

MOTAAIN BOUNDARIES BETWEEN STATE SOVEREIGNTY AND INDIGENOUS PEOPLE

Volume: 4
Number: 1
Page: 135 - 141

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Article History:

Received: 2022-10-30

Revised: 2022-12-09

Accepted: 2023-01-16

Abstract:

The border issue has always been a problem that continues to be debated by every country. One of the issues that are important but rarely highlighted is social issues that involve relations and interactions between people in bordering countries. As happened in Motaain, the border between Indonesia and Timor Leste. The separation of the two regions after the 1999 East Timor Popular Consultation resulted in various traditions and indigenous cultures being transformed into cross-border cultures. This transformation occurred because the two boundary communities previously came from the same culture. This can be explored through historical, cultural, and genealogical ties. Separation of the country does not eliminate cultural relations and interactions even though they have different citizenship statuses. Cross-border culture creates harmonization of border communities so that horizontal conflicts at the border can be minimized. However, cross-border culture needs state control because it risks territorial sovereignty and has loopholes for certain elements to exploit to create transnational violations and crimes. This issue has become the concern of the two countries in controlling people across the border. State policies that negotiate with culture as well as negate previous opinions that see the State as the sole actor in managing boundaries. The State does not have to control borders with power, but it can also be done by giving space for its citizens to interpret borders with cross-border culture.

Keywords: State, State Sovereignty, Indigenous People

Cite this as: DARI, A. S. D., JACOB, A. R. P., MUSKANAN, W. F., SABAAT, Y.Y. (2023). "Motaain Boundaries: Between State Sovereignty and Indigenous People ." International Journal of Environmental, Sustainability, and Social Sciences, 4 (1), 135 - 141.



INTRODUCTION

This study will explain how the State manages the mobility of people on the border of Indonesia and Timor Leste in implementing cross-border culture—using a state security and human security approach and combining it with a cultural approach. This study seeks to see the negotiation space between the state and cultural entities in building harmonization in managing national borders among indigenous people. This study examines explicitly cross-border cultural issues at the Motaain border, Silawan Village, Belu Regency, which is the main gate in and out of the borders of Indonesia and Timor Leste, as well as an area that can describe the dynamics of a cross-border culture that binds the people of the two countries. This study raises three main topics history, culture, and genealogy, which are the main reasons why cross-border culture needs to be the primary reference for the governments of the two countries (Indonesia and Timor Leste) in managing borders, especially the people in Indonesia. Along the border between the two countries, the approach taken by the State becomes more humanistic.

The Mountain border is one of the gateways to the Democratic Republic of Timor Leste for people who will carry out cross-country travel activities. For this reason, one of the tactical steps taken by the Indonesian government in controlling the border areas between Indonesia and Timor Leste is to build Cross-Border Posts (PLBN) located at several boundary points. One is PLBN Mountain, located in Silawan Village, Belu Regency.

Development of PLBN as a form of state power to exclusively control all entities on the border in accessing the border route. This is in line with Gammeltoft - Hansen and Sørensen's view of how the perspective of the State controls boundaries, where in their view that the State always emphasizes that state sovereignty cannot be delegated to other actors so that the border will always be privatized by country (Gammeltoft - Hansen and Sørensen, 2013). This approach tends to see the State as the sole actor in managing boundaries. Countries need to think about the right approach to managing boundaries because it will be very influential in maintaining integrity at borders, including managing border conflicts and maintaining good bilateral relations with countries with direct borders.

History records that the separation of Indonesia and Timor Leste after the widespread consultation in 1999 resulted in various traditions and traditional rituals of the people of Silawan Village and the people of the Bogonaro District being transformed into cross-border culture. This transformation occurred because the two communities needed to eliminate cultural relations and interactions despite having different citizenship statuses. Cross-border culture creates harmonization of border communities so that horizontal conflicts at the border can be minimized. However, cross-border culture also needs to be controlled by the State because it has loopholes to be exploited by individuals who have specific interests to make culture a camouflage for transnational crimes. This issue needs to be paid attention to by the State in controlling the people at the border. On the other hand, the State must not turn a blind eye and ignore the cultural aspects of the people that existed long before Indonesia and Timor Leste separated administratively **as states**.

Existing studies have analyzed borders with comprehensive approaches, such as the institutional approach, transboundary cooperation, biometrics, Cross Border Approach, and Hard and soft border approaches. However, these studies only see the State as a single actor with authority in resolving border issues, so the existing studies need to discuss the negotiation space between the state and cultural entities in cross-border cultural affairs.

METHOD

Case study method to uncover and understand how border management in Indonesia works in cross-border cultural affairs between Indonesia and Timor Leste. The data is obtained directly from the people who live on the national borders and state institutions that regulate cross-border flows at the Indonesian border.

RESULT AND DISCUSSION

The Meaning of Borders for Communities on the Boundary of Indonesia and Timor Leste.

The border study in Silawan Village then got some answers about the cross-border culture that occurred on the border of Indonesia and Timor Leste. From the point of view of the State, boundaries remain as national boundaries. However, from the perspective of the border community, especially those in Silawan Village and Bogonaro District, especially the Koa, BatuGede, and Balibo Batugade areas, they consider that boundaries never exist in cultural affairs. According to them, boundaries only apply in international politics and law.

The territories of Timor Leste and West Timor (Indonesia) are on the same island, namely Timor Island. This, at the same time, confirms that historically the people in the two regions have the same cultural roots, especially the people who live along the border lines of the two countries. The polling of the East Timorese people in 1999, which ended with the choice of Timor Leste's independence, was the turning point and the beginning of the separation of the territories of Timor Leste and Indonesia. However, the separation of sovereign territories only sometimes eliminates the cultural ties rooted in the people of the two regions. They are still bound by the same customs, even having the same genealogical lineage. This is marked by interactions and visits between the people of the two countries, which are still maintained today, especially when there are traditional collective rituals and family deaths in neighboring countries (Timor Leste or Indonesia). For indigenous peoples, national boundaries are not a cultural separator.

These cultural and traditional activities that are still being carried out then shape the views of the people who live on the borderline towards the State and borders, according to the people of Silawan Village (Indonesia) and the Bogonaro District, especially the Koa, BatuGede and Balibo (Timor Leste) regions view national boundary markers as the form of a regime of state power that wants to separate society physically and socio-culturally that has been built since the colonial period to the post-colonial period.

History, Culture, and Geneology as the Basis for Border Society's Arguments About " No State Boundaries " In Cultural Affairs, The view of " borders never existed " in cross-border cultural affairs by people on the borderlines are based on the long history of Indonesia and Timor Leste from the aspect of cultural tradition and genealogical relations. This culture, which was previously agreed upon by their ancestors, is still being carried out as a form of respect for their ancestors. In addition, these two communities still carry out these cultural traditions because they want to maintain their brotherly solidarity amidst the conflict that is still struggling to determine the boundary points between the two countries. The culture that is guarded and preserved by the people of the two countries is often used as an alternative solution to problems, for example, in the case of slaughtering a cow belonging to the Indonesian people by Timorese citizens and the case of manganese theft by Indonesian people in the Bobonaro District of Timor Leste which can be resolved according to custom. This shows that culture can even control and manage conflicts among border communities better with local wisdom.

Adat is a very effective tool because it internalizes local values believed by the people in both regions. Sectoral ego and socio-politics that are feared to be a severe threat at the national border do not apply to people in both border areas because all problems can be accommodated and resolved with local wisdom that has been rooted in their culture, so the process of resolving horizontal conflicts at national boundaries it is not always necessary for the State to present a formal approach.

The culture of the people of the two countries along the border region originates from the same customs and traditions. The simplest thing that can be seen is the use of the local language. The people of the two border areas use the 'Tetun language to communicate in their interactions. 'Bahasa Tetun' has even become the mother tongue (local language used) of all Timor Leste residents. The same language is also the mother tongue of the Indonesian West Timor region, especially in the Belu district and Malacca district. This explains that the cultural ties between the two regions have existed since ancient times, before the presence of the State.

Several other reasons form the basis of the people living on the borderline thinking that boundaries never exist in cultural matters, namely from the location of the traditional houses of each community that are placed and built with a cross-regional model. Building a traditional

house like this is a form of brotherly solidarity between the two communities. This cross-regional traditional house model existed long before Indonesia and Timor Leste separated. The traditional house of the Indonesian Silawan village community was built in the administrative area of Timor Leste, and vice versa, the traditional house of the Timor Leste people was built in the Indonesian administrative area.

Another reason that makes the people of the two countries think "national boundaries never exist" is the burial place of the body. In the past, before the separation of the two countries, the indigenous peoples of the two countries had agreed on a burial location, which was to be located in the Silawan Village area, so until now, when a mourning event occurred in the Bobonaro District (Timor Leste), some of the district's residents, such as the Koa, Balibo and Batugede areas, are still burying their dead. Corpse in Silawan Village (Indonesia), and as a form of solidarity, the Silawan Village community will assist and facilitate the needs needed by the people of Bobonaro District when carrying out funeral rituals in Indonesia. Likewise, with the model of intermarriage between the two communities that has occurred, where there are people who have partners (husbands and wives) from both areas or in the language of the local community, "feto sawa Uma mane" which means, if each community has taken a partner (female or male) then a bond of brotherhood has been formed "the word "feto Sawa Uma mane" by the people of the two countries is often used to resolve conflicts. These various reasons later became the basis of their argument against limits that never existed in matters of cultural tradition.

The view of the boundary by the indigenous people of Silawan Village and the people of Bobonaro District contrasts the State's view of the border. However, of course, this is a severe problem for the State in maintaining state sovereignty and security in growing globalization; this issue is in line with Parrish's view of indigenous peoples in the border context, where Parrish explained that there would be a reduction in the sovereignty of the nation-state if the people adat wants to have their borders and sovereignty, according to Parrish's point of view, this will make borders "more permeable" and territorial to be "less restrictive" so that the State will become weak (Parrish, 2007, p. 306).

State Intervention in Cross-Border Cultures between Indonesia and Timor Leste, The independence of Timor Leste, which was initiated by a widespread consultation process in 1999, triggered a dilemma as well as a severe blow to the local cultures of the two countries, which historically come from the same cultural family, especially for people living along the borderline. The two communities, which used to be able to access alternative routes to perform traditional rituals, now cannot freely access the territory of each country because regulations set by the two countries limit them.

The consequence of this cross-border cultural model then requires both communities to travel across borders with legal administrative completeness to perform various traditional rituals. The two communities who used to be able to access alternative routes to perform traditional rituals are now unable to freely access the territory of each country because regulations set by the two countries limit them. The consequence of this cross-border cultural model then requires both communities to travel across borders with legal administrative completeness to perform various traditional rituals. State control over border culture is then seen as a barrier and an obstacle for the two communities in carrying out traditional rituals. In the end, some very urgent customary affairs often require that some communities are forced to carry out illegal crossing activities.

This dilemmatic reality often triggers illegal border crossers to use traditional routes they have made for themselves because they must continue to preserve their culture despite differences in nationality separating them. At the same time, the State does not provide facilities to

accommodate cross-border cultural interactions. This condition was then responded to by the Governments of Indonesia and Timor Leste to agree on Cross Border Pass cards for people along the Cross Border lines of Indonesia and Timor Leste.

State Negotiation Space and Cultural Entities in the form of Boundary Passage Policies

The cultural ties built since the past cannot deny that Indonesia and Timor Leste have been separated and have their respective sovereign territories. At this point, the State has the authority (power) to regulate its citizens, including those in border areas. Communities of the two countries who want to leave or enter the border area must still be under state control under regulations or according to agreements between bordering countries. Visits to neighboring countries are no exception for cultural reasons. This is done to minimize illegal immigrants and various crimes in the border area.

State authorities in controlling borders tend to be hard borders. On the other hand, when cultural affairs intervene, the State does not ignore the people living on the country's borders' historical, cultural, and genealogical aspects. One of them is by issuing Cross -Border Pass Cards and Cross-Border Identity Cards through the Regulation of the Minister of Law and Human Rights of the Republic of Indonesia Number 44 of 2015. The geographical, historical, cultural, and genealogical aspects of the people on the border of the two countries are the reasons for the State's consideration of issuing Cross-border Pass cards. Limit. The policy of using this Cross-border Pass card as a substitute for a Visa and Passport for people who live in border areas of countries to be able to carry out traditional border crossings in border areas between countries according to cross-border agreements, with a distance of 10 kilometers from the borderline. Henry S. Siswosoediro (2008: 171) explains that cross-border residents who intend to cross national borders must have a passbook from the competent authority. Cross-border passbooks form the basis of registration of cross-border residents. One of the goals is for residents at the border to visit their families in neighboring countries, including participating in traditional rituals and funerals for families who, although they have the same cultural identity, have different citizenship identities.

The holder of a Cross Border Pass is only to carry out activities of a traditional nature and border borders, including social relations and ceremonies such as marriage, farming, gardening, fishing, and other uses of waters, traditional border borders, and local cultural activities in border areas that both parties agree.

Bioculture as a Model for Governance of Mobility in the Borders of Indonesia and Timor Leste Border Discourse is not only viewable exclusively as the territorial boundary of sovereignty where the State is always placed as the sole actor in controlling the boundary with a very formal interaction model. However, to understand all its aspects and problems, the border also needs to be explained as a non-formal interaction space because other entities at the border cannot be ruled out, and the problems that arise due to the emergence of national boundary benchmark points cannot be solved immediately with formal interactions between countries.

The formal interaction spaces that have been implemented by the State so far in maintaining sovereignty by placing formal institutions and implementing technology in controlling national borders are not sufficient to provide concrete solutions in resolving border issues in the context of cross-border culture, even so with approaches that offered by several previous studies have not been sufficient to explain border issues, especially when the State as a formal institution is confronted with cultural entities. For example, the *complex border* approach is similar to other studies where borders must be managed by prioritizing security and sovereignty through representatives of state institutions.

Another approach that has been offered in resolving border issues is the *soft border approach* which emphasizes the *human security model* as realizing sovereignty by protecting its citizens through meeting basic human needs, such as food, livable housing, education, health, and infrastructure development by not closing opportunities for cooperation between the country. However, the interpretation of the aspects in the *soft border approach* has not touched historical, cultural, and genealogical aspects as the basis for argumentation that people who use borders have never existed in cross-border cultures as happened in the exceptional cases of Indonesia and Timor Leste so that the approach that this study has offered -Previous studies have not sufficiently explained how the interaction of countries and cultural entities in cross-border cultural issues that occur in border communities.

The context of the Indonesia-Timor Leste border has a long history that binds the two regions into a shared cultural entity. At this point, the *Bioculture Approach model* becomes an alternative offer that must be considered by the State, so that cultural entities in which there are historical, cultural, and genealogical aspects of society at the border can also be accommodated in border management. Therefore, in cross-border cultural affairs, the State needs to transform the Institutionalism approach model, whose interactions are very formal and closed between countries, to a more open and flexible Neo-Institutionalism approach to build relations between the State and cultural entities in cross-border cultural affairs.

CONCLUSION

The management of the borders of Indonesia and Timor Leste is faced with a reality that has the potential to benefit and, at the same time, threaten the integrity of the nationalism of the people at the border. On the one hand, the State needs to be firm in managing and controlling its territorial sovereignty (*hard border approach*). However, on the other hand, there is a long history between the people of Timor Leste and Indonesia (especially the West Timor region) which comes from the same cultural roots. The cultural ties in question are traditional but also historical and genealogical. This condition requires the State to manage borders wisely by not ignoring aspects of the locality of local culture (*Bioculture*).

By looking at both sides, between the State and its people's culture, we can see how the State manages boundaries without ignoring local wisdom. Historical aspects, a traditional culture, and genealogical ties in the people of both countries have bound them in an inseparable unity. There is a kind of 'must' for border residents to visit each other and solve problems between them with the mechanism of cultural customs. This condition explains that problems at national boundaries do not have to be resolved in a very institutional way where the State is always positioned as a single actor but can be resolved with cultural-based local wisdom due to cultural ties closely attached to the people.

On the other hand, the policy of state control over borders by taking into account historical aspects, traditions, and genealogy of people at the borders is a win-win solution to maintain the integrity of territorial sovereignty and its people. State policies that negotiate with culture and simultaneously negate the opinions of previous border studies see the State as the sole actor in managing boundaries. Of course, the State does not have to control borders with power, but this can also be done by building relations and providing space for its citizens to read boundaries with cross-border cultures.

REFERENCES

Amoore, L. (2006). *Biometric borders: Governing mobility in the war on terror*: Department of

Geography, University of Durham, South Road, Durham DH1 3LE, UK

Duran, Javier (2010). Virtual borders, data aliens, and bare bodies: Culture, securitization, and the biometric State, *Journal of Borderlands Studies*, 25:3-4, 219-230, DOI: 10.1080/08865655.2010.9695783

Gelbort, Galit (2012). Biometric Border and the case of Israel / Palestine

Guo, Rongxing, *Border-Regional Economics*, Physica Verl Heidelberg, Germany, 1996.

Henry S. Siswosoediro (2008). *Licensing and Document Management Smart Book*: Visimedia Jakarta.

Klemencic, Mladen dan Gosar, Anton, The problems of the Italo-Croato-Slovene border delimitation in the Northern Adriatic, *GeoJournal 2000 ABI/INFORM Research*

Lay, Cornelis and Azifah R. Astrina (2020). The Limits of the Multiple Institutionalization of Border Control: A Case Study of Immigration, Customs, and the Indonesian Maritime Security Agency in Batam, Indonesia *Pacific Affairs: Volume 93, No. 1 March 2020*

Muller, Benjamin J. (2004). (Dis)qualified bodies: securitization, citizenship and 'identity management,' *Citizenship Studies*, 8:3, 279-294, DOI: 10.1080/1362102042000257005

Nadlirotul Ulfa, Desiana Rizka Fimmastuti and Anisa Nur Nia Rahmah. (2018). *Hard and Soft Border Paradigm for Border Governance in Indonesia : A General Review*, Semarang, Semarang State University

Nancy A. Naples and Jennifer Bickham Mendez (2015). *Border Politics Social Movements, Collective Identities, and Globalization*; New York University

Parrish, A. (2007). *Changing Territoriality, Fading Sovereignty, and the Development of Indigenous Rights*. *American Indian Law Review*

Thomas Gammeltoft-Hansen and Ninna Nyberg Sørensen (2013). *The Migration Industry and the Commercialization of International Migration*, Simultaneously published in the USA and Canada

Wayman, James L., "Biometric Technology: Testing, Evaluation, Results," US National Biometric Test Center, found at www.engr.sjsu.edu.