

# Impartiality and Governance of Identity Conflict

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**Abstract**—The minority groups are vulnerably marginalized by the majority groups. When a violent conflict escalation breaks up, the victims are mostly from the minority one. It happened to Shiite group in Sampang, Madura Indonesia during 2004-2012. Sunni community dominates the reality of being genuine Islam by accusing the Shiite group as a deviant sect or infidel. Therefore, Sunni group acts repressively toward the Shiite group. As a democratic state, the Government of Indonesia is responsible to protect every identity including their belief and security. However, the government leaders such the regent tends to skip the responsibility to protect. Instead of realizing the responsibility, the government leaders stigmatize the Shiite group as a deviant sect too. In this condition, the Shiite group is more marginalized from social structure. The provincial government has made a relocation policy which is perceived by Shiite group as an expulsion from their own land. Basically the practice of marginalization got more visible after the violent conflict escalation. Currently the Sunni community's leaders in Sampang control the land of Shiite members. They state that the land will be returned if Shiite members do repentance upon their "sin" for defending a wrong belief. Based on the practice of marginalization, this study is challenged to reveal the reason of marginalization and what are the interests behind the practice of marginalization to Shiite group. Therefore, the study examines two research questions. First, how is the concept of marginalization constructed socially in Sampang. Second, how does the government implement governance of identity conflict whether partial or impartial? In order to examine those research questions, the study has undertaken a qualitative research which focuses on the everyday language of groups' members during May-August 2013.

**Keywords**—identity conflict, violence, impartiality, governance, conflict management

## I. INTRODUCTION

This study mainly aims at examining governance of identity conflict by the use of political philosophy of impartiality. This country is the fourth most populous country in the world with population of around 255 million people recently. Indonesian society is a heterogenic in term of ethnicity, religion, tribal and other identities. There are more than 300 ethnic groups and 250 different ethnic spoken languages. Administratively, Indonesia has 33 provinces, 399 regencies, 98 municipalities and 6,694 sub-districts and 69,000 villages. Meanwhile, Indonesia's political system is based on democracy since 1999. After the collapse of Suharto regime in 1998, horizontal violent conflicts occurred across Indonesian regions such as Maluku, Sulawesi, and

Kalimantan Island. Ethno-religious violent conflict broke down Maluku society in 1999, Sampit Kalimantan in 2000, and Poso Sulawesi in 2002. Those ethno-religious violent conflicts had been settled down through a long process of peace building. However the problem in heterogenic society still remains. Particularly, the problem is cored at the issue of marginalization by dominant group and weak state in protecting all citizens.

As the case of violent conflict between Sunni and Shiite group in Sampang district East Java which violent action was begun in December 2011 and September 2012. Sampang district is located in Madura Island, part of Jawa Timur (East Java) province with 876.950 inhabitants in 2010. Most of the population is Islam Sunni, while Shiite is a tiny community with approximately 584 people. During the conflict dynamic between Sunni and Shiite community, both the local and central government was not able to protect the citizen from the violence. Moreover, the state intervention was not impartial. Lastly, Shiite community was relocated into another district in Jawa Timur province namely Sidoarjo district. Even the government argued that relocation policy is to secure Shiite community from violence but Shiite community feel being evicted from their own lands. This study traces how the marginalization and governance of identity conflict based on partiality is constructed through the case of Sunni-Shiite conflict in Sampang, Jawa Timur.

## II. GOVERNANCE OF CONFLICT

### A. Governance as Conflict Management

The term of governance does not only refer to manage an administrative and public service issues but also to manage and govern conflict. Zartman argues that

*Governance is conflict management. Governing state is not only the prevention of violent conflict from destroying the country; it is the continual effort to handle the ordinary conflicts among groups and their demands which arise as society plays its role in the conduct of normal politics [1].*

Theoretically conflict management aims at preventing any forms of violence during the conflict dynamics [2] [3] [4]. Therefore governance, as conflict management, can be conceptualized as a process to prevent violent conflict and to transform conflict into problem solving. In democracy, governance actors shall carry a problem solving strategy because violence as a conflict strategy merely gives destructive effects such as protracted conflict without any

constructive solution, death, injury and environmental damage.

Zartman urges that any conflict dimensions could be governed by using the 'procedural attempts' of RAISAR. He mentions six elements of conflict management as governance namely reconciling, allocating, institutionalizing, submerging, adjudicating, repressing. The six procedures of governance basically can be mapped into three types of practice, namely mediation and negotiation (dialogue), government policy and state violence. In democratic country, state violence would be exercised by considering some crucial conditions, such as to stop communal violent actions. However, Zartman points out that the repression procedure was the most ineffective one when compared to other procedures. In the repression procedure only the powerful actors dominate the conflict resolution or policy [1].

In democracy, the exercise of violence by state can be allowed in handling conflict situation but it has to be controlled publicly. Violence has got a serious attention from scholars in conflict studies since Charles Darwin, Thomas Hobbes, J.J Rouseau, Emile Durkheim and Max Weber until the recent scholars, such as Johan Galtung, J. Paul Lederach and John Keane. The debate appears on the concept. There are at least two perspectives of violence concept in the debate recently. First, violence was defined by Johan Galtung broadly and in macro manner. Galtung argues that violence should be seen widely by looking at the impact (potential), not narrower than the form of the action itself. He states that "an extended concept of violence was indispensable" [5]. Galtung creates the concept of structural violence and direct violence (personal). Structural violence is silent. However, it creates social injustice where people becoming poor in the midst of abundant natural resources and people cannot obtain land in the vast area of the country. A direct violence is more dynamic because involves social actions, such as attacking, damaging and threatening.

The second concept raised by John Keane. He argues that violence should be distinguished conceptually with other concepts, such as human security. According to Keane, violence should be limited to specific dimensions, namely actions, including the ones carried out by the power (state); those are intended to injure, threaten and kill. The specific concept of violence provides clarity on how violence can do and not do when an act considered as violence or an accident. According to Keane, the definition of violence as Johan Galtung's theory includes all things in personal, cultural and institutional level is too broad and unclear. Hence violence should be defined more soberly, with a less normative intended. Keane traces violence from its etymology that is rooted in Latin word *violentia* which means 'the exercise of force' against someone who is thereby 'interrupted or disturbed' 'interfered with rudely or roughly' 'desecrated, dishonored, profaned, or defiled'.

Thus Keane defines violence as an intentionally action, direct but unwanted physical obstruction by actors with the bodies of others, who are made to experience a series of effects ranging from fear, speechlessness, mental suffering and death. Furthermore, the act of violence has intentional components namely direct to the body of others, acts violence of communication form by the denial of subject's freedom to act in, and institutional violence or bureaucratic violence. As

Keane states that the institutional violence is done "by those who inflict physical pain and suffering upon others based on the logic and imperative of institutional system in they are operating. Violence tends to become 'anonymous'." Generally, the cause of violence to the victim is an unsecured feeling by which they feel being hunted, terrorized and marginalized like an animal [6].

While in understanding the orientation act of violence, Englander describes violence into two orientations, namely instrumental aggression and hostile aggression. He explains that instrumental aggression is the violence to achieve certain objectives, such as maintaining or winning over particular resources. Instrumental aggression tends to be ideological. While hostile aggression is mobilized to injure, torture or destroy opponents. This type of violence is more fuelled by hatred, vengeance and emotion [7]. In practice, instrumental and hostile aggressions are mixed complicatedly. Therefore, state violence is likely fuelled by the mixing of the two types of violence. As an instrumental aggression, state violence is to protect their interests, meanwhile hostile aggression is to hurt and genocide the people.

### B. Impartiality in Governance

This study particularly adopts the work of Torfing to understand the concept of governance which is cored at the concept of interaction among the actors of governance. The term for this concept recently is known as interactive governance. Interactive governance is defined as:

*The complex process through which a plurality of social and political actors with diverging interests interact in order to formulate, promote, and achieve common objectives by means mobilizing, exchanging, and deploying a range of ideas, rules and resources* [8].

Governance of conflict in which all actors stand in an equal position gets its foundation basically from the concept of impartiality. Held points out that being impartial:

*...means being open to, reasoning from, and assessing all points of view before deciding what is right or just; it does not mean simply following the precepts of self interest, whether based on class, gender, ethnicity or nationality* [9].

When all actors can build an equal interaction to achieve common objectives, it means that quality of governance is constructed. The government and its elites will realize a quality of government when the concept or norm of impartiality is embraced and practiced. As Rosthstein and Teorell argue that the quality of government (QoG) basically is *the impartiality of institutions that exercise government authority*. They argue that democracy provides a space and more access to power to all actors of governance, namely political equality. However how the power exercised to realize the quality of governance is determined by impartiality as a norm in societal sphere [10]. Therefore, the government institutions such as police, judge or forestry department will be able to realize impartiality in governance when their actions, in governance actors' interaction, are guided by public interest. However when their actions in power exercise is dominated by self interest, it means the governance is vulnerable to fall into the condition of partiality.

Reviewing the concept of impartiality above, there are four norms or indicators when impartiality is practiced during the exercise of power in governance namely equality before law, equality, effectiveness/efficiency and public interest. See the *norms of impartiality and partiality* in the table I [11].

TABLE I. NORMS OF IMPARTIALITY AND PARTIALITY

Impartiality	Partiality
Equality before the law	Discrimination: clientilism, patronage.
Equality: dialogue/negotiation, multi actors.	Domination: intimidation, ignorance, vote buying.
Effectiveness/Efficiency: merit system, equal concern and respect to citizens.	Ineffective/Inefficient: corruption, corrupt bureaucrat.
Public interest : all interests are accommodated and concerned, transparency.	Self regarding interest/interest group: patrimonialism, corporatism.

The quality of governance is cored at the involvement equally of multi actors in the exercise of power. This means, governance should be inclusive and sterile from any partiality of elites. When partiality of elites captures the governance process with their partiality, governance is being hijacked. A hijacked-governance is particularly marked by discrimination, domination, ineffective/inefficient and self regarding interest. This study mainly uses the concept of impartiality to examine governance of conflict between Sunni and Shiite in Sampang district. Instantly the government actions and policy will fall to the partiality if governance actors discriminate, dominate and marginalize another actor.

### III. IDENTITY CONFLICT: SUNNI AND SHIITE

This section is discussing the conflict dynamic and governance through the case of Sunni and Shiite case in Sampang, Madura.

#### A. Reason of Marginalization

Sampang social structure, as the part of Maduranese society, is basically cored at the top position of *kyai* (Islamic cleric). Kyai has privilege and power to determine reality of what is right and wrong or what should be and not be in everyday life of society. Mostly kyai has its own *pesantren* (Islamic boarding school) in which reality is constructed through internalization of knowledge [12]. Sampangnese people treat kyai as the center of 'holy' knowledge which respected and obeyed. While knowledge internalized to the society is rooted at the teaching of Sunni, one of Islam's tradition in interpreting Al Quran and Hadits (prophet's teaching). Sunni community in Sampang organizationally is under *Nahdhatul Ulama*. The slogan that makes a supreme distinctiveness is *ahlussunah wal jama'ah*. It is obvious that most of Sampangnese people identify themselves as Islam Sunni which makes clearly identical boundaries through everyday life language such as the form of prayer and ritual ceremony.

Relating to the knowledge, and the reason why kyai has very strong social position, kyai is believed as the guard of prophet's teaching. This belief entrenched deeply in Sampangnese's knowledge structure. Therefore, Sampang's kyais are blessed to be elite which gains a power to influence people's practice in social, and political economy. Instantly it

can be said that collective identity of sunni community in Sampang is under the control of kyai. Even though, the sunni community never feel being controlled. There is a common reason that to obey kyai is a way to get blessed by God. Hence, kyai is a 'power elite' in social structure who can use their power to protect and or realize an interest whether a public interest or vested interest.

Shiite community is very tiny community both in Madura Island and specifically in Sampang district. They are surrounded by the majority Sunni with the model of strong power elites position in society. According to Shiite leaders, Shiite teaching is started by one figure of kyai namely Makmun since 1980s [13]. He did not teach Shiite teaching openly since Shiite is very resisted by Maduranese people and Sunni kyai. Kyai Makmun sent his three children to YAPI, Shiite boarding school, (*Yayasan Pesantren Islam* [Islamic Boarding School Institute]) in Pasuruan. His son namely Ali Murthada or known as Tajul Muluk is the only one who seriously studying on shiite teaching. Tajul Muluk continued his study to Sayyid Muhammad Al-Maliki in Saudi Arabia in 1993. Even though he could not finish his study, in 1999 when returned to Karang Gayam village, he got welcomed by shiite community in his village.

Tajul Muluk established an Islamic boarding school or pesantren namely Misbahul Huda in 2004. Different from his father, he started teaching shiite openly to the people around Karang Gayam village. Since his mission is to introduce and recruit new followers for his Shiite community, Tajul Muluk behave so humble and show good virtues. According to his followers, Tajul Muluk has never accepted money if invited to give a *pengajian* (Islamic public teaching). He also joins the grass root people for some social activities without a distance or special privilege. One of good points, for Shiite community, Tajul Muluk uses his position and power as a leader to develop and empower the social economic capacity of his followers through business assistance or capital networking. By the time, Tajul Muluk got success in influencing and recruiting new followers from his village and others.

The activities of Tajul Muluk in teaching Shiite openly and recruiting new followers in turn get response from many Sunni kyai in Madura Island. Kyai Ali Karrar from Lenteng village from Sampang district was the first kyai who proposed his objection on Muluk's Shiite teaching activities. For Sunni, Shiite is not Islam anymore which its teaching distorted from *sunnah* and Al Quran. After stating his objection, Kyai Ali Karrar more intensively persuades Maduranese people to reject and expel out shiite teaching from Sampang or Madura Island. In the middle of 2005, Kyai Ali Karrar conducted a *tablig akbar* (mass teaching) in Karang Gayam village which socialized the Shiite teaching activities of Tajul Muluk. Since the Karrar's mass teaching, Shiite community in Karang Gayam start getting more coercion in the form of 'violent communication' from sunni followers [14].

#### B. The Contestation of Controlling the Social Structure

Shiite followers testify that violent communication in various forms of action such as bully, intimidation, ignorance, and discrimination in social economic activities [15]. Before the mass teaching of Kyai Ali Karrar, there was



no kind of violent communication that marginalizes shiite community from everyday life activities. Some issues arisen by shiite community is related to the social position of kyai, with its power, in society which threat by the model of Tajul Muluk's teaching method and leadership. Before Tajul Muluk's shiite teaching activities, kyai is generally very exclusive, anti-critic, and high class. According to shiite community, it is very seldom found in Madura that kyai join some social activities directly in the field with grass root people. Kyai is somehow in distance with their followers. Murtada (anonym), one of shiite follower states:

*"Kyai Tajul Muluk is different from others kyai here, I think...kyai (Tajul Muluk) is very humble, open, and close to us. He always rejects to get money from us if we invite him to give a pengajian (Islamic teaching). So that why he has attracted more followers to his Islamic boarding school"* [15].

Shiite community perceives that Tajul Muluk has endangered Sunni kyais' social position. If Tajul Muluk's followers get increased, it will reduce Sunni kyais' power and privilege in Maduranese society.

However Sunni community rejects the argumentation of social contestation between Sunni kyai and shiite. The issue is not about kyai's social position threatened by Tajul Muluk. Rahman (anonym), a Sunni follower, argues:

*"We respect our kyai for sure because they are the real guardian of Islamic teaching. While, shiite is heresy that distort Islamic teaching. Shiite's teaching hates the prophet's best friends and create a fake story about Islam. They are very heresy...that's the core problem here"* [16].

Sunni community's knowledge about the heresy of Shiite teaching is manifested socially in the form of violent communications which Shiite community is blamed, judged and stigmatized. As the majority one, Sunni community has more power resources to force their reality to Shiite community about what is true and wrong. Hence, Sunni kyai started actively mobilizing their followers since 2006 to contend Shiite community. In everyday life situation like in market, school, and social activities Shiite followers get insulted.

Without intervening the knowledge from two communities in determining the reality of Islam, a sociologically consequence is a systematical weakening of Tajul Muluk's social position and his shiite community. Tajul Muluk and his community have been limited to access the social spaces and structure and to get freed from fear as a citizen in democratic state. I argue that a contestation of between sunni kyai and shiite kyai to control or get position in social structure is really happening through different form of justification. Tajul Muluk and his shiite followers have an interest to get accepted in Sampang society and its structure [17]. While, sunni kyai and their community block Shiite's interest to access Sampang and or Maduranese social structure.

The contestation of sunni kyai and shiite kyai is actually followed by two contentious conflict strategies.

However the power resources of sunni kyai such as number of followers and political support from governmental elites are bigger than shiite community. Therefore, sunni community is able to create more intimidation, discrimination, and violence. This contestation has escalated the identity conflict of sunni and shiite in Sampang district into more physical violence.

### C. The Conflict Escalation

In February 26, 2006 was held a kyai group public meeting to clarify Tajul Muluk's religious teaching. The meeting was named as FMU (*Forum Musyawarah Ulama* [Islamic Scholars Meeting Forum]). The meeting was attended by many kyais from four districts in Madura Island, police resort personnel, MUI of Sampang distric, and other public figures in Sampang. In that meeting Takul Muluk stated that his belief and religious teaching on shiite is not heresy. He rejected to stop his missionary activities. Based on Muluk's rejection, FMU stated that:

*"To appeal Shiite ja'fariyyah (Tajul Muluk Ma'mun) to immediately return to the road of ahlu al-Sunnah wa al-jamaah and earlier elders to avoid physical clashes among thoughts and physic in society that possibly happen. And because Tajul Muluk has rejected the offer of FMU, therefore FMU is not responsible for any consequence will happen, and give up the issue to the authorities. FMU urges Majlis Ulama Indonesia (MUI [Indonesian Ulema Council]) in four districts of Madura to immediately declare a fatwa on the dangers of heretical sects including the Shi'ite that doubt the validity of the Qur'an, justice the Prophet's companions and exaggerated ahlu al-bait (family of the Prophet)"* [18].

The FMU's statement is the first collective action of Sunni kyai that spread over in Maduranese society. During the meeting, more than a thousand Sunni followers surrounded Karang Gayam village. Sunni followers emotionally intimidated Shiite followers. According to Shiite follower, after the mass intimidation of Sunni community, they got trauma in the form of fear to go to any public sphere. However some of young followers state quite emotionally that they will defend their belief in Shiite:

*"Whatever happen, we will survive and defend our rights. Yes we have different principle and way to understand Islam...what is wrong with that? More ever this is our land too. We are born and growth here. The government must protect us too"* [19].

The Sunni community intimidation has stimulated Shiite young people to resist. A belief on Shiite and bond with home land are materials of Shiite followers to keep their activities in Sampang district. Basically the social character of Maduranese in common is very contentious. Therefore, the contestation of identity in Sampang social structure takes in the form of contentious action. In April 9 of 2007, Tajul Muluk and Shiite community would celebrate *mauled nabi* (prophet birthday) in their village. However, thousands of Sunni followers came to the village and forced Tajul Muluk

to cancel the celebration activity. According the testimony of Shiite followers, Sunni followers brought some violent instruments such as long stick, machete, and clurit (sickles). The police resort of Sampang district, backed up by TNI (Indonesian National Army), responded the situation by sending their personnel. The celebration was continued with a strong guard of police and TNI.

During 2007-2009 the social relation between Sunni community and Shiite in Sampang was like a cold war. However intimidation and discrimination was more reproduced by Sunni community and their leaders. The accumulation of high tension between two communities has escalated conflict into more physically violent actions. In early of September 2009 some Sunni kyais wanted to invite Tajul Muluk in a meeting forum which was rejected. This rejection was followed by almost thousand Sunni followers' mobilization to surround Karang Gayam village. Shiite followers under their justification of truth and bond to home land were ready to resist it. In this stage of conflict dynamic, the police was able to stop both communities from violent action. The meeting, then, was undertaken by the end of September 2009 that facilitated by Nahdhatul Ulama in Sampang. MUI Sampang, religious affair department, kyai and public figures in Madura attended the meeting. In that meeting, Tajul Muluk was forced to stop his Shiite missionary and stop any religious ritual based on Shiite principle. He was also forced to sign a contract that if he keeps continuing his Shiite missionary, he will be processed in the court.

After the contract, the relation of Sunni community and Shiite is very vulnerable into violent conflict. Both communities basically keep socializing which community is most righteous. Social polarization based on identity is getting stronger through everyday communication. Since Sunni is the majority community, their followers are free to intimidate, shout, and ignore Shiite followers. At the other hand, Shiite followers only survive and strengthen their in-group bond. In the violent conflict vulnerable situation, a trigger has torn Sunni and Shiite community. During 2010, there was a problem between Tajul Muluk and Rais, one of Shiite kyai too. Tajul Muluk has facilitated Rais' Islamic school student namely Halima to get married with his Shiite student in Karang Gayam village. According to the tradition in Maduranese society, Tajul Muluk has violated Rais' authority. In Madura, or Sampang society, the person who has authority in permitting an Islamic boarding school student to get married is his/her kyai. Therefore, this case has become the violent conflict trigger between Sunni and Shiite community. Rais persuaded Sunni community to expel Tajul Muluk by using the issue of Shiite activities. This study found that the violent conflict trigger is sourced at internal relation problem in Shiite community.

During 2011, Sunni kyai and community mobilize several mass actions against Tajul Muluk and Shiite community in Karang Gayam village. In February 2011, thousands people from Sampang and some other district signed a petition to expel out Shiite community from Madura Island. Due to the conflict escalation, Tajul Muluk was brought by police resort of Sampang district as house prisoner in April 2011. At the same month, the local government institutions, Nahdhatul Ulama in Sampang, head of MUI

Sampang, and some public figures decided to relocate Tajul Muluk and Shiite community out of Karang Gayam. The reason of relocation is to avoid violent clash at grass root level between Sunni and Shiite community. The relocation is agreed organizational by IJABI (*Ikatan Ahlul Bait Indonesia* [Indonesia Ahlul Bait Union]), an umbrella organization of Shiite community in Indonesia. The provincial government of Jawa Timur would compensate Tajul Muluk's relocation for one year of house renting and living cost. In April, 2011 Tajul Muluk left Sampang for another city.

Some series of public meeting had been done between Sunni kyai and local government institution to formulate the resolution of Sunni and Shiite conflict. However, those meetings were dominated by Sunni kyai without the presence of Shiite representative. Therefore, the meeting only resulted Sunni kyai's concept on the conflict resolution which Shiite community has to be relocated outside of Madura Island. In May 28, 2011 Sunni community requested the government to relocate Shiite community out from Madura Island. Local and provincial government responded the request. Provincial government of Jawa Timur would finance the relocation of Shiite community to Dieng Malang city. While Sampang district government would approach technically to the Shiite community for the relocation plan.

Even though Shiite community is isolated and ignored by Sampang society, and after Tajul Muluk is relocated to Malang city, the conflict situation was de-escalated. During May until November there was no a mass mobilization. Shiite kyai, Tajul Muluk's relative and his former student keep continuing religious teaching at Karang Gayam village. However in December 20, 2011 the hundreds people attacked Shiite community and burned a house. More than four hundred people, some of them were masked, attacked Shiite community in December 29, 2011. They burned out Tajul Muluk's school, house of Shiite kyai, and some other facilities. During the violent action there were only two security apparatus, one from police and from TNI. After the violent action, the government evacuated Shiite followers from Karang Gayam Village to the sport centre building of Sampang. Government and Sunni kyai agreed to justify that the root cause of violent action is Tajul Muluk's Shiite teaching. Tajul Muluk has provoked and created an anxiety in Sampang society. Therefore, Tajul Muluk must be prosecuted in court.

Shiite community has become refugees in their own land. In March 2012, Tajul Muluk was prosecuted by the court on doing religion blasphemy. After the court put Tajul Muluk to the jail, the conflict situation is a bit de-escalated. However in August 2012 Shiite community plan to rebuild the house of Tajul Muluk, mosque and his Shiite school. This plan has triggered the Sunni community around the village. According to Shiite follower, they already tried to contact the government in order to protect their rights to rebuild those buildings.

*"We tried to contact Sampang government, police and some others institution. However, the response is zero. But...we need to rebuild pesantren and mosque for our religious activity" [20].*

Zero response of the local government to Shiite community's request in turn has opened wide hundreds people to attack the village of Shiite community. Previously the issue of rebuilding Shiite school, Tajul Muluk's house, and mosque had already spread over.

*"We already reminded Tajul Muluk and his followers not to make any Shiite activity in Sampang or Madura. You know...because they are wrong to believe Shiite. Madura is ahlussunah wal jamaah. How come they insult the prophet Muhammad?! And they are so ignorant to listen kyai and government. So that why many Maduranese people are angry" [21].*

The anti-Shiite people finally attacked again in August 26, 2012 which has burned 50 houses, killed 2 (two) Shiite followers, and dozens injured. Tajul Muluk's mother, not Shiite follower but Sunni, also got injured during the mass violent action.

The Sampang government and Jawa Timur provincial government evacuated Shiite community to Sidoarjo district, outside of Madura Island. Recently, Tajul Muluk is prisoned and Shiite community relocated at the flat of sport centre building in Sidoarjo district. The regent of Sampang district intervene the court process [22]. The real condition is that Shiite community has lost their right to access their own land, protection from state, and treated equally as Indonesian citizen.

#### IV. CONCLUSION

As elaborated in theoretical framework, governance of conflict in democratic order will create a common good if able to implement impartiality's norm. The government is mandated to realize impartiality such as legal justice, equality, effectiveness or efficiency and public interest. However, through the conflict dynamic analysis in Sunni-Shiite conflict, the Sampang government in particular has abandoned the impartiality.

This study found that the government practiced more partiality in governance of Sunni and Shiite conflict. The government took a side to certain conflicting actor, namely anti-Shiite group or Sunni community, rather than to enforce legal justice and protect all citizens based on constitutional mandate of democratic state.

Zartman's theory on governance as conflict management states that government needs to provide a dialogue and or negotiation procedure to handle any social conflict in society. Hence, impartiality in a dialogue procedure requires a guarantee that all actors stand in an equal power relation with no domination and discrimination. When government more listen to the voice of majority group, basically governance of conflict will create discrimination and domination. Like Sunni community get more power to decide what kind of resolution should be.

The series of meetings during 2006-2012 are not aimed to find a problem solving but to marginalize Shiite community. Moreover, the political leaders in Sampang district justify that Sunni kyai's position and argumentation is true.

During the violent conflict escalation in 2012, the government institutions such as police, regency and provincial government choose to agree the proposal of Sunni community namely Shiite community relocation out of Madura. The government tends to be partial in implementing governance of identity conflict between Sunni and Shiite. Based on the data analysis above, the partiality tendency in governance of conflict can be seen in TABLE II.

TABLE II. PARTIALITY IN GOVERNANCE OF CONFLICT

Partiality	Indication
Discrimination	<ul style="list-style-type: none"> <li>Weak protection to all citizens including Shiite community in rights to religion.</li> <li>Injustice</li> </ul>
Domination	<ul style="list-style-type: none"> <li>Public meetings are only to listen one conflicting actor.</li> <li>Political leaders act as a patronage of one conflicting actor.</li> </ul>
Ineffective/Inefficient	<ul style="list-style-type: none"> <li>Police institution is not able to protect the citizen.</li> <li>The relocation policy is not followed by a communication improvement to reconcile all conflicting actors.</li> </ul>
Self regarding interest/interest group	<ul style="list-style-type: none"> <li>Political leaders are not 'neutral' in order to maintain constituent for election.</li> </ul>

*Source: Author research analysis*

This study found that governance of identity conflict in the case of Sunni and Shiite community takes in the form of partiality. It becomes the root causes of marginalization. Shiite community as Indonesian citizen has lost their rights to live peacefully based on state constitution and democratic order. Indonesian Constitution Article 29 basically has enacted a protection for all citizens in choosing which religion and what organization chosen. However the constitution is ignored by the practice of partiality in governance of conflict. It is urgent to strengthen the impartial norms in governance of conflict in Indonesia to reach a peaceful society.

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