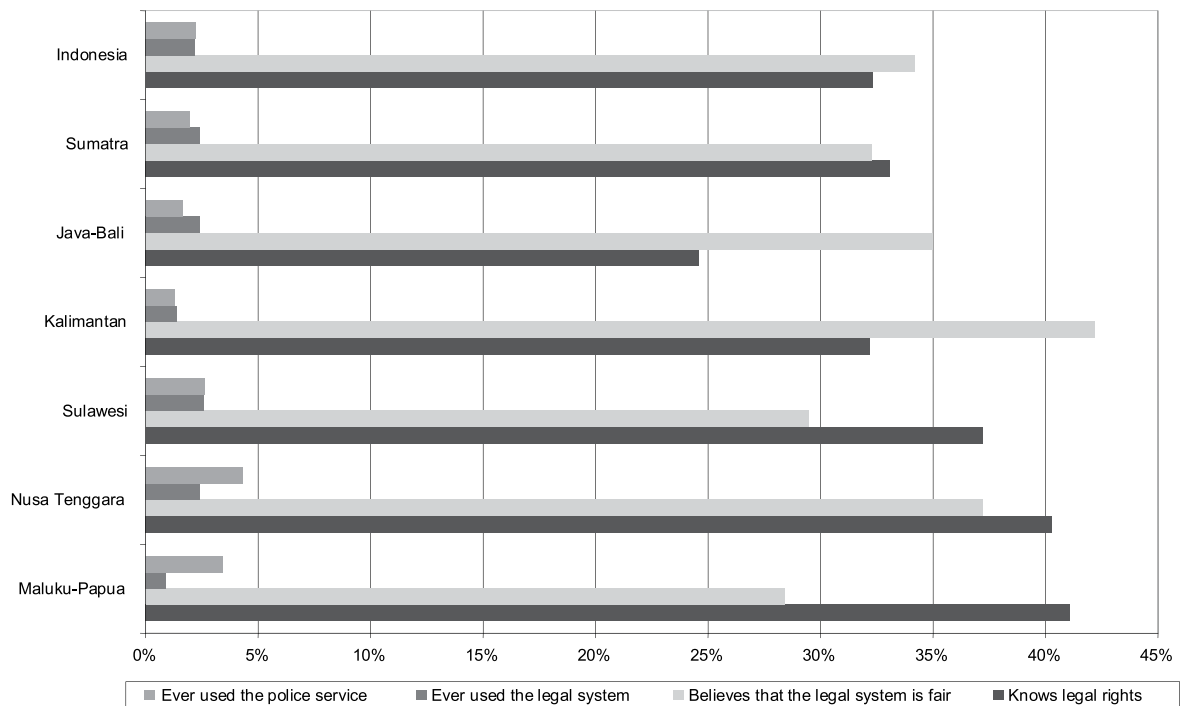
<sup>35</sup> Patterns for women are consistent with those for the whole population.

### 4.3. Use of the Police and the Formal System

This section turns to an examination of users of formal legal options, including police services. The GDS asks about respondent use of police services and use of the formal legal system, which allows for an analysis of who accesses these services. This information provides responses to key questions: Are formal legal services (the police and the justice sector) equally accessible to all Indonesians? If not, what are the factors that seem to limit or promote access to legal services?

Before turning to a more detailed analysis of the factors influencing access to the formal legal system, it is important to understand: (a) how many people are using the services; (b) what the general perceptions of the system are; and (c) how (self-reported) legal literacy affects perceptions of the justice sector.

**Figure 4.8. Use of and Trust in Formal System<sup>36</sup>**



Q: In the last 2 years have you or a family member ever used police services? (Yes)<sup>37</sup>

Q: Have you used a judicial institution in the last 2 years? (Yes)

Q: According to you, would the judicial institution be able to solve a case fairly? (Yes)

Q: In a dispute do you know (your) higher legal rights? (Yes)

As Figure 4.8 shows, levels of trust in the justice sector and knowledge of rights are low. Nationally, less than 35 percent of respondents report that they trust the legal system<sup>38</sup> or feel that they

<sup>36</sup> For this analysis, only those respondents who went to the police to solve a dispute were included. Those who went to the police to process their drivers license were not included.

<sup>37</sup> For those who had used police services, they were then asked if they used them for administrative services or related to a dispute. Here we report only those who went to the police regarding a dispute. For the detailed questions, see Annex B.

<sup>38</sup> Interestingly, this may be driven partly by the way the question is asked. In a 2008 USAID public opinion poll, 69 percent of respondents agreed with the statement that “the judicial system is unbiased.” However, only 49 percent agreed with the statement “if wrongly accused of a crime, the justice system would acquit me.” (USAID 2008)

understand their rights. While there is regional variation, no area reports levels of trust much higher than 40 percent. Respondents also report low levels of use of both police services and the justice sector.<sup>39</sup> Use of police services and the justice sector are each reported by just over two percent of respondents. There is nearly no overlap between those respondents that report using police services and those using the legal system.

In general, users of the legal system are more likely to be better educated than the general population, older (45 or older), male, and not poor. A more detailed examination of who actually uses police services and the formal legal system reveals the following:

- The probability that the non-poor use the legal system is more than two times as much as the poor.<sup>40</sup> While the probability of a member of the elite (those in a position of authority, such as village head or head of RT) using the legal system is slightly higher than a member of the non-poor (anyone without a 'poor card') both are considerably higher than the poor. This indicates that the poverty acts as a barrier to use of the legal system.
- The probability that the elite use the police is more than twice as great as for the poor. The elite are also nearly one and a half times as likely to use the police than the non-poor, indicating that positions of authority matter when turning to the police for assistance.
- The probability of men using the legal system is almost one and a half times that of women using the system. However, the probability of a man or a woman using police services is roughly the same.
- Religious minorities use the police slightly less than members of the religious majority.<sup>41</sup> However, use of the legal system is roughly the same between the two groups.

Looking at (self-reported) knowledge of legal rights and perceptions of the legal system, only 35 percent of the population believes that the legal system is fair. Interestingly, there is no substantial difference in the proportion of men, women, poor or elite that subscribe to that view. However, the elite are 1.7 times more likely than the poor to believe that they know their rights. As Table 4.1 shows, those who believe that they do know their rights are considerably more likely to trust the legal system than those that do not. In this sense, rights awareness may help to build trust in the formal legal system. However, the scope of this approach may be limited, since less than half of those who believe that they know their rights also believe that the legal system is fair.

**Table 4.1. Rights Awareness and Trust in the Formal System**

	<b>Do not believe that the legal system is fair</b>	<b>Believe that the legal system is fair</b>
<b>Do not know rights</b>	71%	29%
<b>Know rights</b>	55%	45%

<sup>39</sup> This pattern is true not only for Indonesia but for much of the developing world, where as many as 90 percent of disputes are handled outside of legal institutions (Goulb 2003). However, the use of the legal system in the developed world should also not be overstated: only 6 percent of Australian commercial disputes make it to court (Australian Law Reform Commission 1998, cited in World Bank 2009). In addition, according to surveys conducted in the United States in 1980 and 1989 and in England and Wales in 1996, the proportion of all grievances brought to the legal system was about 15 percent (Genn 1999; Miller and Sarat 1980; Silbey et. al. 1993, all cited in Michelson 2007).

<sup>40</sup> We report probability of use, since this effectively weights for the size of the group in the sample, giving a more accurate picture of how different groups are represented in their use of the legal system or police services.

<sup>41</sup> The religious majority/minority variable was constructed at the village level based on self-reported religion. Respondents who reported a different religion than the majority of village respondents are considered minorities.

Turning to an examination of how rights awareness correlates with use, 45 percent of those who have used the legal system think that it is fair. While this is higher than the 34 percent reported by the general population, it seems safe to say that the Indonesian legal system does not inspire great confidence in those who choose to use it. This merits follow up as to why the majority of users continue to believe that courts are not fair, even after they have engaged with the system. There is no correlation between the belief that the legal system is fair and the decision to use the police.

Finally, belief that one knows one's rights does make a difference in both the use of the legal system and use of the police. Of those who use the legal system, 65 percent report that they know their rights, double the 32 percent reported by the population at large. Similarly, 56 percent of those who use the police claim to know their rights. Unfortunately, it is not clear whether individuals were more willing to engage the legal system due to the fact that they had a greater awareness of the law, or they gained knowledge of their rights as they went through a legal process or dealt with the police.

## 5. GOVERNANCE AND DEVELOPMENT: RELATIONSHIP WITH CONFLICT AND DISPUTE RESOLUTION

This section turns to an examination of governance factors that may influence conflict and dispute resolution patterns (such as corruption and bribery) and the effects of development (either the existence of a development project in the village or information about development projects) on conflict and its resolution. Corruption and bribery differ—the first being the re-allocation of public money for private gain, and the second something, such as money or a favor, offered or given to a person in a position of trust to influence that person’s views or conduct.

Studies have shown that both corruption and bribery are rife in Indonesia (Transparency International 2009; USAID 2008). While it is difficult to measure absolute ‘levels’ of corruption, many Indonesians feel that it negatively affects many elements of their daily lives. In a 2008 public opinion poll, nearly half of respondents reported that there was corruption associated with the provision of basic goods and services at the community level (USAID 2008).<sup>42</sup> Roughly 85 percent of respondents said that corruption had a bad or very bad impact on the provision of basic goods and services, and 88 percent felt that corruption had a bad or very bad impact on the availability of jobs. In addition, the survey reported that on a range of transactions, from payments for a driver’s license to registering a birth to paying the traffic police without being issued a ticket, illegal payments had increased steadily from 2006 to 2008.

Two issues arise. First, since corruption and bribery seem to permeate Indonesian life, are they linked to conflict? It is plausible that corruption and bribery may directly contribute to conflict by creating dissatisfaction with misuse of resources or with demands for bribes. Corruption and bribery may also increase conflict indirectly, by reducing the trust in and credibility of potential dispute resolution actors or their ability to enforce agreements. Conflict situations often foster an environment favorable to corruption and bribery (Mirimanova and Klein 2006; United Nations 2005). In the GDS data, there is the potential for a large reporting bias in the reports of corruption or bribery and conflict. Both issues remain sensitive topics in Indonesia today, and it is likely that individuals who are willing to report corruption will also report conflict. Therefore, correlation between corruption or bribery and conflict is highly endogenous.

Second, do perceptions of corruption compromise the credibility or effectiveness of dispute resolution actors? With respect to the formal legal system, this certainly seems to be the case. Though corruption is not the sole factor that keeps individuals away from the formal legal system, it would certainly figure prominently in a list of reasons. In the 2008 public opinion poll, 59 percent of respondents stated that they believed local courts to be “influenced by other outside organizations or people.”<sup>43</sup> In addition, 71 percent believed that the police were also subject to outside influence. However, there has been little examination as to how local corruption may be linked to the credibility or effectiveness of local dispute resolution actors, such as village heads,

<sup>42</sup> Fifty percent of respondents reported corruption associated with maintenance of clinics, roads and hospitals. 29 percent said there was none. 47 percent of respondents reported corruption associated with the price of *sembako*, the “basket” of basic foodstuffs. 34 percent said there was none. 44 percent of respondents said that corruption affected the quality of government services, while 36 percent said it did not.

<sup>43</sup> This figure is up from 53 percent in 2007.

informal leaders or even the police. The GDS allows for an initial exploration of these issues. Since there is little reason to believe that individuals who are willing to report corruption and conflict would then describe the outcome of that conflict differently than those who are not willing to talk about corruption, little reporting bias is expected.<sup>44</sup>

Even without corruption or bribery, development is an inherently conflict ridden process of change (Barron, Diprose and Woolcock 2006; Hickey and Mohan 2004; Anderson 1999). The GDS data offers the opportunity to explore the broader correlations between conflict, development and the use of dispute resolution actors.

Finally, the GDS data also allows for an examination of how access to development information may affect the use of dispute resolution actors.<sup>45</sup> Increased transparency is a standard recommendation for managing the conflict and change that comes with development. If a village head provides the information, he or she may gain credibility and be in a better position to address any disputes that arise from changes within the village. Since the village head is the primary source of information on development in most locations, we hypothesize that village heads who are more willing to share information will be cited more frequently as dispute resolution actors (McLaughlin, Satu and Hoppe 2007; KDP/World Bank 2007; Sharpe and Wall 2007; Evers 2001). On the other hand, new (or more complete) information may be threatening to some as it has the potential to undermine authority and drive social change.

### **5.1. Governance and Development: Impacts on Conflict**

Consistent with the idea that there is high endogeneity between reports of corruption or bribery and conflict, there is a significant correlation between the two in nearly all types of conflict (see Table A.2).<sup>46</sup> There is a limited correlation between corruption or bribery and ethnic or religious conflict. However, land conflict stands out as more highly correlated with village head corruption and bribery than other types of conflicts. Reports of bribing the village head is associated with a 15 percentage point increase in reported land conflict (5 percentage points higher than for any other type of conflict), while village head corruption correlates with an 11 point increase in reports of land conflict (3 percentage points higher than for any other type of conflict). Since village heads have control of many important land documents, they have the ability to create conflict if they are less than honest. However, it is also possible that divisive land conflicts create animosity toward the village head, resulting in additional reports of corruption and bribery. Since land conflict is prevalent in the country, more work should be done on this topic.

In line with the idea that development and conflict are linked, the presence of a development project correlates with a 4 percentage point increase in reports of land conflict and a 3 percentage point increase in both reports of criminal activity and family disputes.

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<sup>44</sup> However, results must still be treated with caution, since reports of corruption may not *only* stem from corruption. Kaiser, Pattinasarany and Shultze (2006) argue that as information improves so too does the willingness to report corruption. Corruption itself may not necessarily increase. Among other things, any correlations between corruption and dispute resolution may also be about access to information and dispute resolution.

<sup>45</sup> Information about development would include information about proposed or current village development projects and national or regional development policies or schemes (for example subsidies to the poor or free education).

<sup>46</sup> Presented in Annex A.



In addition, information about village development, correlates with a 4 percentage point increase in reports of land conflict and family disputes, and a 3 percentage point increase in reported criminal activity and domestic violence. There is the very real possibility that access to information increases reporting of conflict rather than the underlying levels of conflict. While an increased openness to discuss both development and conflict may ultimately assist in effectively addressing problems, overt discussion of issues can be threatening to leaders if they perceive it as a comment on their ability to maintain village harmony or a threat to their power, or if it becomes highly politicized. While transparency should be encouraged, the very real challenges that it may present to village leaders should be kept in mind.

## **5.2. Governance and Development: Impacts on Dispute Resolution**

The GDS data allows for an analysis of reports of dispute resolution actors acting alone in response to conflict or in conjunction with others, as presented in Tables A.3-A.5. Unfortunately, small sample sizes make it difficult to break out these categories by type of conflict. Here they are considered for all types of conflict.

Reported village head corruption correlates with an 8 percentage point decrease in the use of the village head as a dispute resolution actor, when he or she is reported to be one of multiple dispute resolution actors. There is no change in the use of the village head as a dispute resolution actor when he or she is reported as the sole dispute resolution actor. This indicates that corruption may affect the credibility of the village head for certain types of conflicts, particularly those types where there are other credible actors available for dispute resolution. This would suggest that where communities have a choice of more than one dispute resolution actor, and one of those actors is perceived as corrupt they are likely to use other actors. However, there is no evidence of substitution into either informal leaders or the police, as reported use of either remains unchanged when the village head is reported as being corrupt. More work is needed to determine where individuals take problems when they feel that corruption has compromised the ability of the village head to help them.

Corruption by the police does not correlate with any significant change in use of the police as dispute resolution actors. However, it is associated with a 5 percentage point increase in the use of the village head. This indicates that some conflicts are taken to the village head rather than to the police if there is the perception that the police are corrupt. These results indicate the importance of providing options to communities in resolving their disputes. Where one actor is perceived as being corrupt, this enables communities to seek assistance from other actors.

Results surrounding bribery are less clear. There is a 7 percentage point increase in the use of the village head as the sole dispute resolution actor if there are reports of bribery of the village head. There is no effect on the use of the village head as a dispute resolution actor in conjunction with another actor. This may indicate that village heads who have a monopoly on dispute resolution for certain types of cases abuse their position, or that those who pay bribes to the village head work harder to ensure that he or she is the sole dispute resolution actor in hopes of a favorable outcome. Bribes paid to the police have no effect on the use of any dispute resolution actor.

Finally, both the existence of a development project in a village and access to information about development correlate with a 3 percentage point increase in the use of the village head as a dispute resolution actor. Access to development information is also correlated with a 3.6 percentage point increase in the use of informal leaders as sole dispute resolution actors. While neither is a large increase, they point to the important role of the village head and informal leaders in helping to manage change.

### **5.3. Implications**

Clearly, there is room for additional work on the links between corruption or bribery and both conflict and dispute resolution. While it remains difficult to establish any causality, the fact that village head corruption is associated with lower use of the village head as a dispute resolution actor indicates that there is a link between the two. Since the village head is an important dispute resolution actor for many types of conflict, and may be more important for poorer individuals who have neither the resources nor the time to engage with the formal system, decreased use may lead to poorer outcomes and ongoing problems. However, more work is necessary to understand the dynamics at work and develop an adequate response. Providing more dispute resolution options may help, but since the village head does command a great deal of power in most villages, it is not always possible to go around him (or occasionally her).

In terms of development projects and access to development information, the results are consistent with an understanding of both as elements in a contested process of social change. The result that information about development leads to increased reports of conflict deserves special attention, since it should prompt a consideration of how transparency is handled at a local level. While this does not suggest that transparency should be curtailed, it may point to the need for a better dialogue with local leaders about how to best share information, field questions and deal with the problems that arise. Since village heads and informal leaders have larger roles in resolving conflicts in the village in the presence of development projects or information, they seem to be the most useful recipients of potential assistance.

## 6. CONCLUSION AND RECOMMENDATIONS

This paper has presented information about conflict and dispute resolution patterns in Indonesia, and explored how those patterns may interact with corruption, bribery and various aspects of development. It has also examined the use of police services and the formal legal system, presenting a more complete picture of who uses the system and factors such as belief in one's knowledge of rights and trust in the legal system that may be associated with use. Based on the findings, we here turn to certain recommendations and suggestions for further analytical work.

**Conflict is largely local, so attempts to understand how conflict happens or how it is effectively resolved should also be locally grounded.** Levels of reported conflict vary from region to region, indicating that local dynamics—including economic conditions, power relationships and culture—influence the emergence of conflict. This finding echoes those from other studies, and should simply serve as a reminder to continue understanding conflict in local terms and addressing it in acceptable ways.

**Since patterns of dispute resolution are predominantly local and informal, dispute resolution assistance must also have a local focus and include non-state options.** Most disputes are addressed outside of the formal system and at the village level. The main dispute resolution actors are village officials (primarily village heads), informal village leaders and the police. While the police are the primary actors in addressing crime, and village heads more frequently resolve land conflicts, there is considerable regional variation. While this paper has developed an initial picture of regional variation in dispute resolution, more work is needed to determine how local justice is actually served. Other studies indicate that village heads and informal leaders do not always serve the poorest or the marginalized well (World Bank 2009). With this in mind, having a local focus may not always be the same as supporting local systems of dispute resolution without question. In some cases, those who are not served well by local systems may need additional assistance.

**The poor are currently underserved by the formal system and may need to be specifically targeted for assistance.** This paper found that the formal legal system disproportionately serves the elite and the non-poor to the exclusion of the poor. Assistance should help identify ways to expand their options, be they state or non-state. The analysis also points to a correlation between a belief that one knows one's legal rights and the use of the legal system. This may indicate a greater willingness to use the system if one knows one's rights, or it could indicate that individuals learn their rights as they interact with the system. Either way, there may still be value in helping individuals understand their rights at the outset so that they can more confidently use the system if they choose, or have a more informed position in a non-state dispute resolution setting.

**Attempts should be made to better understand the low levels of trust in the formal legal system, even among those who have used it.** It is easy to point to corruption as the key factor driving lack of trust. It may indeed be that corruption will need to be addressed before anything other reform

can be successfully attempted. However, it seems surprising that a majority of those who were willing to use the formal justice system did not believe it would necessarily provide a fair outcome. This may indicate that other factors are at work, such as procedural or bureaucratic problems unforeseen by those who used the system, and that often few other effective mechanisms exist. Further work is needed on this topic to design appropriate responses.

**Problems of village head governance, such as corruption and bribery, are associated with different patterns of dispute resolution. The relationship between the two should be explored further.** The GDS data shows a decrease in the use of the village head if he or she is reported as being corrupt and a slight increase in use if he or she is reported as being involved in a bribery case. These findings should be explored in greater depth. It would be particularly interesting to know where villagers take problems that they are unwilling to bring to a corrupt village head. Do the issues go unresolved? Understanding this question may help to identify other legitimate dispute resolution actors that may be supported. At the same time, the impact of village head behavior on the dispute resolution process hints at their primacy in village dispute resolution and the fact that they may not be easily bypassed.

**Finally, efforts to help village heads manage information about development may also help them address conflict.** Development and access to information about development are intimately linked to processes of contestation and social change. The findings in this paper support this premise. They also show that the village head and informal leaders have an important role in managing change, be it in the form of new information or a development project. Since a common response to development-related conflict is greater transparency, efforts to help village heads understand how to present and discuss information may also help them to better manage conflicts that may occur.

## ANNEX A: DATA TABLES

Table A.1. Village-level Dispute/conflict in the Past 2 Years - % Households Reporting

Conflict type	Indonesia	Sumatra	Java Bali	Kalimantan	Sulawesi	NTB NTT	Maluku Papua
<b>Land/building dispute</b>	<b>13.3</b>	<b>9.6</b>	<b>9.2</b>	<b>14.2</b>	<b>17.5</b>	<b>23.3</b>	<b>19.5</b>
Resolved by community informal leaders	39.3	46.6	28.7	42.9	33.2	39.9	51.0
Resolved by village officials	58.8	48.6	54.9	54.6	73.1	72.5	49.0
Resolved by the police	17.0	12.9	11.0	12.6	32.9	13.4	19.3
<b>General criminal</b>	<b>16.4</b>	<b>15.6</b>	<b>16.0</b>	<b>10.9</b>	<b>16.9</b>	<b>24.2</b>	<b>18.6</b>
Resolved by community informal leaders	23.7	20.9	19.7	22.5	19.3	31.5	30.6
Resolved by village officials	35.4	33.9	34.8	27.0	34.2	54.0	41.4
Resolved by the police	59.1	53.0	53.5	66.9	72.0	37.4	54.3
<b>Power abuse</b>	<b>2.8</b>	<b>1.7</b>	<b>3.0</b>	<b>2.4</b>	<b>2.3</b>	<b>4.0</b>	<b>4.8</b>
Resolved by community informal leaders	31.2	27.2	28.6	23.1	40.5	26.0	40.0
Resolved by village officials	32.6	34.4	37.0	12.8	40.5	50.0	21.7
Resolved by the police	16.3	19.2	20.2	10.3	16.2	2.0	16.7
<b>Family-related dispute</b>	<b>10.9</b>	<b>8.3</b>	<b>11.0</b>	<b>8.0</b>	<b>9.8</b>	<b>17.3</b>	<b>15.3</b>
Resolved by community informal leaders	43.3	27.8	26.9	57.7	31.9	56.5	67.0
Resolved by village officials	40.2	39.8	40.7	26.9	57.5	49.1	46.6
Resolved by the police	6.2	3.6	3.7	0.8	14.4	11.6	7.3
<b>Domestic violence</b>	<b>7.6</b>	<b>5.1</b>	<b>6.2</b>	<b>5.2</b>	<b>4.1</b>	<b>13.8</b>	<b>19.8</b>
Resolved by community informal leaders	36.1	23.5	24.0	29.4	34.3	25.6	60.6
Resolved by village officials	28.1	16.5	19.3	21.2	53.7	34.3	35.4
Resolved by the police	8.0	5.5	5.8	9.4	13.4	11.6	6.9
<b>Election-related dispute</b>	<b>3.2</b>	<b>1.3</b>	<b>4.2</b>	<b>1.8</b>	<b>2.0</b>	<b>2.6</b>	<b>8.8</b>
Resolved by community informal leaders	29.2	26.8	25.6	36.7	21.9	43.8	29.4
Resolved by village officials	30.4	32.4	31.6	30.0	21.9	34.4	30.3
Resolved by the police	26.6	29.5	31.8	33.3	31.3	12.5	22.0
<b>Ethnic/religious</b>	<b>2.0</b>	<b>1.2</b>	<b>1.7</b>	<b>1.2</b>	<b>3.4</b>	<b>1.9</b>	<b>3.9</b>
Resolved by community informal leaders	51.2	55.9	53.7	55.0	42.9	54.2	59.2
Resolved by village officials	35.8	37.5	31.8	25.0	33.9	50.0	34.7
Resolved by the police	46.9	42.6	44.8	20.0	83.9	8.3	30.6

Table A.2. Determinants of Individual Reporting of Conflicts

Dependent variable: reporting conflict, <sup>1</sup> if yes; 0 if otherwise	(1) All	(2) Land dispute	(3) Criminal	(4) Power abuse	(5) Domestic dispute	(6) Domestic violence	(7) Election dispute	(8) Ethno- religious
<b>Region</b>								
Urban	-0.006 (0.002)*	-0.032 (0.008)**	-0.005 (0.009)	0.001 (0.003)	-0.02 (0.007)**	0.011 (0.006)	0.004 (0.003)	0 (0.003)
Non-random districts	-0.005 (0.002)*	-0.009 (0.007)	-0.012 (0.007)	0.004 (0.002)*	-0.009 (0.006)	-0.001 (0.005)	-0.011 (0.003)**	0 (0.002)
<i>Island (control: Java and Bali)</i>								
Sumatra	-0.008 (0.003)**	0.008 (0.010)	0.005 (0.010)	-0.004 (0.003)	-0.02 (0.008)**	-0.003 (0.007)	-0.019 (0.003)**	-0.008 (0.002)**
Nusa Tenggara	0.045 (0.005)**	0.125 (0.017)**	0.098 (0.017)**	0.006 (0.005)	0.066 (0.015)**	0.054 (0.012)**	-0.005 (0.004)	-0.004 (0.003)
Kalimantan	-0.006 (0.003)*	0.061 (0.014)**	-0.042 (0.011)**	-0.002 (0.003)	-0.02 (0.009)*	-0.007 (0.008)	-0.012 (0.003)**	-0.004 (0.003)
Sulawesi	0.015 (0.004)**	0.1 (0.015)**	0.031 (0.013)*	-0.001 (0.003)	-0.002 (0.010)	-0.018 (0.007)*	-0.006 (0.004)	0.013 (0.005)**
Maluku & Papua	0.056 (0.005)**	0.101 (0.017)**	0.045 (0.016)**	0.002 (0.004)	0.057 (0.014)**	0.132 (0.016)**	0.05 (0.010)**	0.011 (0.006)*
<b>Demographic</b>								
Male	0.001 (0.002)	0.014 (0.006)*	-0.006 (0.007)	0.004 (0.002)	-0.001 (0.006)	-0.009 (0.005)	0.001 (0.003)	0.001 (0.002)
<i>Age group (control: &lt;25)</i>								
25-35	-0.003 (0.003)	0.008 (0.012)	-0.02 (0.013)	-0.002 (0.004)	-0.008 (0.010)	-0.002 (0.008)	0.004 (0.006)	0 (0.004)
35-45	-0.012 (0.003)**	-0.003 (0.012)	-0.028 (0.013)*	-0.002 (0.004)	-0.032 (0.010)**	-0.02 (0.007)**	0.003 (0.005)	-0.001 (0.004)
45-55	-0.017 (0.003)**	-0.017 (0.012)	-0.04 (0.013)**	-0.004 (0.004)	-0.031 (0.010)**	-0.027 (0.007)**	0.001 (0.005)	0 (0.004)
55+	-0.023 (0.003)**	-0.017 (0.013)	-0.055 (0.013)**	-0.005 (0.004)	-0.037 (0.010)**	-0.037 (0.007)**	-0.007 (0.005)	0 (0.004)
<b>Education level</b> (control: no school)								
Elementary	0.658 (0.006)**	0.771 (0.011)**	0.826 (0.008)**	0.252 (0.020)**	0.753 (0.012)**	0.602 (0.017)**	0.421 (0.022)**	0.351 (0.026)**

Junior secondary	0.964 (0.002)**	0.967 (0.002)**	0.961 (0.002)**	0.764 (0.031)**	0.972 (0.002)**	0.952 (0.006)**	0.911 (0.015)**	0.872 (0.026)**
Senior secondary	0.964 (0.002)**	0.975 (0.002)**	0.971 (0.002)**	0.741 (0.029)**	0.975 (0.002)**	0.94 (0.007)**	0.882 (0.017)**	0.874 (0.022)**
Tertiary	0.953 (0.000)**	0.928 (0.002)**	0.906 (0.002)**	0.897 (0.005)**	0.94 (0.002)**	0.947 (0.001)**	0.954 (0.001)**	0.928 (0.003)**
<b>Socio-economic</b>								
Belong to majority religion	0.001 (0.002)	-0.01 (0.008)	0.017 (0.009)	0 (0.003)	0.021 (0.007)**	-0.02 (0.007)**	0.008 (0.003)**	-0.007 (0.003)*
Poor household	0.006 (0.002)**	0.015 (0.006)*	-0.007 (0.007)	0 (0.002)	0.01 (0.006)	0.012 (0.005)**	0.001 (0.003)	0.005 (0.002)*
Village elite	0.01 (0.002)**	0.028 (0.008)**	0.004 (0.009)	0.001 (0.003)	0.02 (0.008)*	0.019 (0.006)**	0.003 (0.003)	0 (0.003)
Paid worker	-0.002 (0.002)	0 (0.006)	0.001 (0.007)	-0.005 (0.002)*	-0.002 (0.006)	0.001 (0.005)	-0.006 (0.003)*	0 (0.002)
Village has development project	0.018 (0.002)**	0.039 (0.006)**	0.034 (0.007)**	0.001 (0.002)	0.032 (0.006)**	0.014 (0.005)**	0.006 (0.003)*	0.002 (0.002)
<b>Administration</b>								
Village admin is corrupt	0.065 (0.004)**	0.112 (0.014)**	0.082 (0.014)**	0.085 (0.010)**	0.076 (0.012)**	0.054 (0.010)**	0.034 (0.007)**	0.005 (0.004)
Ever bribed village admin	0.065 (0.007)**	0.152 (0.026)**	0.106 (0.026)**	0.041 (0.011)**	0.052 (0.020)**	0.058 (0.018)**	0.028 (0.010)**	0.005 (0.006)
Ever complained to admin	0.021 (0.003)**	0.055 (0.011)**	0.029 (0.012)*	0.009 (0.004)*	0.028 (0.010)**	0.018 (0.008)*	0.001 (0.004)	0.006 (0.004)
Police is corrupt	0.03 (0.004)**	0.058 (0.015)**	0.081 (0.017)**	0.005 (0.004)	0.032 (0.013)*	0.031 (0.011)**	0.002 (0.005)	0.005 (0.005)
Ever bribed the police	0.033 (0.006)**	0.054 (0.020)**	0.058 (0.022)**	0.021 (0.009)*	0.033 (0.017)	0.038 (0.015)*	0.018 (0.009)*	0.005 (0.006)
Ever complained to police	0.04 (0.010)**	0.087 (0.038)*	0.064 (0.038)	0.017 (0.013)	0.002 (0.026)	0.046 (0.026)	0.046 (0.020)*	0.017 (0.014)
<b>Social trust</b>								
Can trust neighbors?	-0.03 (0.004)**	-0.073 (0.015)**	-0.044 (0.015)**	-0.008 (0.005)	-0.029 (0.012)*	-0.036 (0.010)**	-0.013 (0.006)*	-0.01 (0.005)*
Can trust village outsiders?	-0.012 (0.003)**	-0.017 (0.008)*	-0.041 (0.010)**	-0.003 (0.003)	0 (0.007)	-0.009 (0.006)	-0.007 (0.004)	-0.005 (0.003)
Can trust people from other religion?	-0.004 (0.003)	-0.011 (0.009)	-0.002 (0.010)	0 (0.003)	-0.001 (0.008)	-0.006 (0.006)	-0.002 (0.003)	-0.007 (0.003)*

Can trust people from other ethnicity?	0.001 (0.003)	0.009 (0.009)	0.013 (0.010)	-0.003 (0.003)	-0.009 (0.008)	0 (0.006)	-0.004 (0.003)	0.001 (0.003)
<b>Knowledge and participation</b>								
Knows village development information	0.022 (0.002)**	0.04 (0.008)**	0.027 (0.008)**	0.004 (0.003)	0.036 (0.007)**	0.029 (0.006)**	0.01 (0.003)**	0.006 (0.003)*
Watched TV/radio	0.013 (0.002)**	0.016 (0.008)	0.031 (0.009)**	-0.001 (0.003)	0.03 (0.007)**	0.005 (0.006)	0.001 (0.004)	0.008 (0.002)**
Read newspaper?	0.015 (0.003)**	0.032 (0.009)**	0.019 (0.010)	0 (0.003)	0.021 (0.008)*	0.022 (0.007)**	0.007 (0.004)	0.004 (0.003)
<b>Security</b>								
Feeling physically secured?	-0.014 (0.003)**	-0.019 (0.011)	-0.02 (0.011)	-0.006 (0.004)	-0.01 (0.009)	-0.023 (0.008)**	-0.011 (0.005)*	-0.008 (0.004)*
Feel that assets are secured?	-0.036 (0.003)**	-0.023 (0.009)*	-0.158 (0.012)**	-0.012 (0.004)**	-0.028 (0.009)**	-0.02 (0.007)**	-0.005 (0.004)	-0.009 (0.003)*
Observations	81830	11690	11690	11690	11690	11690	11690	11690

Numbers are marginal effect of probit estimations. Robust standard errors in parentheses.

\* significant at 5% level; \*\* significant at 1% level



**Table A.3. Determinants of Reporting Village Head as Resolution Actor**

<i>Dependent variable: reporting conflict, (1 if yes; 0 if otherwise)</i>	(1) Any combination of village head and other actor(s)	(2) If village head was the sole actor	(3) If village head only came with other actor(s)
<b>Region</b>			
Urban	-0.133 [0.015]**	-0.084 [0.011]**	-0.047 [0.013]**
Non-random districts	0.013 [0.013]	0.006 [0.010]	0.008 [0.011]
<i>Island (control: Java and Bali)</i>			
Sumatra	-0.083 [0.019]**	-0.068 [0.013]**	-0.007 [0.016]
Nusa Tenggara	0.13 [0.024]**	-0.038 [0.016]*	0.177 [0.024]**
Kalimantan	-0.058 [0.023]*	-0.058 [0.016]**	0.007 [0.021]
Sulawesi	0.113 [0.023]**	-0.015 [0.017]	0.136 [0.022]**
Maluku & Papua	-0.002 [0.023]	-0.092 [0.014]**	0.107 [0.022]**
<b>Demographic</b>			
Male	-0.004 [0.014]	-0.011 [0.011]	0.008 [0.011]
<i>Age group (control: &lt;25)</i>			
25-35	-0.033 [0.023]	-0.023 [0.017]	-0.007 [0.019]
35-45	-0.059 [0.023]*	-0.028 [0.018]	-0.028 [0.019]
45-55	-0.044 [0.025]	-0.039 [0.018]*	-0.002 [0.021]
55+	-0.077 [0.026]**	-0.056 [0.018]**	-0.016 [0.022]
<b>Education level</b>			
<i>(control: no education)</i>			
Elementary	0.028 [0.018]	0.017 [0.014]	0.011 [0.014]
Junior secondary	dropped	dropped	dropped
Senior secondary	-0.038 [0.019]*	-0.041 [0.014]**	0.005 [0.015]
Tertiary	-0.082 [0.026]**	-0.049 [0.019]*	-0.03 [0.021]
<b>Socio-economic</b>			
Belong to majority religion	-0.025 [0.017]	-0.03 [0.014]*	0.004 [0.013]
Poor household	0.012 [0.013]	0.007 [0.010]	0.005 [0.011]
Village elite	-0.014 [0.015]	-0.024 [0.012]*	0.011 [0.012]
Paid worker	0.014 [0.013]	-0.013 [0.010]	0.028 [0.011]**

Village has development project	0.032 [0.013]*	0.003 [0.010]	0.028 [0.010]**
<b>Administration</b>			
Village admin is corrupt	-0.084 [0.016]**	-0.025 [0.013]	-0.06 [0.012]**
Ever bribed village admin	0.076 [0.025]**	0.072 [0.022]**	0.006 [0.021]
Ever complained to admin	0.044 [0.017]**	0.016 [0.014]	0.029 [0.014]*
Police is corrupt	0.051 [0.022]*	0.031 [0.018]	0.021 [0.019]
Ever bribed the police	-0.01 [0.025]	0.026 [0.021]	-0.03 [0.019]
Ever complained to police	0.008 [0.043]	-0.057 [0.030]	0.065 [0.039]
<b>Social trust</b>			
Can trust neighbors?	-0.019 [0.021]	-0.037 [0.017]*	0.018 [0.016]
Can trust village outsiders?	0 [0.016]	0.017 [0.012]	-0.018 [0.013]
Can trust people from other religion?	-0.014 [0.017]	-0.004 [0.013]	-0.008 [0.014]
Can trust people from other ethnicity?	0.005 [0.016]	0.008 [0.013]	-0.002 [0.013]
<b>Knowledge and participation</b>			
Knows village development information	0.027 [0.013]*	0.022 [0.011]*	0.004 [0.011]
Watched TV/radio	0.049 [0.018]**	0.021 [0.014]	0.025 [0.014]
Read newspaper?	-0.007 [0.016]	-0.008 [0.013]	0.001 [0.013]
<b>Security</b>			
Feeling physically secured?	-0.019 [0.018]	-0.018 [0.014]	-0.002 [0.014]
Feel that assets are secured?	0.012 [0.015]	0.027 [0.012]*	-0.015 [0.012]
Observations	6751	6751	6751

**Table A.4. Determinants of Reporting Police as Resolution Actor**

<i>Dependent variable: reporting conflict, (1 if yes; 0 if otherwise)</i>	(1) Any combination of the police and other actor(s)	(2) If the police was the sole actor	(3) If the police only came with other actor(s)
<b>Region</b>			
Urban	0.056 [0.014]**	0.05 [0.012]**	0.005 [0.008]
Non-random districts	-0.012 [0.011]	0.003 [0.009]	-0.015 [0.006]*
<i>Island (control: Java and Bali)</i>			
Sumatra	0.038 [0.017]*	0.025 [0.014]	0.015 [0.011]
Nusa Tenggara	0.025 [0.020]	-0.021 [0.015]	0.054 [0.016]**
Kalimantan	0.012 [0.020]	0.009 [0.017]	0.004 [0.013]
Sulawesi	0.104 [0.021]**	0.052 [0.017]**	0.06 [0.016]**
Maluku & Papua	0.028 [0.019]	-0.025 [0.015]	0.06 [0.015]**
<b>Demographic</b>			
Male	0.002 [0.011]	-0.004 [0.009]	0.007 [0.006]
<i>Age group (control: &lt;25)</i>			
25-35	0.005 [0.019]	-0.005 [0.016]	0.011 [0.012]
35-45	0.027 [0.020]	0.027 [0.017]	0.002 [0.011]
45-55	0.011 [0.021]	0.012 [0.019]	-0.001 [0.012]
55+	0.009 [0.023]	0.007 [0.020]	0.005 [0.013]
<b>Education level</b> <i>(control: no education)</i>			
Elementary	0.001 [0.014]	-0.002 [0.012]	0.002 [0.008]
Junior secondary	dropped	dropped	dropped
Senior secondary	0.019 [0.015]	0.009 [0.013]	0.008 [0.009]
Tertiary	0.017 [0.022]	0.021 [0.019]	-0.009 [0.011]
<b>Socio-economic</b>			
Belong to majority religion	-0.014 [0.013]	-0.004 [0.011]	-0.006 [0.007]
Poor household	-0.018 [0.010]	-0.03 [0.009]**	0.012 [0.006]*
Village elite	-0.002 [0.012]	-0.005 [0.010]	0.003 [0.007]

Paid worker	0	0.002	0
	[0.010]	[0.009]	[0.006]
Village has development project	-0.007	-0.011	0.002
	[0.011]	[0.009]	[0.006]
<b>Administration</b>			
Village admin is corrupt	-0.009	0.007	-0.015
	[0.013]	[0.012]	[0.007]*
Ever bribed village admin	-0.031	-0.03	0.002
	[0.019]	[0.015]*	[0.012]
Ever complained to admin	0.005	-0.01	0.015
	[0.014]	[0.011]	[0.008]
Police is corrupt	-0.014	-0.008	-0.006
	[0.017]	[0.014]	[0.010]
Ever bribed the police	0.005	-0.009	0.016
	[0.020]	[0.017]	[0.013]
Ever complained to police	0.008	0.003	0.006
	[0.034]	[0.029]	[0.020]
<b>Social trust</b>			
Can trust neighbors?	0.006	0.008	-0.001
	[0.016]	[0.014]	[0.009]
Can trust village outsiders?	-0.011	-0.015	0.004
	[0.013]	[0.011]	[0.007]
Can trust people from other religion?	-0.023	-0.011	-0.011
	[0.014]	[0.012]	[0.007]
Can trust people from other ethnicity?	0.054	0.043	0.009
	[0.013]**	[0.011]**	[0.007]
<b>Knowledge and participation</b>			
Knows village development information	-0.014	-0.006	-0.009
	[0.011]	[0.009]	[0.006]
Watched TV/radio	0.027	0.01	0.017
	[0.015]	[0.014]	[0.007]*
Read newspaper?	-0.002	0.01	-0.011
	[0.012]	[0.011]	[0.007]
<b>Security</b>			
Feeling physically secured?	0.01	-0.007	0.015
	[0.014]	[0.012]	[0.007]*
Feel that assets are secured?	-0.012	-0.002	-0.009
	[0.012]	[0.011]	[0.007]
Observations	6751	6751	6751

Numbers are marginal effect of probit estimations. Robust standard errors in parentheses.

\* significant at 5% level; \*\* significant at 1% level

**Table A.5. Determinants of Reporting Informal Leader as Resolution Actor**

<i>Dependent variable: reporting conflict, (1 if yes; 0 if otherwise)</i>	(1) Any combination of the informal actor and other actor(s)	(2) If the informal actor was the sole actor	(3) If the informal actor only came with other actor(s)
<b>Region</b>			
Urban	-0.019 [0.016]	0.003 [0.012]	-0.02 [0.013]
Non-random districts	0.009 [0.013]	0.021 [0.009]*	-0.012 [0.010]
<i>Island (control: Java and Bali)</i>			
Sumatra	0.096 [0.020]**	0.085 [0.016]**	0.006 [0.017]
Nusa Tenggara	0.111 [0.024]**	-0.07 [0.014]**	0.193 [0.024]**
Kalimantan	0.133 [0.024]**	0.095 [0.020]**	0.035 [0.021]
Sulawesi	0.046 [0.023]*	-0.05 [0.014]**	0.107 [0.022]**
Maluku & Papua	0.237 [0.023]**	0.033 [0.017]	0.214 [0.023]**
<b>Demographic</b>			
Male	0.049 [0.013]**	0.024 [0.009]*	0.023 [0.011]*
<i>Age group (control: &lt;25)</i>			
25-35	0.012 [0.023]	0.04 [0.019]*	-0.025 [0.018]
35-45	0.011 [0.023]	0.038 [0.019]*	-0.025 [0.018]
45-55	0.038 [0.026]	0.038 [0.021]	0.001 [0.020]
55+	0.067 [0.028]*	0.033 [0.023]	0.032 [0.023]
<b>Education level</b> (control: no education)			
Elementary	-0.016 [0.017]	-0.021 [0.012]	0.006 [0.014]
Junior secondary			
Senior secondary	0.012 [0.018]	-0.002 [0.013]	0.015 [0.015]
Tertiary	-0.001 [0.026]	0.029 [0.021]	-0.031 [0.020]
<b>Socio-economic</b>			
Belong to majority religion	0.012 [0.016]	-0.003 [0.012]	0.014 [0.012]
Poor household	0.014 [0.013]	0.008 [0.009]	0.008 [0.010]
Village elite	0.046 [0.015]**	0.018 [0.011]	0.028 [0.012]*

Paid worker	-0.01 [0.012]	-0.036 [0.009]**	0.027 [0.010]**
Village has development project	0.016 [0.013]	-0.003 [0.009]	0.018 [0.010]
<b>Administration</b>			
Village admin is corrupt	-0.028 [0.016]	0.013 [0.012]	-0.04 [0.012]**
Ever bribed village admin	-0.011 [0.024]	-0.019 [0.016]	0.01 [0.020]
Ever complained to admin	0.026 [0.016]	0.001 [0.011]	0.026 [0.014]
Police is corrupt	-0.006 [0.021]	-0.018 [0.014]	0.013 [0.018]
Ever bribed the police	-0.006 [0.024]	-0.004 [0.017]	0.001 [0.020]
Ever complained to police	0.111 [0.042]**	0.033 [0.032]	0.072 [0.037]*
<b>Social trust</b>			
Can trust neighbors?	0.019 [0.019]	-0.005 [0.014]	0.023 [0.015]
Can trust village outsiders?	-0.016 [0.015]	0.008 [0.011]	-0.026 [0.013]*
Can trust people from other religion?	0.019 [0.016]	0.004 [0.012]	0.017 [0.013]
Can trust people from other ethnicity?	-0.042 [0.016]**	-0.02 [0.012]	-0.019 [0.013]
<b>Knowledge and participation</b>			
Knows village development information	0.013 [0.013]	0.036 [0.010]**	-0.025 [0.010]*
Watched TV/radio	-0.036 [0.019]	-0.05 [0.015]**	0.011 [0.014]
Read newspaper?	-0.031 [0.015]*	-0.016 [0.011]	-0.011 [0.012]
<b>Security</b>			
Feeling physically secured?	0.03 [0.016]	0.014 [0.012]	0.015 [0.013]
Feel that assets are secured?	-0.002 [0.015]	0.006 [0.011]	-0.007 [0.012]
Observations	6751	6751	6751

Numbers are marginal effect of probit estimations. Robust standard errors in parentheses.  
\* significant at 5% level; \*\* significant at 1% level

## ANNEX B: QUESTIONNAIRE

Selected relevant sections of the GDS household questionnaire.

### **F4. Corruption and Bribery in the Village/Kelurahan Office**

<p>1. Have you ever heard/informed any corruption case in the <u>village/kelurahan office</u>, in the <u>last 2 years</u> such as:</p> <ul style="list-style-type: none"> <li>- Misuse of the village/kelurahan budget/financial/ fund</li> <li>- Misuse of aid from the government/other parties, such as RASKIN, PKPS-BBM</li> </ul>	<p>1. Yes, case _____</p> <p>3. No</p>
<p>2. Have you ever heard/informed any bribery case in the <u>village/kelurahan Office</u> in the <u>last 2 years</u> such as:</p> <ul style="list-style-type: none"> <li>- Land dispute case in which the community paid a sum of money to the village head/lurah in order to get ownneship of the land</li> <li>- Illegal levy during document registration or administration process</li> </ul>	<p>1. Yes, case _____</p> <p>3. No</p>

## **G. POLICE**

### **G1. Access**

<p>1. In the last 2 years, have you or other HH member ever <u>used police services</u>?</p>	<p>1. Yes</p> <p>3. No → <b>NO.4</b></p>
<p>2. What was your or other HH member purpose in using police services?</p>	<p>A. PROPOSING DOCUMENTS ADMINISTRATION (SKKB, SIM, STNK, PERMIT, ETC)</p> <p>B. REPORTING A CRIME OR ASKING FOR HELP A CRIME</p> <p>C. REPORTING DOMESTIC VIOLENCE</p> <p>D. REPORTING OTHER KIND DISPUTE OR ASKING FOR HELP TO SETTLE DISPUTE</p> <p>V. OTHERS, _____</p>
<p>3. Has this person or other HH member ever being <u>asked/gave</u> a sum of ‘money’ (graft money, “cigarette money”, etc) by the police to get a faster case investigation?</p>	<p>1. Yes</p> <p>3. No</p>
<p>4. In the last 2 years, have you or other HH member ever seen police undertook on duty <u>visit</u> to your neighborhood?</p>	<p>1. Yes</p> <p>3. No → <b>SECTION G2</b></p>
<p>5. What was the purpose of that visit?</p>	<p>A. PATROL/SUPERVISE ENVIRONMENT SAFETY</p> <p>B. DELIVER A LAW SOCIALIZATION FOR THE PEOPLE IN THE VILLAGE/KELURAHAN (SUCH AS DRUGS, TRAFFIC REGULATION, DRIVER LICENSE PROCEDURE, ETC)</p> <p>C. CASE PROCESSING OR A BURGLARY INVESTIGATION</p> <p>D. CASE PROCESSING OR INVESTIGATION OF A CONFLICT/DISPUTE</p> <p>V. OTHERS, _____</p> <p>Y. DO NOT KNOW</p>

### G5. Corruption and Bribery in Police Services

<p>1. Have you ever heard/informed any corruption case done by the police in this <u>district</u> in the <u>last 2 years</u>, such as: - Misuse of police budget</p>	<p>1. Yes, case _____ _____ 3. No</p>
<p>2. Have you ever heard/informed any bribery case done by the police in this <u>district</u> in the <u>last 2 years</u>, such as: - Illegal levies during solving of crime, drug cases, disputes - Illegal levies on the streets - Illegal levies during processing documents (SKKB, SIM, STNK, dsb.) - Owner of entertainment place/drugs/gambiling bookie/pirated goods paid a sum of money to the police in order to have the business untouched by the police.</p>	<p>1. Yes, case _____ _____ 3. No</p>

### H. SECURITY

<p>1. At present, how is your or other HH member's level of security over <u>physical threat/violence</u> in your neighborhood?</p>	<p>1. Safe 2. Somewhat safe 3. Unsafe 4. Very unsafe</p>
<p>2. How is the present level of security over <u>physical threat/violence</u> compared to 2 years ago?</p>	<p>1. Increased 2. THE SAME 3. Decreased 6. NOT APPLICABLE 8. DO NOT KNOW</p>
<p>3. At present, how is your or other HH member's security level on ownership of goods?</p>	<p>1. Safe 2. Somewhat safe 3. Unsafe 4. Very unsafe</p>
<p>4. How is the present security level of ownership of goods compared to 2 years ago?</p>	<p>1. Increased 2. THE SAME 3. Decreased 6. NOT APPLICABLE 8. DO NOT KNOW</p>

### J3. Social Trust

<p>1. In general, do you consider your <u>neighbors</u> (hamlet/RW/RT) are trustworthy <b>INTERVIEWER REMARKS: ASSUME OR BELIEVE THAT A PERSON IS HONEST/GOOD/DOES NOT SUSPICIOUS EACH OTHER/DOES NOT HARM EACH OTHER.</b></p> <p>2. In general, do the villagers from <u>neighboring Village/kelurahan</u> are trustworthy?</p>	<p>1. Everyone is trustworthy 2. Most of them are trustworthy 3. A few of them are trustworthy 4. No one is trustworthy 8. DO NOT KNOW</p>
<p>3. In general, do the people of <u>different religions</u> are trustworthy?</p>	<p>1. Everyone is trustworthy 2. Most of them are trustworthy 3. A few of them are trustworthy 4. No one is trustworthy 8. DO NOT KNOW</p>



## I. DISPUTES/CONFLICTS

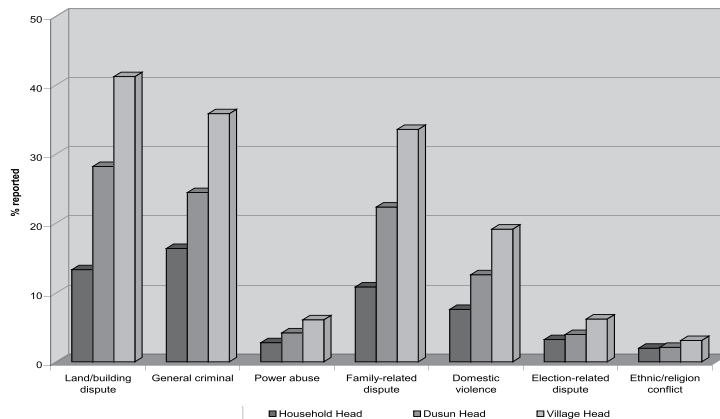
We would like to ask you about disputes/conflicts that occurred in this village/kelurahan in the last 2 years.

Type of Dispute/Conflict	1. Has any [...] occurred in this village/kelurahan in the last 2 years? 1 Yes 3. No ↓ 8. DO NOT KNOW ↓	2. In general, who would usually takes part in the effort to resolve the dispute/conflict occurred? A. PARALEGAL B. COMMUNITY/RELIGIOUS/CUSTOMS FIGURES C. VILLAGE OFFICIAL D. NON-GOVERNMENTAL ORGANIZATION (COUNSELOR) E. POLICE F. FAMILY MEMBER/FRIEND G. LAWYER H. SUBDISTRICT OFFICER I. DISTRICT OFFICER J. DISTRICT ATTORNEY V. OTHERS, _____ Y. DO NOT KNOW ↓	3. According to you, what is the degree of satisfaction of the parties in dispute/involved in a conflict, to that effort to resolve the dispute or conflict? 1. Very satisfied 2. Satisfied 3. Unsatisfied 4. Very unsatisfied 8. DO NOT KNOW
a. Land/building dispute/conflict among the people and/or between the government and the people	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
b. Dispute/conflict resulting from general crime (theft, homicide, etc)	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
c. Dispute/conflict resulting from misuse of power/authority	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
d. Dispute or conflict resulting from marriage/divorce/legacy	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
e. Dispute/conflict resulting from domestic violence	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
f. Dispute/conflict related with the Pilkades (Village Head Election)/Pilkada (Regional Head Election)/Pemilu (General Election)	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
g. Ethnocommunal/Religious/Group conflicts/disputes	1 3 ↓ 8 ↓	A B C D E F G H I J V _____ Y ↓	1 2 3 4 8
4. Have you involved with judicial institution in the last 2 years?	1. Yes 3. No 8. DO NOT KNOW		
5. According to you, does the judicial institution able to solve case in a fair manner?	1. Yes 3. No 8. DO NOT KNOW		
6. In a dispute, do you know his/her legal rights?	1. Yes 3. No		

## ANNEX C: BIASES IN THE HOUSEHOLD DATASET

Since GDS asks similar conflict-related questions of households, hamlet heads and village heads, it gives unique insight into variations in conflict reporting patterns between the different groups. Throughout this paper, we utilize the household dataset. We choose this dataset since it allows us to understand the characteristics of individuals who report conflict, various dispute resolution actors and perceived satisfaction with dispute resolution. However, we must note up front that the household dataset considerably underreports conflict, as shown in a comparison of reports from the household, hamlet head and village head datasets in Figure C.1 below. Based on Barron, Kaiser and Pradhan (2009), we expect that even village heads underreport conflict, meaning that household reporting is even farther from actual levels.<sup>47</sup>

**Figure C.1. Conflict Reporting by Household, Hamlet Head and Village Head<sup>48</sup>**



*Q: Has any (type of conflict) occurred in this village/ kelurahan in the last two years?*

There are a number of reasons why households may underreport conflict. First, knowledge of conflict depends on the existing networks within the village, in which the elite (which generally includes hamlet heads and village heads) may be more connected. Second, knowledge of conflict may be spatially limited. Since hamlets are often spread out, information about a robbery may not spread to another location. This is particularly true for conflicts that are still stigmatized and not openly discussed, such as domestic violence. Finally, in the household questionnaire, questions about conflict were asked closer to the end of a two-hour survey, and respondents may have been fatigued. The hamlet head and village head surveys were considerably shorter.

<sup>47</sup> Barron, Kaiser and Pradhan (2009) make use of a newspaper dataset covering East Java and NTT to compare levels of reported conflict and conflict damages and show underreporting by village heads. Unfortunately, that data collection has not been continued, beyond 2003, so we cannot use it in this paper. There is a newspaper dataset available from 2005 for Nanggroe Aceh Darussalam province. However, there are reasons to believe that patterns of conflict in that province are different than those in the rest of Indonesia, given that the province is just coming out of a 30-year armed conflict.

<sup>48</sup> The differences between types of respondent (household and hamlet head, hamlet head and village head) are all statistically significant, with one exception: the responses of households and hamlet heads regarding ethnic/religious conflict.

## ANNEX D: LIST AND DEFINITION OF VARIABLES

Variables	Description	Mean	Std. Error
Dependent variable: reporting conflicts	If the respondent knew any conflict happened in the village within the pasy 12 months	0.0802	0.0009
<b>Region</b>			
Urban	Districts which were purposively included in the GDS because of the presence of some programs.	0.2462	0.0014
Non-random districts		0.4331	0.0017
Island			
Sumatra		0.2389	0.0014
Java		0.2986	0.0015
Bali and Nusa Tenggara		0.1120	0.0011
Kalimantan		0.1268	0.0011
Sulawesi		0.1269	0.0011
Maluku and Papua		0.0968	0.0010
<b>Demographic</b>			
Male		0.6266	0.0016
Under 25		0.0716	0.0009
25-35		0.2381	0.0014
35-45		0.2769	0.0015
45-55		0.2098	0.0014
55+		0.2036	0.0013
<b>Education level</b>			
No school		0.0907	0.0010
Elementary		0.5535	0.0017
Junior secondary		0.1748	0.0013
Senior secondary		0.2088	0.0014
Tertiary		0.0628	0.0008
<b>Religion</b>			
Belong to majority religion	Respondent's religious affiliation is the same as the religion held by the majority of other respondent in the village.	0.7872	0.0014
Islam		0.7893	0.0014
Catholic		0.0749	0.0009
Protestant		0.1070	0.0010
Buddha		0.0030	0.0002
Hindu		0.0227	0.0005
Confucianism		0.0002	0.0001
Animism		0.0001	0.0000

Traditional religion		0.0027	0.0002
Others		0.0031	0.0002
<b>Socio-economic</b>			
Poor household	If the household owned 'poor card' – documentation issued by the local RT/RW and village authority proofing that the household is poor and eligible for certain types of relief programs.	0.4371	0.0017
Village elite	If the household head is the head of RT, RW, or considered as 'village elders.'	0.1845	0.0013
Paid worker	If the respondent works for, and receive payment from, other people.	0.3854	0.0016
Village has development project	One or more development projects exist in the village.	0.5403	0.0017
Administration			
Village admin is corrupt	Whether the respondent knew any corruption cases involving the village head or administration.	0.0870	0.0009
Ever bribed village admin	If the respondent or other family members have ever bribed the village head or administration.	0.0254	0.0005
Ever complained to admin	If the respondent or other family members have ever filed any complains to the village head or administration.	0.1048	0.0010
Police is corrupt	Whether the respondent knew any corruption cases involving the local police office or authority.	0.0558	0.0008
Ever bribed the police	If the respondent or other family members have ever bribed the local police office or authority.	0.0289	0.0006
Ever complained to police	If the respondent or other family members have ever filed any complains to the local police office or authority.	0.0089	0.0003
<b>Social trust</b>			
Can trust neighbors?	If the respondent considered other people from the same village can be trusted.	0.9242	0.0009
Can trust village outsiders?	If the respondent considered other people from other villages can be trusted.	0.7148	0.0015
Can trust people from other religion?	If the respondent considered other people from different religious affiliations can be trusted.	0.6181	0.0016
Can trust people from other ethnicity?	If the respondent considered other people from different ethnicity can be trusted.	0.6272	0.0016
<b>Knowledge and participation</b>			
Knows village development information	If the respondent have access to information regarding development projects exist in the village.	0.2660	0.0015
Watched TV/radio?		0.8197	0.0013
Read newspaper?		0.2039	0.0013

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<b>Security</b>			
Feeling physically secured?		0.8728	0.0011
Feel that assets are secured?		0.8172	0.0013

*Note:*

- 1. All independent variables are dummy variables (1 if the respondent has the characteristics described by the variable name or answered 'yes' to the related questions, 0 if otherwise). Mean value reflects the proportion of all respondents for each variable.*
- 2. No. of observation is the number of individuals times seven types of conflict.*

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