CONFLICT BETWEEN FISHERMEN IN MADURA: CAUSES AND SOLUTIONS[Ω]

Indien Winarwati and Uswatun Hasanah
Faculty of Law Universitas Trunojoyo Madura
Email: indien_w@yahoo.com

Abstract

Low productivity leads to competition among fishermen to get fish catches are becoming increasingly stringent because the regime of fish resources management is open (open access). These conditions are prone to conflict. This research is normative-qualitative research, design and method are combination of normative research methods and sociological research methods. There were many factors that cause conflicts between fishermen in Madura that erroneous perception about the ownership of the sea, differences in use of fishing tool, and violations of fishing area. The Conflict is resolved bet-ween the head of the fishermen's group, which was attended by village officials and community leaders. If that not works, the village officials will involve Pol.Airud, KAMLA, and the Department of Fisheries and Marine Affairs, and the results are set forth in the form of a written agreement.

Keywords: conflict between fishermen, causes of conflict, resolution of conflict, Madura

Abstrak

Rendahnya produktivitas nelayan menyebabkan persaingan antar nelayan untuk mendapatkan hasil tangkapan semakin lama semakin ketat, karena rezim pengelolaan sumber daya ikan bersifat terbuka *(open access)*. Kondisi tersebut rentan terhadap konflik. Penelitian ini merupakan penelitian normatif–kualitatif sehingga desain dan metodenya merupakan perpaduan antara metode penelitian normatif dan metode penelitian sosiologis. Faktor penyebab konflik antarnelayan di Madura yaitu persepsi yang keliru tentang kepemilikan laut, perbedaan penggunaan alat tangkap ikan, dan pelanggaran jalur penangkapan ikan. Konflik-konflik yang telah terjadi diselesaikan secara musyawarah bersama antara ketua kelompok nelayan yang konflik, dihadiri kepala desa dan tokoh masyarakat. Jika melalui cara itu tidak selesai, kepala desa akan melibatkan Pol.Airud, KAMLA, dan Dinas Perikanan Dan Kelautan setempat, dan hasil kesepakatannya dituangkan dalam bentuk tertulis.

Kata kunci: konflik antar nelayan, faktor terjadinya konflik, penyelesaian konflik, Madura

Introduction

Utilization of fishery resources in the sea may cause a competition between fishermen, both local fishermen and also with immigrant fishermen (*andon* fishermen). Competition that often happen is in terms of the seizure of fishery resources and the use of fishing technology. Besides the principle of the sea as a shared resource (common property resources) give rise to a perception that the sea does not have a clear restriction area, in these conditions, the fishermen often make unilateral restrictions on land waters. They claim that a particular water area as their territory, fishermen from other areas are not allowed to catch fish in their territory. The territorial claims based on their own assumptions not based on scientific knowledge in setting the limit of the territorial sea

As in Madura, utilization of fishery resources in the sea and use of fishing technology have caused conflicts between fishermen, as happened between fishermen of Lekok District (Pasuruhan Regency) as a newcomer fisherman/ *andon* and Kalirejo fishermen Kraton District (Bangkalan Madura), this was caused by the scarcity of resources in Pasuruhan water, Lekok

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fishermen should look for other waters of another catchment area (Madura) When fishing, Lekok fishermen using active and aggressive tool (mini trawl), whereas Kalirejo fishermen use passive fishing tool (traditional), the differences in the use of fishing tool does cause the conflict.

Something similar happened between local Bangkalan fishermen (Madura) with newcomer fishermen from Lamongan. Conflict occured due to Bangkalan fishermen prohibited Lamongan fishermen entering and fishing in Bangkalan, because they consider that the water areas is their own areas during the generation to the generation. The fishermen presence from Lamongan could make Bangkalan fishermen get decreasing amount of fish caught by them.[1] Despite the conflicts that occurred has been completed, but among the fishermen in Madura is still happening minor disputes among fishermen, both concerning the seizure of fishing area, and also the use of fishing tool that is different between the local fishermen with newcomer fishermen, though the minor disputes do not lead to conflict, but the disputes still exist until now.

From the explanation above, the researchers are trying to determine the factors that cause conflict among fishermen in Madura and to find out the solution of the conflict between fishermen, so it can be used as a model of policy in resolving fishing conflicts in the future.

Problems

Based on the background, the research problems are formulated as follows: *first*, what is the factor that cause the conflicts between fishermen in Madura; and *second*, how to solve the conflicts between fishermen?

Research Methods

This study is normative-qualitative research, so the design and the method are combination of normative research methods and sociological research methods. The data source as the primary legal materials were obtained through interviews with fishermen, Head of Marine and Fisheries (DKP) District, and the parties involved, namely the head of the village, community leaders, NGOs, Water and Air Police (Pol.Airud), Security sea (Kamla) and secondary data collection. Interviews were conducted to determine the causes of conflict between fishermen and for how to resolve the conflicts, in addition to know the norms that related to conflict resolution among fishermen. Primary data were obtained, compiled and tabulated then classified based on the answers given. Furthermore, the results of interviews with informants, after the classification and systematization then being analyzed descriptively-qualitatively, so the factors that cause conflicts between fishermen in Madura will be known and we will know how to solve the problems that will be used as a model policy of the District government in resolving conflicts between fishermen in the future.

Discussion

Factors That Cause The Conflict Between Fishermen in Madura

Based on field surveys that the reason why fishermen Madura as a fishermen in order to fulfill the their needs, proven that they have already become fishermen for ten years and not seeking/ changing with another job. Bangkalan fishermen in catching fish usually are not only in the area of Bangkalan but also to the Sampang regency and Banyuwangi.[2] In fact there are fishermen who sail to Sumenep, using traditional fishing tool and bring a permit letters.[3] The fishermen consider that the sea is a common property, so that they can catch any fish in the sea, as long as it carries the letters and using tool that is not prohibited by law and local fishermen. For the fishermen, sea is a source of their life.[4]

[1] Zainatul Hikmah, 2008, *Analisis Konflik Nelayan dalam Pengelolahan Sumberdaya Perikanan Selat Madura da-lam Perspektif Soiologi Hukum*, Bogor: Institut Pertanian Bogor, page 71.

[2] Interview with Kusaeri, Bangkalan Fisherman, has become a fisherman for 20 years on May 19th, 2015.

[3] Interview with Kusairi (Head of Pemekasan Fishermen Group), on May 19th, 2015.

[4] Interview with Moh. Hamim (Head of Bandaran-Bangkalan Fishermen Group), on May 19th, 2015

Meanwhile there are fishermen thinking that the sea belongs to the people around the ocean, so if there are fishermen from other areas (newcomer fishermen/*andon* fisherman) entering their territory, they must follow the rules that have been agreed on their maritime territory. Fishermen from other regions that come into their territory must use the same fishing tool as the tool used by local fishermen. This, as happened in Sampang, fishermen Sampang prohibit fishermen from other areas to come to their territory, if they do not using "nets" according to their tradition.[5]

In connection with the *andon* fishermen in Madura, it is unavoidable because of the principle that the sea as open access and common property, this means that there is no authority to prohibit fishermen from other areas to fishing in certain areas. As in the Pasean Pamekasan Regency there are fishermen who come from another districts namely Mengare-Gresik, Paciran-Lamongan and Pasongsongan-Sumenep.[6] While in the Bangkalan region there are fishermen who come from other districts, namely from the District Bancaran, Sepuluh, and even from other districts like Mengare-Gresik, Paciran-Lamongan and Sampang.[7] Otherwise, Bangkalan local fishermen also frequently catch fish outside the area/ region, ie to the Sampang regency and Banyuwangi.[8]

The reason why fishermen go to other areas is because the Madura Strait region is already in the "red zone", which means that the fishing area should be immediately stopped, if the fishing activities were made continuously without any conservation effort, there will be a crisis of fisheries resources. This is mentioned in the research of Bambang Heri Purnomo,[9] that fisheries resources in the overfishing region were facing a very serious threat, fisheries resources would be depleted.

Therefore, the efforts of the fishermen to obtain the haul, the fishermen enter other areas for fishing, they assume that the sea is a common property, so that fishermen can catch fish in any areas, it is important to bring letters and use the fishing tool which is not prohibited by law. Meanwhile, on the other hand, local fishermen felt disturbed by the arrival of *andon* fishermen, because local fishermen consider the territorial sea is his concerns of local fishermen that their fish will be reduced, because they are worried, fishing tool used by *andon* fishermen is not the same as local fishermen or the fishing tool is more modern. In Madura, the number of *andon* fishermen shown in table 1.

Table 1. Composition of Local Fishermen with *Andon* Fishermen

No	Regency	Local Fishermen	Newcomer Fishermen/ *Andon*	Amount
1	Bangkalan	6.717	-	6.717
2	Sampang	16.931	248	17.179
3	Pamekasan	14.608	-	14.608
4	Sumenep	40.200	1.155	41.355

(Data source: *primer data, 2015*)

The different perceptions of fishing area between *andon* fishermen and local fishermen are being the factors that cause conflicts between fishermen in the fight over fishing area, according to the *andon* fishermen, they are free to enter the other areas, on the other hand local fishermen consider the sea territory belongs to them for some generations. Due to the presence of *andon* fishermen, it causes both local and *andon* fishermen fishing in one place, so they are scrambling for fish, and often caused fight.[10]

Besides the different perception of fishing area, factors that cause the conflicts between local fishermen and *andon* fishermen is the use of different fishing tool among local fishermen and *andon* fishermen. Based on interviews with fishermen, it was revealed that the cause of conflict among fishermen is due to fishing tool used by fishermen *andon* is different from the

[5] Interview with Suja'I (Sampang fisherman), on June 11th, 2015.

[6] Interview with Ainur Ridho (Pasean-Pamekasan Fisherman), on June 11th, 2015.

[7] Interview with Abd. Basid (Bangkalan Fisherman), on 18th May, 2015.

[8] Interview with Kusaeri, Bangkalan Fisherman on April 12th, 2015.

[9] Purnomo, B.H, "Model Prediksi Keberlanjutan Sumberdaya dan Ekonomi Pada Agroindustri Teri Nasi", *Jurnal Teknologi Industri Pertanian* Vol. 21 No. 3, 2011, Bo-gor: Institut Pertanian Bogor, page 163.

[10] Interview with Juwani (Sreseh-Sampang Fisherman), on May 2nd, 2015.

local fishermen fishing tool. There are *andon* fishermen who use fishing tool "mini trawl", it causes harm to the local fishermen who use traditional fishing tool, the use of fishing tools "mini trawl" by fishermen *andon* have often led to disputes.[11] The use of "mini trawl" will damage the marine ecosystem and cause the decreasing amount of fish catches in the future, fishing tools "mini trawling" would sweep the smallest fish, so that the remaining fish will be difficult to develop because of the coral reefs have been damaged by the use of "mini trawl". Additionally, *andon* fishermen often catch fish in the area using fishing tool belonging to local fishermen without permit, because of the fishing tool *andon* is different from the local fishermen fishing tool, it caused fight.[12]

Related with the use of fishing tool, mostly, local fishermen in Madura still use the traditional fishing tool "pancing" which is very simple. According to D. Alexander, *et al*[13], fishing tool "pancing" is selective fishing tool that is ecologically friendly. The use of fishing tool used by Madura fishermen as in Table 2.

Table 2. The Amount of Fishing Tools Used in Madura

No.	Regency	Fishing Tool	Amount
1	Bangkalan	Three Layers nett	2.082
2	Sampang	Three Layers nett	3.228
3	Pamekasan	Mini Trawl	1.186
4	Sumenep	Handline Fishing Equipment	7.959

(Data Source: *primer data, 2015*)

According to the table above, there are *andon* fishermen who use fishing tool that is different or more modern than the fishing tool used by local fishermen, the result of *andon* fishermen are greater and can decrease the fish caught by local fishermen. The use of different tools between *andon* fishermen and the local fishermen is become the factors that caused conflict between fishermen.

Based on the conflict happens in Madura, according to Arif Satria[14] may be classified as resource ownership conflicts and production conflict or fishing tool. While based on research conducted by Rilus A Kinseng[15], factor that caused conflicts between fishermen is derived from the fishermen themselves (internal) ie between fishermen and the level of "progress" of different technologies. The existence of this technology gap caused the domination of fishermen over the "small" or "traditional" by "bigger" or "more modern" fishermen in the process of catching fish. In addition, conflicts between fishermen also arise because the fishermen often face the domination of external forces (the non-fishermen) that disrupt or even destroy the natural resources as the source of their life.

Meanwhile, according to Aryo Fajar[16] one of the main factors that caused the conflict between fishermen is the utilization of modern fishing technology by fishermen, this is due to the mobility rate of fishermen by supported with ability and technological modernization of fishing vessels and higher catching tools that caused the decreasing impact of marine natural resources. It is as happened in Madura fishermen, which is still very simple, it can be seen from the size of the vessels used by fishermen Madura which is dominated by motor vessel size 0-5 GT, as in Table 3.

Table 3. Number of Marine Fisheries Fleets Madura Sea According to The Size of Fleet

Regency	Size of Ship				
	0-5 GT	6-10 GT	11-20 GT	21-30 GT	>30 GT

[11] Interview with Busari (Bangkalan Fisherman), on May 19th 2015.

[12] Interview with H. Tosiman (Banyusangka-Bangkalan Fisherman), on May 20th, 2015

[13] D. Iskandar, "Perbandingan Hasil Tangkapan Udang dengan Menggunakan Lapdu, Giltong Dan Trammel Net Di Perairan Sengga Kabupaten Teluk Bintuni", *Jurnal Saintek Perikanan*, Vol. 6, 2010, Bogor: Departemen Pemanfaatan Perikanan, page 22 -29.

[14] Arif Satria, "Konflik Nelayan Di Jawa Timur (Studi Kasus Perubahan Struktur Agraria dan Diferensiasi Kesejahteraan Komunitas Pekebun Di Lebak Banten)", *Jurnal Transdisiplin Sosiologi, Komunikasi dan Ekologi Manusia*, Vol. 03 No. 01, 2009, Bogor: Departemen Komunikasi dan Pengembangan Masyarakat, Fakultas Ekologi Manusia, Institut Pertanian Bogor, page 119.

[15] Rilus A Kinseng, "Konflik-konflik Sumber Daya Alam Di Kalangan Nelayan Di Indonesia", *Jurnal Transdisipiln Sosiologi, Komunikasi dan Ekologi Manusia*, Vol. 01 No. 01, 2007, Bogor: Departemen Komunikasi dan Pengem-bangan Masyarakat- Faculty of Human Ecology - Institut Pertanian, page 101.

[16] Aryo Fajar, "Analisis Interaksi Simbolik yang Membentuk Pola Komunikasi Dinamis Pada Komunitas Pesisir Kabupaten Jember", *Jurnal Sosial Ekonomi Pertanian*, Vol. 5 No. 2 July 2011, Jember: Faculty of Agriculture Universitas Jember, page 68.

Bangkalan	158	23	-	-	-
Sampang	600	85	-	-	-
Pamekasan	-	-	-	-	89
Sumenep	2769	1.342	958	597	238

(Data Source: treated primer data, 2015)

From the table above it shows that the average of Madura Fishermen is still very simple looking at the fleet used, so if there are *andon* fishermen using a more modern fleet modern, it can lead to conflict with the local fishermen, because due to the use of fleet modern, the number of result by local fishermen decreases

Conflict Resolution Between Fishermen

As described above, that conflicts between fishermen that have occurred between Kwanyar Bangkalan fishermen with *andon* fishermen, fishermen Lekok Pasuruhan has been settled amicably between the groups of fishermen. In addition, conflict resolution was also conducted by the Department of Fisheries and Marine by bringing together the conflict parties, which was attended by religious leaders, community leaders, Regent, Agencies Pol. Airud to do a deal/ reconciliation.[17]

While the fishing conflict that occurred in Pamekasan Regency caused by fishermen from Pasean (Sampang) who will be lean and entered the sea area of Pamekasan, barred from entering the Pamekasan sea, resulting in disputes. The dispute is finally resolved by the local village chief. Because the fisherman conflicts occur between districts, namely Sampang fishermen and Pamekasan fishermen so the conflict resolution is done with negotiation by the village head first, and due the conflict have been resolved at the level of the village chief, it does not require the completion of district le-vel through the Department of Marine and Fisheries.[18]

Resolution by discussion known as settlement resolution. Settlement resolution (resolution of conflicts) is an effort to relieve and reduce the conflict that has been and is happening in particular conflicts between fishermen nuanced, violence because violence conflict can not be eliminated. Therefore, to resolve conflicts between fishermen cab be done with the creation of a mutually agreeable decision that could force everyone to obey.[19]

Different ways of fishermen conflict resolution in Madura with in Bengkulu, the results of Antony Wijaya's study,[20] the efforts are being made to resolve the conflict between traditional fishermen and fishermen modern, can be done through: *first*, The prohibition of vessels trawling to conduct fishing activities in traditional fishing waters (0-3 nautical miles); *second*, The establishment of clear lines of arrest for traditional fishermen and modern fishermen; ***Third***, The stance of the government and the province of Bengkulu city against all kinds of violations; *fourth*, The business partnership between traditional fishermen and modern fishermen.

Meanwhile, according to study results of Setiawan Nurdayasakti, et.al,[21] the settlement of the conflict in Puger fishermen, Jember Regency strongly influenced by social norms that live in it, those are the norms of religion/ belief and morality. Norma derived from religious belief or who live in the community and can be a media for conflict resolution.

This is different from the resolution of conflicts in Situbondo Regency fishermen who researched by Suryanto and Ginanjar Sugiarto,[22] it has been done through the activities of discussion between the groups of fishermen who conflict. From the discussion will be produced

[17] Zainatul Hikmah, *Op.Cit.*, page 127

[18] Interview with Chief of Himpunan Kelompok Nelayan Indonesia–Pamekasan Regency, on May 22nd, 2015.

[19] Adhuri DS, et.al, 2005, *Fishing in, Fishing out: Memahami Konflik-konflik Kenelayanan di Kalimantan Timur dan Nusa Tenggara Timur*. First Ed, Jakarta: LIPI Press.

[20] Antony Wijaya, et al, "Manajemen Konflik Sosial dalam Masyarakat Nelayan (Studi Kasus Pertentangan dan Pertikaian Nelayan Tradisional di Kelurahan Pasar Bengkulu dengan Nelayan Modern di Kelurahan Kandang Kota Bengkulu)", *Jurnal Sosial dan Humaniora WACANA*, Vol. 12 No. 2, April 2009, Malang: PPS Universitas Brawijaya, page 366.

[21] Setiawan Nurdayasakti, et.al, "Mekanisme Penyelesaian Konflik Nelayan di Pantai Puger Kabupaten Jember", *Jurnal Hukum Prioritas*, Vol. 3 No. 2, 2013, Malang: Faculty of Law Universitas Brawijaya, page 5.

[22] Ginanjar Sugiarto dan Suryanto, "Peran Kearifan Lokal Sebagai Modal Sosial dalam Penyelesaian Konflik Nelayan di Daerah Kabupaten Situbondo", *Jurnal Psikologi Kepribadian dan Sosial*, Vol. 3 No. 2, August 2014, Surabaya: Departemen Psikologi Kepribadian dan Sosial, Faculty of Phsycology Universitas Airlangga, page 108.

agreement about the sanctions that will be received by the party that breaching. If we can't find solution through discussion, then the next step is to take legal action taken by the local police.

Conclusion

The presence of the fishermen immigrants (*andon*) who entered the territorial waters of another can lead to the seizure of catches by local fishermen, the seizure of the catch is become one of the factors that caused conflict among fishermen, the conflict occurs if *andon* fishermen in fishing using different tool or more modern than the local fishermen fishing tool, so that local fishermen feel the disadvantaged because of their caught fish is reduced. The existence of fishermen *andon* was due to the assumption that the sea is a common property, so that the fishermen are free to fishing anywhere, whereas for local fishermen, marine areas in their region are owned for some generations, so that the different perceptions, the arrival of *andon* fishermen for local fishermen regarded as the disturbing and detrimental parties in fishing.

Fishermen conflict as exist between Bangkalan fishermen with *andon* fishermen namely Lekok-Pasuruhan fishermen can be resolved by joint negotiation between the chairmen of groups of fishermen in the conflict, attended by heads of village and local community leaders. It also involves The Air Police Agency (Pol. Airud), Sea Security (Kamla), and the local Department of Fisheries and Maritime Affairs, and the results of the agreement set in the written form. But for smaller conflicts such as the entering of *andon* fishermen that occurred in the marine territorial of Pamekasan settled by negotiation through the village chief and local community leaders.

Recommendation

District Government, particularly the Department of Marine and Fisheries District to become more often providing socialization and counseling about the regulation of maritime affairs and fisheries to the fishermen, so that the fishermen know the fishing track, fishing tools are allowed and prohibited by the law, because the major factor that caused conflicts among fishermen is the lack of knowledge about the boundaries of fishing and the use of fishing tool which is prohibited by the law. Conflict resolution by negotiation needs to be improved in a more formal way by establishing a conflict resolver rules which is involving other relevant agencies and also involve the officials (Regent and Parliament) to ensure legal certainty and enforcement.

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