Policy of Social Conflict Resolution: Implementation of the *Malino* Agreement in Maluku

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**ABSTRACT**
Maluku conflict (Ambon) occurred in 1999 to 2003 is one of the most heartbreaking human tragedies in the history of Modern Indonesia. Various attempts have been made by the government to resolve the conflict, including by carrying out Malino Agreement for Maluku. This paper discusses the process of implementation of the Malino Agreement and analyzes the impact on the resolution of Maluku conflict. By using methods of descriptive analysis and a qualitative approach, this study can present some important findings. First, the Malino Agreement is one strategy (policy) to resolve SARA(racial) conflict well and democratically. It is seen from the atmosphere of the negotiation which is peaceful, honest and democratic. Parties had 11 points of peace agreement due to a strong desire to end the conflict in Maluku. Second, the Malino Agreement has brought positive impact, i.e lack of escalation of conflict and violence in Maluku, even a year since the Malino Agreement, the peace has been enforced in Maluku. However, this paper also found that conflict resolution model such as Malino agreement still needs refinement, as Malino Agreement factually succeeded in pushing the cessation of conflict, but substantively has not resolved various problems that trigger conflicts in Maluku.

*Keywords*: Conflict, Peace, Malino Agreement and Maluku.

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**ABSTRAK**
Konflik Maluku (Ambon) yang terjadi pada 1999 hingga 2003, merupakan salah satu tragedi kemanusiaan yang paling memilukan dalam sejarah Indonesia Moderen. Berbagai...

INTRODUCTION

At the end of twentieth century, Indonesia was struck by a number of conflicts and riots, one of which is the one occurred in Maluku. Conflicts and communal riots happened in Maluku manifested in acts of collective violence under religious symbols, and has caused massive destruction. It is not surprising that Azumardi Azra called Maluku Conflict as the most heart-breaking communal conflict under religious excuses in the Modern Indonesian History. (Azra, 2000)

Maluku tragedy which became mass conflict on January 19, 1999 has created the most tragic and heart-breaking records. Based on the government’s official data, more than 2080 people died, 4204 people were injured, and 281000 people had to leave their houses and hometowns. Thousands of houses, offices, and other infrastructures were collapsed and burnt (Violations Investigation Commission on Human Rights and Mediation in Maluku, December 18, 2000). The loss did not include moral deterioration and psychological trauma undergone by people in Maluku in long period. Maluku conflict is a complete example on how a conflict developed from the simplest stage. It is believed that a fight between two individuals with a single issue can become a fight between two community groups with various issues spreading to various regions in Maluku involving many people, even outsiders, which then becomes national crisis that triggers international reactions.
Maluku conflict escalation which was so perfect made the resolution so difficult and protracted. It became more complicated when the conflicts used religious symbols that ignited solidarity outside Maluku even created concern of international worlds. During the period of 2000 – 2002, conflict nuance had contextual shift from social conflict under racial nuance among Maluku community to new conflict that began to create political frictions that made the conflict more complicated. On April 6, 2000, Forum Komunikasi Ahlus Sunnah Waljamaah (FKASWJ) held Tabligh Akbar in Senayan Jakarta, as well as declared the establishment of Laskar Jihad. One month later the Laskar Jihad in waves began to enter into various areas of conflict in Maluku. As if responding to the deteriorating condition of Maluku, on December 18, 2000, a group of predominantly Christian Maluku declared the establishment of Front Kedaulatan Maluku (the Maluku Sovereignty Front) or FKM with political agenda to fight for the independence of Maluku from the Republic of Indonesia. Political issues began to involve into Maluku conflict that made the conflict hard to finish. Cultural resolution models such as pela-gandong, masohi/maren or larful ngabal which previously were powerful enough to dampen social conflicts in Maluku were getting to lose their power. Even, contrastively it was seen that those values – with various reasons – were getting to undergo “discoloration obedience” from various walks of life in Maluku.

Initially many people called that the resolution of Maluku conflict was resolved by the Maluku community themselves. However, it seems no longer effective, because the conflict dynamics and escalation had been increasingly extreme and involved external factors that could not be reached by cultural instruments. Even the call itself caused controversy since the country was regarded to be irresponsible in resolving the social conflicts in the society. Meanwhile, the government continued to find a way (trial and error) to solve the conflict. Efforts done by the government such as the formation of various teams (Prasety, 2002 and the General Diary of Republika, Info Seribu Team, June 23, 2003) formally and informally to the implementation of civil emergency in Maluku, had not shown satisfactory results, even generally the trend of conflict was increasing and widespread from time to time. In early 2022, government
initiative through the Minister of Coordination and Public Welfare, Yusuf Kalla, appeared to bring the parties involved into the conflict to a more wide-ranging discussion, involving all the elements and those who had been fighting on the ground and tied it to a shared responsibility. This idea was finally realized on February 11 – 12, 2002 and called Maluku Agreement in Malino or Malino Agreement II. Malino agreement is a monumental effort for the peace in Maluku since in the agreement the Islamic and Christian delegations as many as 70 people (not including the review team) for the first time sit down and discussed a variety of efforts and agreements which ought to be done to resolve the conflict in Maluku peacefully, civilly and dignifiedly. Therefore, the implementation of the Malino Agreement is a national event which is interesting and deserves to be researched and studied further, at least for three reasons. First, the implementation of the Malino agreement is one of the government’s policies which is quite successful at reducing conflict escalation in Maluku, even to this day it can be said that Maluku conflict can finally be stopped. In the context of a policy, the Malino agreement has the opportunity to serve as a model of social conflict in Indonesia. Second, the Malino agreement has been a civilized and democratic dialogue forum for parties in conflict in Maluku to build a peace agreement between them. Third, As far as the writer knows, until now there has been no research that specifically examines and analyzes the implementation of the Malino Agreement in connection with the settlement of the conflict (conflict resolution) particularly regarding the implementation of the initiative, the dynamics in the agreement to the effect of the implementation of the Malino Agreement to the Maluku conflict resolution. So far, discussion on Malino Agreement is only found in some articles or papers, as well as some books about Maluku conflicts which analyze the conflicts at glance.

THEORETICAL FRAMEWORK

Resolving social conflicts is not an easy thing. Moreover, the social conflict that has lasted for long time and has a high complexity. Approach to security is not sufficient because other efforts are also needed to truly convince the parties involved in conflict to reach a peace agreement. In
the Orde Baru era, a policy to deal with various potential crises in Indonesia, even the conflict itself, was carried out in repressive ways that promoted very tight security approach. Government often resolved conflicts in society by relying on military force. This approach was able to suppress the growth of conflict, but in a fairly long period of time it maintained a variety of potential conflicts. Therefore an appropriate conflict resolution policy or action is needed so that negative conflict potentials can be managed properly and creatively to produce a positive energy that can serve a useful social capital for social change and development. The challenge for democratic countries today is how to formulate appropriate policy conflict management in order not to cause political instability (Haris dan Reily, 2000). Conflict resolution, especially the nuances of racial conflict must be based upon a change in the views of all parties involved in the conflict so that there will be no more conflict between them in an interaction of social life.

One of the theories commonly used in conflict resolution policy is conflict resolution theory (Abdel Salam, 2005). One of the scientists who also developed conflict resolution theories, Jhon Burton (1990), wrote:

“Resolusi konflik artinya menghentikan konflik dengan cara-cara yang analitis dan masuk ke akar permasalahan. Resolusi konflik, berbeda dengan sekedar ‘manajemen’ atau ‘settlement’, mengacu pada hasil yang dalam pandangan pihak-pihak yang terlibat, merupakan solusi permanen terhadap suatu masalah”

(Conflict resolution means to stop the conflict in analytical ways and into the problem root. Conflict resolution, as opposed to just ‘management’ or ‘settlement’, refers to the results which is in the view of the parties involved, is a permanent solution to a problem)

So conflict resolution is a theory which gives emphasis on conflict resolution from the root causes of the conflict, and the need to see peace in the long run. Conceptually, if massive conflicts have occurred, the conflict resolution can be carried out in four stages of policy. The first stage is dominated by a military strategy that seeks to control armed violence between the warring groups. The second stage has a political orientation that aims at initiating the process of re-integration of the political elite of the warring groups; this phase is usually characterized by dialogue
and negotiations between the warring parties. The third stage has more social nuances and work to implement a problem-solving approach. While at the last stage, it has strong cultural nuances because this stage aims at making socio-cultural structural reformations that can lead to the establishment of a lasting peace community (Burton, 1990).

Conflict resolution by means of force or military action is sometimes required in situations of conflict which has led to armed warfare. However, policy which prioritizes military forces commonly only resolves conflict at the level of the surface and it is possible to make the conflict bigger in the future (Widjajanto, 2001). Implementation of the Civil or Military Emergency, for example, can only control the armed violence. Therefore, the next step that should be done is to seek negotiations between the elite and the warring parties to get agreement or consensus in order to stop further conflict and violence and create peace. One important requirement in achieving consensus is the bargaining, which is the willingness of all parties involved in the conflict to reduce its own demands and accept certain parts of the other parties’ demands. With the creation of a consensus there is no more difference between the parties in conflict, whether between people or between groups of individuals. Parties in conflict can finally reach meeting point so that there are no more problems in social relationships.

According to Maswadi Rauf (2000), there are several possible consensuses that can be reached in the conflict resolution process, whether conducted through a mediator or not (directly committed by the warring parties). The first model is the consensus which is a combination of opinion from the parties involved in conflict. This model presupposes the need for negotiation to seek the opinion points adopted by the parties in conflict that can be agreed by all parties involved in the conflict. In that process, there will be bargaining in form of a party’s willingness to accept opinion points from another party with the provision that the other party must also agree on their opinion points. The second model has similarity to the first model. The difference lies in the agreed points of the opinion of one of the parties in the conflict. This model is called the consensus of the dominant group. This model usually happens in a conflict involving more than two groups. The third model is an estab-
lished consensus of the opinions of other parties, not the opinion of the parties to the conflict. The other party can be a mediator or others in the community. Outside opinions are used due to the difficulties of the warring parties to accept the opinion of each opponent. Fourth model is a joint consensus. This model is a combination of several consensus models discussed above. In this model, certain opinions of the parties to the conflict are used in addition to other opinions from those who are not involved in the conflict.

Negotiations to resolve a sharp conflict may be the most difficult ending, but all parties are demanded their willingness to mutually reduce the demands and interests so a consensus can be achieved. This is where the necessary role of government is needed to formulate the patterns of the right policy. In the context of the Maluku conflict, the government’s effort to bring the warring factions to a negotiation shows persuasive effort to provide an opportunity for Muslim and Christian communities in conflict to negotiate their interests peacefully and democratically in the Malino Agreement. Consensus or agreement built up between the warring groups will lead to conflict resolution efforts in a comprehensive manner to create peace again.

RESEARCH METHODS

This study is a part of the study of conflict resolution that takes focus on the case of the implementation of the Malino Agreement for Maluku and analyzes their impacts on the Maluku conflict resolution as a whole. Therefore, this study used a qualitative approach to uncover the complexity of issues relating to the cases studied. The data needed to construct this study were collected by the techniques commonly used in qualitative approaches. The first technique is interview. To perform the deepening of the research object, in-depth interviews was conducted in order to obtain primary data by using interview technique which was not scalable. The selection of this technique is to give freedom to the researcher in developing questions to informants (the characters and actors) who were involved or not involved directly, but had a close relationship with the implementation of the Malino Agreement. The informants are people who are considered to have the competence and / or have
information about the object to be examined. As a comparison, interview to certain figures was also conducted to get a balanced portrayal.

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The second method is observation. This method is one of the instruments in collecting data and becomes very important particularly in case study research type. For this study, observation was conducted to condition in Ambon after the implementation of Malino Agreement so that the effectiveness of Malino Agreement in resolving conflict entirely could be measured. Third method is library research and documentation. It
was done to analyze some important documents especially Mediator Team’s papers and some reports from Muslim Delegation and Christian Delegation during Malino Agreement. Comprehensive analyses on Maluku conflict and its comparison with conflicts happened in other regions, mass media, and official or private documents were also used as secondary data, particularly the data which related to the chronology of Maluku conflict until Malino Agreement was held.

The last step is data analysis. In this study, there are some steps done as follows: firstly, data were collected by using the techniques mentioned above. Secondly, the collected data in form of documents and interview were transferred into transcript and grouped based on the discussion. Thirdly, data were analyzed based on the research problems in formulation of the problems and described in writing so thorough understanding could be achieved.

RESULT AND ANALYSIS

1. Maluku Conflict Resolution Efforts

Since the conflict in Maluku happened on January 19, 1999 in the city of Ambon, there were enough measures and policies taken by governments to address the escalation of the conflict. However, no policy can be said to succeed to stop the conflict. The initial steps performed by TNI (Indonesian national Army) headquarters to send some soldiers to be empowered in Korem (Military Resort Commands) Pattimura. However, the military presence, especially Kostrad (Command of the Army Strategic Reserve) from the Military Area Command (KODAM) Wirabuana Ujung Pandang, was considered by many parties, especially in Christian Community, not to be neutral in acting. This suspicion was based on the fact that most of the Kostrad soldiers were from Bugis and Makassar whose citizens became the victims of the early riots in Ambon. This is related to the issues raised at the beginning of the conflict which was “cast out of fuel” (Bugis, Button, Makassar). The soldiers were considered incapable of maintaining their neutrality to the community and tend to favor his own tribe (Ratnawati, 2003).

Responding to the complaint, in March 1999, the Armed Forces Commander Wiranto reformed a team called Team 19. In accordance
with its name, the team consists of 19 high and middle officers from Maluku, led by (Major General) Suadi Marasabessy who was then serving as Commander Wirabuana Ujung Pandang. According to the analysis of the team from Policy and Political Studies Center of Gajah Mada University Yogyakarta (2002), the performance of Team 19 would not mean much because of its militaristic approach used. The result of the performance of the team was just a political benefit to the military. It was proven by the success of the recommendations on the need to increase the status of Korem Pattimura to be Kodam. The Government finally really realized these recommendations, by increasing the status of Korem Pattimura to be Kodam.

Maluku Regional Government also took steps to resolve the conflict. On February 13, 1999, the Governor of Maluku formed a team to resolve the conflict known as Team 6. The team was then developed more widely with the involvement of a wider number of community leaders of both warring parties in Pusat Rujuk Sosial (Social Reconciliation Center) or PRS. However in its journey, the team also failed to do anything and conflicts reoccurred. According to John Ruhulesin, who was a former member of the Social Reconciliation Center, this team did not work well because it was not supported by the consistency of the rule of law (law enforcement) which was firmly against those who sparked controversy (Interview with the Rev. John Ruhulesin in Ambon, December 20, 2005).

Looking at the situation in Ambon which was more uncertain, on March 14, 1999 President Habibie resent a fact-finding team, known as Team 20 consisting of 10 Muslim figures and 10 Christian figures. However, the team performance was also unclear. Komnas HAM (National Comission for Human Rights) also sent some envoys to monitor the issue of human rights violations in Ambon. Along with the arrival of envoys of Komnas HAM, the House of Representatives also sent a team of Mediation and Investigation on February 18, 1999, led directly by the Vice Chairman of the DPR / MPR Lt. Gen. (Ret.) Hari Sabarno. However, the performance was also unclear (Prasetyo, 2002; 20).

Conflict prevention policies conducted by the central and local government during the period of 1999 to mid-2000, was not able to reduce the escalation of the conflict in Maluku. On the contrary, since that pe-
period, Maluku conflict was progressively more extreme and began to show the political ripples. Declaration of Maluku Sovereignty Front (FKM), which supported the mission of the independence of the Republic of South Maluku (RMS) that has existed in the past to add political weight to the conflict. Declaration of Front Kedaulatan Maluku (Maluku Sovereignty Front) or FKM, which supported the mission of the independence of the Republic of South Maluku that existed in the past, added political weight to the conflict. Similarly, the arrival of Laskar Jihad and the escalating tension eventually made the conflict more complicated and complex, making it more difficult to finish. Warring parties not only used traditional weapons of machetes and spears, but also used some organic weapons. Organic weapons circulating in the hands of the public, some were stolen from the headquarters of the Maluku Police Mobile Brigade (which had been broken by the rioters) and partly obtained from outside parties. A source said that illegal weapons were supplied from Java and from the mainland of Filipinos (Prasetyo, 2002). These conditions made the Maluku conflict like the tangled threads that made the government more and more difficult even in the confusion in resolving the conflict.

In confusing psychology and uncontrolled chaos, President Abdurahman Wahid decided to issue a Presidential Decree No. 88/2000 which establishes the status of civil emergency in Maluku and North Maluku. Imposition of civil emergency based on the consideration that the expansion of the function and role of the military, along with certain legal basis for any actions taken, would give enough space for the military to act quickly and decisively to stop the conflict (Ahmad, 2004). This policy was then expressed through the degree of additional troops in significant volumes. In the early period of the imposition of civil emergency, the security situation in Maluku was reported quite restrained. However, these conditions did not last long because the conflict reoccurred. Even in the reality, victims of violence tended to increase. Ironically, they were victims of violence who were aggressively committed by security forces. On behalf of Civil Emergency, special units were sent in waves to Maluku to commit acts of violence to society, both Muslim and Christian (Ahmad, 2002).
2. Implementation of the Malino Agreement; Seeking for Peace Consensus

Complete failure to resolve Maluku conflict prompted the government to find alternatives to bind the parties to the conflict in a peace treaty. Since then, a discourse on the implementation of a peace agreement for Maluku as what has been done by the government to Poso was begun. It also responded to public demand that the government immediately intervened to immediately stop the Maluku conflict peacefully. Therefore, the central government, represented by Yusuf Kalla, Minister of Coordination and Public Welfare, and Maluku Regional Government began to do approach and socialization to the community about the possibility of holding a peace negotiation. On January 16, 2006, Yusuf Kalla accompanied by Minister of Politics and Security Coordinator, Chief of Police and staff conducted intensive meetings separately with Muslim and Christians figures in Maluku governor’s official residence.

In the morning they met with 150 representatives of Christian and during the day they had a meeting with the Muslim community with the same number of representatives. Hasbullah Toisuta (Interview, December 21, 2005), an academic who was also present representing the Muslims, said that in the meeting the parties spoke with a very high emotion, even with rage and scorn. Each claimed to be persecuted and defeated by his opponent. In different words, it can be concluded that they were really tired of fighting. The results of that meeting led to a conclusion that both sides wanted peace and would disseminate to each group (Interview with Elly Tamrin in Jakarta, March 2006).

One process that was critical to the preparation of the Malino Agreement was delegation arrangement. This stage was about to thwart the various stages that have been passed previously. In the Christian group, recruitment process of delegation members occurred more rapidly, because they used church institutions that already had a neat system of organization. According to Pastor Jhon Ruhulesin (Interview, December 22, 2005), Christian delegation applied certain standards to determine the prospective members of the delegation. Christian delegation was filled by figures representing the various groups within the Christian community. There were religious leaders, youth leaders, traditional leaders,
women leaders and academics. However, John admitted there was some who refused, especially the Maluku Sovereignty Front, which from the beginning did not agree with the plan of the Malino Agreement. Yet the rejection of FKM was considered not too significant. Christian delegation team totaled 33 people and led by Toni Pariela, an intellectual from the University of Pattimura Ambon and as an advisor to the Reverend Christian delegation is Dr.IWJ Hendriksz, Chairman of the Synod of the Protestant Church of Maluku.

In Muslim party, the process of preparing a delegation occurred toughly and stressfully. The desire to construct a delegation truly representative and representative of all elements in the Islamic community was not an easy thing to do. This difficulty was quite obvious since the conflict has spawned many new informal leaders who felt they had mass support and the right to be heard. They were the ones who had played a role in leading the mass of the conflict on the battlefield. Besides a variety of community organizations also sprung up during the conflict. After a delegation consisting of 35 people was selected, Tamrin Elly was chosen as a leader of the Islamic delegation. Groups who were disappointed with the preparation of the Islamic delegation canceled their plan to go to Makassar. They were led by cleric Muhammad Attamimi and Irwan Patty. Another group which also rejected the Malino Agreement and did not want to come to Malino is Laskar Jihad. The group was deliberately excluded from the initial preparation of the delegates to avoid rejection of the Christian community.

Resolution on the Malino Agreement began to achieve with the willingness of both parties to join the preliminary meeting in Makassar. The meeting was held on January 30, 2002. The mediators consisting of Yusuf Kalla and staff as well as Maluku Governor, Saleh Latuconsina conducted a closed meeting with both delegations at two different places. Meeting with Muslim delegation was performed at Kenari Hotel Makassar, while meeting with Christian delegation was held in Losari Hotel, Maksassar. In that meeting, some issues and agenda were discussed which initially would be held on February 5 – 7, 2002. The preliminary meeting has recorded some issues to be discussed further at the peak of negotiations in Malino, either the ones that had been agreed on or those that still had
different points.

However, as expected, the presence of Laskar Jihad and FKM / RMS was still a matter of serious debate for the two delegations. On the advice of Mediator Team, the two issues were agreed to be presented and discussed more deeply at the summit in Malino. In other words, both parties have agreed that they have not made a deal on both issues. The result of the meeting in Makassar was good news, because at least two sides had agreed to end the conflict through dialogue and negotiations. Commenting on the good results, Yusuf Kalla said that although the preliminary meeting was not been able to discuss the matter in deep and detailed negotiations, there was progress compared to previous meetings, so he would propose that some of the issues that were still debated could be discussed more deeply at the summit in Malino (Suara Maluku, February 1, 2002).

To streamline the meeting in Malino, the government designed the negotiation method simply so that it could lead the two delegations to make an agreement easily and quickly (Interview with Dr. Farid Husein (Former Deputy II of Ministry of Coordination and Public Welfare and General Directorate of Medical Services of Ministry of Health) in Jakarta, February 14, 2006). In this case, mediator used three stages of dialogue and negotiation. The first stage was the meeting between mediator and Muslim Delegation. In that meeting, mediator listened to and accepted aspirations and hopes told by Muslim Delegation. Second stage was the meeting between mediator and Christians Delegation to listen to their proposals and aspirations. The third stage was a joint meeting involving mediator and the two delegations. In the third meeting, mediator and the two delegations tried to do bargaining and found out some solutions for the aspirations, proposals, and issues told by the two delegations which had not been agreed. (Malino Agreement Proceeding, February 11–12, 2002) Besides, commissions to analyze some aspirations which developed during the negotiation would also be established.

3. Aspirations and Proposals of Muslim and Christians Delegation

On Monday, February 11, 1999 at 10–12 am WITA (Central Indonesia Time) Mediator team held the first meeting (separated meeting) with
35 people of Muslim Delegation. In the overview read by the chairman of Muslim Delegation, Tamrin Elly (Malino Agreement Proceeding, February 11 – 12, 2002), Muslim Delegation concerned some important issues, such as:

1. Demanding an investigation into the riots happened on January 19, 1999 when the Eid Day was commemorated
2. Rejecting political intervention from international world in Maluku conflict. It related to Christians offers to ask for international mediator from the United Nations.
3. Rejecting over dramatization toward Laskar Jihad as intruders in Ambon since in fact there are there to give social assistance for Muslim communities in Maluku. They have similar functions as other social institutions involved into humanitarian programs during the conflict.
4. Demanding investigation toward FKM/RMS involvement in Maluku conflict.
5. Demanding investigation toward TNI/POLRI involvement in Maluku conflict, either institutional or individual involvements.
6. Rejecting dramatization of Islamization issues toward Christians as accused by Christian communities in Maluku.

Muslim Delegation also reiterated that peace-making process in Maluku was determined by the success of those who wanted to stop the conflict. Therefore, Malino Agreement should be able to bond all parties so that they obeyed the agreed things. After the overview was presented by the chairman of Muslim Delegation, Tamrin Elly, mediator gave opportunity to members of Muslim Delegation to give their point of view to complete the aspirations told by the chief of the delegation. From the overviews, the point was that efforts to stop the conflict should be done.

The second meeting between Mediator team and Christian Delegation was conducted on February 11 starting from 2.30 pm to 4.15 pm. From the overview entitled “Visions of Christian Society of Maluku on Conflict Resolution” presented by the chairman of the delegation, Tony Pariela, Christian Delegation recommended specifically some important points to be discussed in the negotiation, those are:

1. Relocating the refugees immediately and considering some adequate facilities
2. The government should consider giving specific funds for the Maluku post-conflict reconstruction.

3. To minimize various conflict potentials, the government should immediately clarify some central issues which are very disturbing, i.e. i) accusations that Christians started the riot on January 19, 1999, ii) the issue of Republik Maluku Selatan (Republic of South Moluccas) or RMS which is very detrimental to Christians in Maluku, iii) the existence of Laskar Jihad which increases tension in Maluku, iii) The issue of the existence of terrorist networks in Maluku, involving Al-Qaeda network.

Based on the proposals and aspirations from the two delegations presented separately, mediator then recorded it and promised to share the proposals to each delegation to be learnt and responded. It would be done before the joint meeting held in the following day. Then, mediator gave the list of proposals from the two parties to each delegation and asked them to respond and give solution.

4. Crucial issues in the negotiation; Laskar Jihad and FKM/RMS

Malino Agreement on the second day met the two delegations with the mediator or the first meeting in which the two delegations met each other directly. Generally, the two delegations agreed to stop the conflict and asked the government to relocate the refugees and reconstructed the damaged infrastructures because of the conflict. However, the existence of Laskar Jihad and FKM/RMS was still debatable. Christians Party insisted that Laskar Jihad who created the conflict in Maluku should be punished and expelled from Maluku. Meanwhile, the Muslim Party demanded that the government would take stern action against the activists of RMS and immediately conducted a thorough investigation of the separatist movements in the Moluccas. The debate of the two delegations on both issues will be described briefly.

For the Christian delegation, the presence of Laskar Jihad made the situation worse. Because their presence was basically to fight Christians and were not attacking the RMS or separatist movement as often argued. Therefore, the Christian delegation demanded that the Laskar Jihad must
be pulled or pushed out (expelled) from all regions of Maluku. Even the Christian delegation indicated that Laskar Jihad had relation with international terrorist network or Al-Qaeda. This allegation was supported by the fact that once there were seven Afghan nationals who came to Maluku, and when the officer of the Pattimura Airport Ambon asked for their passport, they refused to give it.

However for Muslim delegation, the allegation of the Christian Delegation was not entirely true, as Laskar Jihad came to Ambon after the conflict in Ambon and Maluku lasted nearly a year. That means that Laskar Jihad was not a cause of Maluku conflict, but merely a result of the conflict. Laskar Jihad would not come to Maluku if the conflict did not happen. Initially they came as social workers, built emergency schools, clinic and provided food and clothing assistance to Muslims in Maluku. Therefore, the Muslim Delegation felt hard to send them home. On that objection, the Christian delegation should hold a closed meeting for one hour in room 101 of Celebes Villa where they stay during the meeting. Based on the results of the meeting, they insisted to demand the return of Laskar Jihad as a prerequisite for peace (Republika, May 15, 2002). As for FKM / RMS, the Islamic delegation accused FKM as a reincarnation of the RMS in Maluku. FKM was considered as a separatist movement for supporting the ideals of RMS to fight for the people of Maluku who were separated from the Republic of Indonesia. Muslim delegation pointed to the fact that in various statements and political actions, FKM always brought up ideas about independence for Maluku. Similarly, when security forces raided the residence of a number of prominent of FKM, various documents were found on the FKM's plans to establish its own state. In April FKM always commemorates the anniversary of the RMS which falls on 25 April 1950, although the ceremony was always strongly opposed by Muslim citizens and security forces. Yet, the allegation from Muslim Delegation was refuted by the Christian delegation. Christian delegation indicated that there was formation of public opinion that seemed to put Christian people of Maluku similar to RMS. For the Christian delegation, the term of “Christian RMS” was crafted by a particular party to confront the Christians to the country. Christian delegation rejected the discourse of separatism fought by FKM, yet Christian delega-
tion asked all parties to analyze the phenomenon of FKM honestly and wisely. For the Christian delegation, FKM is a movement that emerged in an attempt to sue the state’s role in failing to stop the conflict and carnage. This means that the existence of FKM should be seen as a protest against the injustice and the failure of the state in dealing with the Maluku conflict (Peris, 2004).

After going through a pretty fierce debate, punctuated by a fairly heated debate about the presence of Laskar Jihad and FKM / RMS finally the meeting was rested for a lunch and the two delegations had discussion on two crucial issues that have not yet been agreed. According to Tamrin Elly, the chiefs of delegation and advisers as well as some leaders of both delegations had met in the event breaks, to lobby and negotiate. In the lobby between the mediator and head of delegations several agreements were achieved. First, the Christian delegation softened stance and agreed to the provision which stated the rejection and the ban on the RMS. It was then inserted into the third items which stated determination to resist, oppose and prosecute all forms of separatist movements that threatened the integrity and sovereignty of the Republic of Indonesia, among others, the RMS. Secondly, Islam delegation also softened its stance and agreed to the provision that stated the prohibition of armed paramilitary in Maluku including Laskar Jihad. The statement should be incorporated into the fifth point, which read all forms of organizations, units, groups or armed camps without permission in Maluku were banned and must submit weapons. For outsiders who wanted to screw up Maluku, they must leave Maluku.

Compromise was achieved because of the strong desire of the two delegations to immediately stop the conflict, for if the debate on the FKM and the Laskar Jihad was continued, all plan to stop the conflict would fail. In addition, the government promised to the two delegations to immediately establish a National Independent Investigation Team tasked to thoroughly investigate the issues of conflict which was quite sensitive and debated during the Malino Agreement, namely the incident of January 19, 1999, FKM / RMS, Laskar Jihad, Laskar Christ and the issue of diversion of religion by force. Compromise and consensus were then considered as a win-win solution of both parties so that the agreement
found its solution (Proceedings of the Malino Agreement for Maluku, February 11-12, 2002). The result of the compromise was then made in the eleven-point peace agreement entitled “Agreement in Malino Maluku”, which is equipped as follows:

1. End up every conflict and violence
2. Uphold the rule of law fairly, decisively, honestly, and impartially, with the support of the whole community. Therefore, law enforcement agencies must be professional in performing their duties.
3. Refuse, against and crack down on any form of separatist movements that threaten the integrity and sovereignty of the Republic of Indonesia, among others is RMS.
4. As part of the Republic of Indonesia, Maluku has the right to reside, work and run business in the entire territory of the Republic of Indonesia, and vice versa, another Indonesian society can work and run business in Maluku province legally and fairly by regarding and obeying the local culture and maintain security and order.
5. All forms of organization, units, groups or armed camps without permission in Maluku have to surrender their weapons or disarmed and taken appropriate action law. For those who confuse Maluku, they have to leave.
6. Independent Investigation Team was formed to investigate the incident thoroughly occurred on January 19, 1999, FKM, RMS, Christians RMS, Laskar Jihad, Laskar Christ, forcible transfer of religious and human rights abuses, and so forth, for the sake of the law.
7. Return the refugees to the same place without coercion with civil rights gradually according to the circumstances.
8. The Government will assist communities to rehabilitate mental, social, economic facilities, and public facilities, such as educational facilities, health and religion as well as public housing, so that in the future the whole community can develop Maluku back and out of trouble. Accordingly, any form of restrictions on movement of the population is opened, so that economic and social life goes well.
9. In an effort to maintain order and security throughout the region and community, cohesiveness and firmness of the army / police according to the functions and duties of each, is absolutely necessary. In line
with it, the various facilities of TNI / police must be constructed, equipped and used again.

10. To maintain the relationship and harmony between all religious communities in Maluku, all efforts of evangelism must be upheld by considering local cultural diversity.

11. Supports Pattimura University under the principle of rehabilitation to progress together. Therefore the system of recruitment and other policies are carried out openly with the principles of justice to meet the specified quality requirements.

In the end, Muslim and Christian delegations coming to Malino with an abundance of anger and hostility finally showed a prudent attitude. Although disappointed with some of the proposals and aspirations which were not accommodated, they could accept that the results achieved in Malino were maximal consensus. Jacky Manuputty, a young pastor, who was also a member of the Christian delegation, acknowledged that the agreement was an evidence to show that the Muslims and Christians parties have been put consciousness of brotherhood and humanity as a main frame in the negotiations. Although Muslim-Christian was long enough to get involved in the conflict but they realized that they must make peace, because they were brothers who inhabited the same land inherited by the ancestors. Therefore, they had an obligation to maintain social harmony in the land of a thousand islands (Interview with Jacky Manuputty in Ambon, December 20, 2005).

5. Impacts of Malino Agreement toward

Maluku community response to the Malino Agreement was split in two, between those who approved and supported as well as those who refused. Among the Muslim community, groups who mostly rejected the Malino Agreement were several Islamic organizations calling themselves as the group 11. As Task Force of Amar Maruf Nahyi Mungkar, Executive Board of the Association of Nusa Ina Muslim Brotherhood (PB.IKSAMUNI), the Regional Board of Islamic Youth Movement (PW.GPI) Maluku, Board of Maluku Islamic Youth Front (PB.FPIM) and several local organizations such as Muslim Youth Front Baguala (FPMB), stated explicitly that they rejected the Malino Agreement. There
were two things that drove group 11 to refuse the Malino Agreement. First, methodologically, the measure used in the implementation of the Malino agreement was considered to be unclear and full of government intervention, so it was suspected as a form of driving opinion for the benefit of specific groups. Second, the substance of the Malino agreement itself was not considered to meet the aspirations and interests of Muslims Maluku, even if it was further explored, it tended to harm Muslims. Group 11 questioned the failure of Muslim Delegation in dealing with the issue of Laskar Jihad, so that the group which had been meritorious in defending the interests of Muslims should be charged as criminals and expelled from Maluku. Similarly, the compensations that must be received by the Islamic groups were not discussed maximally (Interview with Irwan Patty in Ambon, December 17, 2005).

In Christian communities, some dissatisfaction also appeared shown by the public at the “Maranata Command Post”. They rejected the sixth item stating the involvement of the South Maluku Republic (RMS) in Ambon-Maluku conflict. Many Christian leaders believed that the Maluku conflict was the design of certain interest groups from Jakarta and RMS issues only become a “scapegoat” (Interview with the Rev. Jacky Manuputy in Ambon, December 20, 2005). They also regretted the connection of RMS with the Christians as a “Christian RMS” on the sixth point in the Malino Agreement. According to some Christian communities, as published in local media, these words were a highly tendentious and discriminatory political formula, because it imaged Christian community in Maluku as separatist rebel group against the State (Suara Maluku, February 23, 2002). John Pires said the formula had significantly lost the moral position of the Christian communities in Maluku (Peris, 2004). Harder rejection, of course came from the Laskar Jihad and FKM from the beginning that had shown disagreement with the implementation of the Malino Agreement. Laskar Jihad and FKM were not involved in the negotiations, so they said it was not bound by the contents of the agreement. In fact they said it would continue to conduct its activities respectively as before.

Resistance movements against the Malino Agreement generally only occurred in the city of Ambon and on the delegation arrival only involved
the delegation of certain elite group. It can be concluded that the rejection of the Malino Agreement generally involved only a small portion of society. Actions against the refusal of some figures did not significantly influence the attitude of grass root society. In general, people just expected the conflict to be stopped immediately in order that peace was realized, so that they could rebuild their ruined lives. The results of Community Development and Empowerment Foundation (YPPM) in May and June 2003 which was directed against the 1265 respondents in various places in Maluku, showed that 62% of respondents supported the Malino II agreement, and only 17% who expressed no support and the rest did not know the answer.

Conditions and security situation after the Malino agreement were not yet fully secure. There were still some incidents and clashes that occurred in the city of Ambon and surrounding areas, such as assault and the bombing of the community in the city of Soya, Ambon which killed eight people and burnt Maluku Governor’s office on April 3, 2002. Some of the incidents that occurred after the Malino Agreement showed that it was not easy to bring peace to the warring parties (Muslim and Christian) after 2 more years actively involved in the conflict which caused many casualties and material. Psychological trauma, revenge, mutual suspicion and lack of trust (distrust) between members of the community showed that a process of conflict resolution should be done gradually and carefully. So what is to be achieved after the Malino Agreement can work well.

One indicator of the success of the Malino Agreement is the decrease in the intensity of the conflict and created a more conducive security conditions in Maluku. This situation is a marker that the warring parties upheld commitments to create peace which have been sworn and signed together. Since the period of June 2002 until now, the conflict decreased even stop altogether. There have been some incidents and violence sporadically, but the security forces could handle it and the escalation did not extend as previous times. There were three major incidents that cause loss of life, namely, 1) the burning of the Maluku governor’s office on April 3, 2002, 2) attack on the village of Soya on April 28, 2002, and 3) the clash between the FKM and the community at Diponegoro Street,
Ambon on April 25, 2003. Things like that can still be understood because from the conflict resolution perspective, there is no direct peace process, but it must go through different phases of a particular transition. But the most important thing is that the incidents were not to encourage people, especially the two warring parties (Muslim and Christian) on the mass clashes and attack each other as what happened before the implementation of the Malino Agreement.

There are several things that can be identified as a determinant factor in the Maluku conflict termination process after the Malino agreement. First, the dissolution of Laskar Jihad and FKM. As a form of implementation of the Malino Agreement, Laskar Jihad was finally dissolved on October 3, 2002. For the Maluku Sovereignty Front (FKM), which also refused to obey the points of Malino Agreement, the figures were also arrested one by one by the security forces as one of the implementations of the Malino Agreement. Along with the arrest of Laskar Jihad commander, Chairman of the Presidium of the FKM Dr. Alex Manuputy was also arrested and taken to Jakarta and brought to justice. He was sentenced by the Central Jakarta District Court four years in prison. But in the suspension of detention, Manuputty fled to America and stayed in that state until today. Dissolution and repatriation of Laskar Jihad as well as the arrest of FKM exponent have made the security situation in Maluku more conducive and controlled. Along with that, the societies from the two parties believed that the peace in Maluku can be really realized.

Second, the success of law enforcement and security are systematically carried out by the Intelligence Coordination Forum Army, Police and Attorney with the coordinator of Asintel Kodam XIV Pattimura in an effort to detect and act against the rioters. For cases of assault, a combined military-police investigation team has been sent into the locations of the crime for the disclosure of the culprit. Security checkpoints were set up along military police to anticipate of a conflict between the military and police officers in the field. To give strict actions to local authorities who got involved in the riot, the rotation of personnel with new personnel brought in from outside Maluku was done. Other security effort is the implementation of sweeping of firearms and explosives materials in the hands of the public by a joint military-police units and agency.
cies. Along with that, people began to voluntarily hand over their weapons and explosives materials they had. During the period of June 2002 until December 2004 organic and homemade firearms handed over by the Muslim and Christian groups were as many as 673 pieces, while explosives materials were as many as 1620 pieces (www.pemprov-maluku.org. Maluku provincial government site. Accessed on November 17, 2005). In addition to firearms they also handed over the traditional weapons such as machetes, arrows and spears. The security forces and law enforcement agencies were also encouraged to accelerate investigation, prosecution and trial of the case, especially matters of riot, organize traffics in the centers of community activities, supervise the border with sealing troops, crack down and capture or immobilize rioters or instigators and implement surveillance and inspection of foreign people coming in and out of the Moluccas.

Third, Restoration of Social and Economic Conditions. The increasingly conducive security conditions have also encouraged the movement of people and economic recovery of social life in Maluku. Normalization of social life still occurred gradually, as objectively both Muslim and Christian communities lived separately in their respective territories. However, Muslim and Christian communities began to make personal contacts between them. Traditional markets become the first place to provide an open space for natural interaction between the two communities. Mardika traditional markets located in the boundary line between Islam and Christian settlements which were destroyed during the conflict was engulfed in a mass, re-functionalized self-funded by the local community. The market is then named Bakubae Market or peace market. In order to speed up the process of social recovery, the government also conducts rehabilitation program that includes repatriation of refugees and the construction of homes for residents. Since the period of September 2003, the number of refugees who had returned is as many as 19,313 families. Those who died in the conflict were also given in the form of cash compensation of two millions to their heirs. Compensation was also provided to victims of conflict and permanent disabilities who are not able to find a job / income for one million rupiahs per inhabitant (Maluku Social Services 2004).
6. Malino Agreement as Conflict Resolution Model

Model of conflict resolution such as the Malino Agreement may not be something totally new. Previously the government has brought together a number of figures in Maluku to seek peace. Therefore, the Social Reconciliation Center was established involving various religious leaders and people of Maluku. In practice, the Social Reconciliation Center did not give maximal role, because the groups involved were very limited. Most of them were intellectual and religious figures (MUI, GPM, and Diocesse) whose legitimacies decreased during conflict. They also did not have access directly to the people who fought in the field, whereas immediate access was very important, because it related to the ability to control violence by a community.

In the reality of Maluku conflict, many members of the public were more obedient to the commanders of the post and the people who emerged as new informal leaders during the conflict. Conflict resolution projects that do not involve conflict resolution figures do not bring much benefit, because they are the ones who control the masses in the field. One of the successes of the Malino Agreement is a willingness to involve as many as these figures in the negotiation process. They became a symbol for his followers in the process of conflict resolution. Although it must be admitted that the number of characters that were present was not maximal in terms of representation.

In addition to the above aspects of legitimacy, in the case of Social Reconciliation Center, the implementation of pledge of peace made is not monitored and evaluated jointly, so when a new conflict occurs, each side feels that they are betrayed that ultimately grows mistrust. While in the Malino Agreement there were some things different from the model of peace mediation ever conducted by the government in previous times. First, in terms of formulation, the Malino Agreement was planned better, especially in conditioning society, socialization and negotiation process in a systematic and planned agenda. The parties involved were also quite large and came from diverse backgrounds, such as post commanders, intellectuals, religious leaders, traditional leaders and community leaders. Even the Christian delegation also included representatives of women who had not given a role. Maximum participation of the various elements
involved in the conflict, is a very important part of the process of conflict resolution.

Second, government involvement also plays an important role. Especially a low profile shown by Minister of Coordination and Public Welfare, Yusuf Kalla, who acted as the initiator and chairman of the mediator. Yusuf Kalla also did not hesitate to come to the residence of the community leaders to explain the importance of peace negotiation to be facilitated by the government. This business is getting a positive response from the community, because it is considered as a form of government sincerity in resolving the conflict.

In the model of the Malino Agreement, the government not only acted as a mediator and facilitator, but also signed as the responsible party. This means that the Malino Agreement is a tripartite agreement for it involved three parties with similar interests: the Islamic groups, Christian groups and the Government. With that position Malino agreement has a strong position and importance, as all parties were involved and responsible, particularly the role of government which was required in law enforcement and security. That is why, when the incident happened a few times after the Malino, a number of legislators of Ambon planned to conduct legal undertakings Clash Action against the government. They argued that government could be prosecuted legally as a form of accountability for the implementation of the Malino Agreement, because the government is a signatory to the peace agreement. Involvement of outside groups that fought in the negotiations Malino was also very positive. The presence of religious figures such as Rev. Dr. IP Lambe or Din
Syamsudin and several national intellectuals is expected to provide positive input to the parties to negotiate, especially at times of impasse in negotiations.

Nevertheless it should also be stressed, as a model of conflict resolution, the Malino Agreement still leaves a number of weaknesses that need to be refined and further developed. As when socialization and execution time is quite short, mechanisms and methodologies of the negotiations can not lead to a more intensive dialogue to explore all the issues of conflict. Similarly, the concept of monitoring and evaluation after negotiation has not been made in detail so the implementation in the field cannot be measured.

CONCLUSION

Government efforts to stop the Maluku conflict through the implementation of the Malino Agreement for Maluku, proves that the social conflict of racial nuances that often occurs in Indonesia can be resolved by peaceful, dialogue, and democratic means. Conflict resolution models by prioritizing the repressive power of the State commonly meet failure; it can even encourage the emergence of a massive and destructive violence.

In fact the biggest impact of the implementation of the Malino Agreement is a cessation of violence and security restore throughout Maluku. The indicators can be seen on the steps when the government revoked the implementation of civil emergency in Maluku on September 20, 2003 by Presidential Decree No. 27/2003 to revoke Presidential Decree No. 88/2000. Improved security conditions have also encouraged the various steps of development and recovery of social life in Maluku in stages, especially the relocation and return of refugees. Thus the Malino Agreement has become a very important foundation in bringing back peace in Maluku.

This study shows that, liberated from various weaknesses, the Malino Agreement has succeeded in encouraging the cessation of conflict and violence for nearly three years in all regions of Maluku. This can be done for two of the most important things. First, the implementation of the Malino Agreement can be occurred in a peaceful, dialogue and demo-
ocratic atmosphere. Although the two delegations (Muslims and Christians) differed on two crucial issues, the presence of Laskar Jihad and the Maluku Sovereignty Front (FKM), with honest dialogue and full consciousness, they are able to receive the opinions and demands of each, and would also reduce certain parts of the claim. The two delegations recognize that the cessation of conflict is a prerequisite to initiate the next steps for peace. The sensitive issues such as the presence of Laskar Jihad, FKM / RMS, Warriors of Christ, Christian RMS, the transfer of the religion by force, violations of human rights law were agreed to be further investigated by an independent team as stated in the sixth point of Malino Agreement.

Second, the process of conflict resolution with negotiation model done by the government in the Malino Agreement for Maluku, substantially only has an impact on the cessation of conflict and violence. In other words, the Malino Agreement affects on the completion of the trigger factors (manifest) of Maluku conflict. Therefore, to solve the fundamental problems which become latent potential of Maluku conflict, socio-cultural works are necessary, namely restructuring torn apart social relationships, reducing the religious sentiment which has raised social segregation in society, re-arranging the professional bureaucratic system and encouraging development and economic equality that do not cause social jealousy. Thus, the Malino Agreement is only a temporary to stop the conflict and further requires an advanced process to resolve these fundamental issues so that a lasting peace can be created again in the Moluccas. Hopefully!

ENDNOTES
1 It is called Malino II Agreement to differentiate it from Malino I Agreement also done to end social conflict of racial nuance in Poso, Central Sulawesi. Malino is a cool air place in Gowa District, Central Sulawesi. That place is often occupied as negotiation place by many parties, even since Netherland colonialism. Further, the agreement will be called Malino Agreement.
2 Maranata Post is the Information Center and the Christian community activities during the Maluku conflict. Besides in Maranata Post, an-
other activities center is in the Diocese of Amboina.

REFFERENCE
Abdel Salam, El Fatih A. 2005. Kerangka Teoritis Penyelesaian Konflik Associate Professor, Department of Political Sciences, Kulliyyah of Islamic Revealed Knowledge and Human Sciences International Islamic University, Kuala Lumpur, Malaysia dalam (www.groups.yahoo.com/group/sosiologi_profetik).


