

Peace Education and Learning on Marine Law in Social Conflict Handling

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Abstract

The purpose of this research is to learn about the division of authority in the management of marine resources and the handling of social conflicts that occur between fishermen in terms of peace education in national law. This study uses a normative juridical research methodology by conducting a comprehensive study of theoretical aspects, legal rules and legal principles that focus on the authority of sea management and handling social conflicts through peace education on Madura Island, East Java Province, Indonesia. The main data sources are secondary data obtained from primary legal materials, documentation, and relevant research studies. The data analysis technique uses content analysis which is intended to describe the characteristics and draw inferences from the research conducted. The results showed two main points. First, since the enactment of Law Number 23 of 2014, the authority for marine management by the district government has been abolished and taken over by the provincial government. As a result, the district government can only receive reports from the community about conflicts between fishermen and no longer have the authority to manage the sea. On the positive side, it minimizes the abuse of power, but from the negative side, the community is getting further away from the district/city authorities who are supposed to handle conflicts between fishermen in their area. More deeply, the Provincial Government streamlines the formation and development of Community Supervisory Groups (Pokmaswas) as a form of cooperation in the supervision of marine and fishery resources by security forces and law enforcement as well as the community. Second, the law related to handling social conflicts is an effort to implement peace education because it is carried out in the context of dealing with conflicts without violence for the sake of harmony, unity, and peace by involving all parties involved in conflicts between fishermen. The conclusion is that the formation of Pokmaswas and laws and regulations are not sufficient for handling conflicts between fishermen, they need to be supported by district/city regional policies as owners of management places/areas for equitable distribution of welfare and justice. Local governments need to instill peace values as mandated in the National Law, Pancasila, and the Preamble to the 1945 Constitution in various peace education and training programs by focusing on anti-violence training.

Keywords: *Peace Education, Learning, Marine Law, Social Conflict Handling*

Introduction

Maritime countries around the world face global challenges in managing coastal areas. One of the contributing factors is the increasing conflict and political pressure as well as extreme climate change (Saul et al., 2016). The study found that there are non-traditional threats to maritime security due to the problem of scarcity of marine resources in the territory of a country. Poorly regulated maritime authorities can pose the worst threat to maritime security and lead to conflict.

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It is very important to strengthen governance, address root causes and build political capacity and power to prevent a cycle of 'fish wars' in the world's countries (Pomeroy et al., 2016). Along with the increasing need for stakeholder involvement to understand the various threats and handling of fisheries, conflicts require a comprehensive study not only from the empirical aspect but also legal studies as a 'shield' in protecting rights and carrying out obligations as citizens. Not without reason, from 1974 until now, international maritime conflicts over marine resources have increased every year, especially between the Americas and Europe (Souhail, 2021). Fishery conflicts have involved a very large degree of severity, especially for Asian countries because they have caused crises that threaten maritime security, natural ecosystems, and the livelihoods of local communities (Spijkers et al., 2019).

Indonesia as a maritime country is also inseparable from the dynamics of fisheries conflicts. The waters that reach 5.8 million km² with potential marine fish resources are estimated at 6.26 million tons per year and the productivity of fishermen is estimated at an average of 1.35 tons/person/year. interests with the sea. Therefore, it is not surprising that conflict is very common (Daris et al., 2019).

As a maritime country, the Indonesian state cannot be separated from the debate over the authority to manage the sea and the conflicts that occur between fishermen. One of the national laws that divide the authority of marine management is Law no. 23 of 2014 concerning local government. After the enactment of the Law, this division of authority has created a polemic because it has removed the authority over the sea from the regency/city government. The previous study found that there was a negative impact caused by Law No. 32 of 2014 concerning Regional Government because the authority of the district/city local government was weak regarding the handling of social conflicts that occurred between local fishermen (Iskandar et al., 2017). This raises problems related to the handling of conflicts between fishermen that occur in coastal areas, especially the Madura Strait, East Java Province..

Based on data from the Central Statistics Agency of East Java Province, the Madura Strait has a marine fishery potential of 128,854 tons/year, which is quite high compared to other areas so that it becomes a fishing location for fishermen from cities and districts (Primyastanto et al., 2014). This shows that some of the Madurese fishing communities depend on the sea for their lives by catching fish in the sea.

The utilization of fishery resources in the Madura strait has created conflicts among its users. The fishermen often do an unfair competition to get increasingly limited resources. The literature states that this kind of condition encourages conflicts between users of fisheries resources, such as fishing conflicts (Saavedra-Díaz et al., 2015) and triggers future maritime conflicts (Spijkers et al., 2018). According to Dahrendorf (1958) theory, social conflict can arise because of the gap between goals, objectives, plans, and functions between the various parties involved. The root cause of this conflict is often associated with social, economic, cultural, and biophysical factors that affect the condition of the coastal environment. Previous studies found that fisheries conflicts in Indonesia occur when fishermen are faced with the problem of decreasing the number of fishery resources and overfishing sea conditions, while on the other hand, they will face migrant fishermen from other areas (Yamazaki et al., 2018).

Fisheries resources are essentially regulated by authorities through law, governance, and granting access to fishery business actors who already have a permit (Enright & Boteler., 2020). Coastal communities as fishery actors are fishermen who in some communities apply the principles of fisheries resource management as common property. In this case, it is very important to study peace education as a form of handling fisheries conflicts that occur in the community. Previous studies have explained that peace education affects intergovernmental relations, conflict resolution, and competing societies (Deardorff, 2018; Lee, 2020; Olayinka, 2021). The findings of Rafols & Mitra (2018) state that peace education in maritime conflict areas must be integrated into a qualified education system, promote interactive dialogue between stakeholders, mediation and apply conflict resolution methods that lead to mental changes and respond to behavior from the perspective of peace values. Peace education on maritime management authority in the realm of conflict resolution through the study of national law is a novelty in this research because most of the previous studies focused on investigating conflicts between fishermen. Previous research has also revealed the importance of legal learning because of its impact on society and the environment (Situmorang et al., 2021; Seregig, 2018). Based on the background of the problem presented by the researcher, this research focuses on the authority to manage marine resources and handle conflicts between fishermen through peace education in terms of national law.

Research Questions

Based on this background, the research problem is formulated as follows:

1. What are the lessons learned from the Marine Resources Management Authority on the Madura Government in the National Law?
2. What are the lessons learned from the Marine Resources Management Authority on Handling Conflicts Between Fishermen through Peace Education in National Law?

Literature Review

Peace Education

Peace education is education that seeks to transform a person in an essential way. Peace education is carried out by cultivating skills, knowledge, actions, and values to change a person's way of thinking, acting, and behavior that has the potential to cause violent conflict with individuals/community groups. This theory appears to warn fellow citizens about the importance of social care as a form of concern for the threat of interpersonal violence and environmental problems such as ecocide, war, ethnic hatred, and racism (Harris, 2004). The study states that peace education is very important as an effort to educate for global responsibility. This is because peace education includes activities that can promote knowledge, skills, and attitudes to help others (Reardon, 1988). Although the nature of peace education is a little difficult to understand because it is related to the values of freedom, equality, and justice, its nature as prevention of conflict, peaceful conflict resolution, and being able to create more harmonious, peaceful, and peaceful social conditions (Bar-Tal, 2002). The literature reveals that peace education should take place in an atmosphere of peace and mutual respect with the involvement of all parties. With the involvement of all parties in conflict resolution/prevention or violence both on a local and personal scale, this education is able to create a better and sustainable future for the wider community. To be able to make it happen, it must include the values of peace both separately and integrated with all lines and types of education (Danesh, 2006).

Peace education is an important concept in a society that describes the values of peace. The determinants of individual peace for peace education include respect for race, gender, religion, culture, physical appearance, one's age, unity, good cooperation, and fairness. Knowledge of these personality determinants can provide a foundation for creating, identifying, and improving peace

education programs (Nelson, 2021). The findings state that peace education aims to teach individuals/groups to handle conflict without conflict, teach to appreciate cross-cultural diversity, to respond to aspects of life, and increase enthusiasm in social activities (Bajaj, 2008). Some of the universal obstacles in realizing the achievement of peace, namely; 1) distrust of the peace process; 2) stereotyped expression, demonization, and de-humanization of the enemy; 3) changing its function into political education; and 4) consider war as a culture (Souhail, 2021).

Marine Management Authority

Authority is the ability or right and formal power granted by law to cause legal consequences. Authority consists of power over a certain group or group of people and power over a certain area of government (Ginsburg, 2017). The power in question is that there is one party who rules and the other party is ruled (Metzger, 2008). Marine management authority is understood as the authority to manage marine natural resources including exploitation, exploration, conservation, and management of marine wealth outside of oil and natural gas (Vierros et al., 2010). Maritime authority is exercised by legal authorities in the context of coastal and marine development by empowering communities, managing and establishing institutions (Enright & Boteler., 2020). Governance and increased involvement of users of coastal resources in the short, medium, and long term are generally carried out to maintain marine ecosystems (Dahuri & Dutton, 2000). New South Wales (NSW) marine management authority principles in order to address the unintended consequences of various threats from human activities and climate change. First, effective community involvement to identify and prioritize benefits and threats. Second, identification of priority actions based on threat and risk assessment. Third, providing the best information and setting values that enable trade-off decisions between alternative uses in marine areas. Fourth, consider the welfare of generations and access arrangements by implementing the precautionary principle. Fifth, implement efficient, transparent, and cost-effective management to achieve results for society and fill knowledge gaps (Brooks et al., 2020).

Conflict Handling

Conflict handling is a series of activities carried out in a systematic and well-planned manner in situations and events both before, during, and after the incident. The mode of handling interpersonal conflict is carried out in five ways, namely competing, collaborating, compromising,

avoiding, and making accommodations (Kilman & Thomas, 1977). According to Cosier & Ruble (1981), conflict-handling behavior needs to pay attention to the tendency to choose the mode of handling, examine the strategies adopted, and differences in one's ability to influence the choice of conflict-handling modes. Cultural values and individual emotional intelligence are the main determinants of conflict-handling styles. In this regard, collectivism has a direct negative effect on preferences in conflict management (Gunkel et al., 2016). The impact of conflict is of various types, namely 1) personal conflict that results in the emergence of hypocritical or hypocritical behavior; 2) conflict in the family results in a broken home; 3) inter-tribal conflicts result in inter-tribal wars, and 4) conflicts between sects within the same religion resulted in the division of the ummah (Garnier, 1982). Previous research found that the culture of violence from conflict and post-conflict can be minimized through peace education (Riyani et al., 2021; Hove, 2019). Conflict handling is done by instilling patriotism, handling emotions, empathy and cooperation, problem-solving, negotiation, and resolution (Harber, 2018).

Method

Research Design

This study uses a normative juridical research design or doctrinal law. Juridical-normative research design is a research design that examines aspects of theories, concepts, legal principles, and written legislation related to research. This legal research uses documents, such as law as the secondary data, which is then followed by general explanations and the strength to bind data in the field or to the community with government regulation. A data collection tool is a documentary study (LLewellyn, 1940). The normative juridical research design is shown to the legal language by looking at the application of the law to the laws and regulations concerning local governments, especially the authority to manage marine resources. This study is specifically directed at the laws and regulations concerning the handling of social conflicts through the provision of peace education and agrarian law. Researchers chose this type of legal research because previous studies saw a gap between the desired legal rules (*Das Sollen*) and the reality (*Das Sein*) related to conflicts between fishermen and the authority of marine management by local governments. Therefore, this study uses a content analysis design to investigate more deeply the legal gaps and realities contained in the law on the Regulation of Agrarian Law and its relationship to the problems of social conflicts that occur in society. Social conflicts in this study are conflicts between fishermen related to the use of natural resources that tend to be increasingly scarce or less (fishery resource

conflicts). The research design steps refer to the content analysis proposed by Krippendorff (2018). The research location is Madura Island which is located in the northeast of East Java Province, Indonesia.

Data and sources of data

The source of the data in the study is the subject from which the research data was obtained by the researcher. Secondary data sources are obtained indirectly. Secondary data consists of three categories, namely literature/documentation study techniques, observation, and media analysis. The first category is the study of documentation in the form of documents originating from primary legal materials. These documents represent research needs to identify data relevant to the research theme. Primary legal documents are divided into two criteria. Primary legal materials consist of: a) Basic Agrarian Regulations (UUPA) No. 5 of 1960; b) Law no. 23 of 2014 concerning Regional Government, c) Law no. 7 of 2021 concerning Handling of Social Conflicts; d) Government Regulation No. 2 of 2015 concerning Handling of Social Conflicts; e) Government Regulation Number 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Regional Governments; f) Government Regulation No. 54 of 2002 concerning Fisheries Business. The second category is the observation of the explanation of legal materials, opinions of experts, legal practitioners, and relevant previous research. The third category is the analysis of media information obtained from the Marine and Fisheries Service Pokmaswas (MFSP), Non-Governmental Organizations (NGOs), Marine Air Police Unit (*PolAirut*) documents, and Marine Security Public Documents (*Kamla*). (See table 1).

Table 1

Document Type

Theme	The secondary data	Destination
Marine Management Authority	<ol style="list-style-type: none"> 1. Basic Agrarian Regulations (UUPA) No. 5 the Year 1960 2. Law no. 23 of 2014 concerning Regional Government 3. Government Regulation Number 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Regional Governments 4. Government Regulation No. 54 of 2002 concerning Fishery Business 	This data evaluation aims to determine the rule of law regarding the authority to manage marine resources carried out by the provincial and district/city governments.
Handling conflict through peace education	<ol style="list-style-type: none"> 1. Law no. 7 of 2021 on Handling Social Conflict 2. Government Regulation No. 2 of 2015 concerning Handling Social Conflict 	This data evaluation aims to find out the legal rules for handling conflict through peace education carried out by the government

Data Collection

Data collection aims to ensure the completeness of research information data carried out by the research analysis unit in the form of a document of national legal regulations concerning the authority of marine management and conflict resolution through peace education.

Data collection is carried out by reviewing national legal rules using data collection criteria. In conducting data collection, researchers studied and established identification criteria to select relevant laws and regulations, namely those related to agrarian law. The criteria for data collection are divided into two types, namely criteria for reviewing the rule of law regarding marine management authorities and the rule of law in dealing with conflict through peace education. The researcher selects data from each derived data source by identifying the two types of data criteria for the rule of law that have been grouped according to the research topic and linking them to the source of observational data and analysis of information media. The organization of national laws that have been identified and collected into a comprehensive system in a conceptual framework for further formulation of questions. RQ1 is a statutory regulation that examines the authority of marine management by local governments. RQ2 is a statutory regulation that examines the handling of conflicts between fishermen through peace education. The coding system (data coding) is carried out by considering 1 for the data code [R1], considering 2 for the data code [R2] and so on. RQ one presents theme 1 in several units of analysis consisting of 7 data codes [1,2,3, 4, 5, 6, & 7]. And RQ2 displays theme 2 in 2 data codes [8 & 9]. The data collection process is needed to ensure that the data that has been collected can clearly and accurately describe the content of national laws. (See table 2).

Table 2

The data collection process

Topic	Primary legal data sources	Indication RQ	Code data
Marine Management Authority	1. Basic Agrarian Regulations (UUPA) No. 5 the Year 1960	RQ 1	7
	2. Law no. 23 of 2014 concerning Regional Government		1,2,3,4
	3. Government Regulation Number 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Regional Governments		5
	4. Government Regulation No. 54 of 2002 concerning Fishery Business		6
Handling conflict through peace education	1. Law no. 7 of 2021 on Handling Social Conflict	RQ 2	8
	2. Government Regulation No. 2 of 2015 concerning Handling Social Conflict		9

Based on table 2, it is explained that there are two research topics that were raised to answer the problem formulation [RQ1 & RQ2], namely the Authority of Sea Management and Conflict

Management through peace education. The data is then sorted in the results of research and discussion to obtain lessons about the Authority for Management of Marine Resources and Handling Conflicts Between Fishermen through Peace Education in National Law.

Analysis Data

This study uses content analysis to investigate the gaps in agrarian law and its relationship to fisheries resource conflicts. Content analysis has the breadth of interpretation and authenticity as its advantages so that it is able to describe and understand the phenomena that occur through documentary sources that focus on answering the formulation of the problem. Data analysis refers to the content analysis proposed by Krippendorff (2018) which is carried out in eight stages. Content analysis is a data analysis technique that aims to describe the characteristics of the content and draw inferences from the content. The first stage is to formulate the analysis objectives regarding the Authority for Management of Marine Resources and Conflict Management among Fishermen through Peace Education in National Law. Second, conceptualization and operationalization so that the concept can be measured. Third, lowering the operationalization into a coding sheet by entering the research focus based on the topic and method of measurement. Fourth, coder training and data instrument testing. The researcher gave coder, namely two experts/experts on agrarian law and social conflict handling who would read and assess the contents. Data analysis was carried out by researchers assisted by these experts to assist in the assessment so that the data instruments could validly collect information in accordance with the research objectives. Fifth, carry out the coding process that has been compiled and checked for consistency by finding the relevant legal code at least from several legal references and previous research to guide the initial research code. Sixth, referencing the study of character values objectively and systematically. The seventh is interpreting the data. Eighth is to draw conclusions and suggestions in accordance with the formulation of the problem. Researchers analyzed the data to answer RQ1 and RQ2 by identifying and studying in depth the sources of data that had been obtained. Researchers conducted data processing by giving legal meaning and learning about peace education. In this case, the researcher organizes the data and presents it systematically according to the research questions so that the research can be read and interpreted and finds relevant conclusions.

Findings and Discussion

RQ1: Lessons learned about the authority of the management of marine resources in the Madura government in national law

The purpose of this part is to study agrarian law that focuses on the management of marine resources and their relationship to fisheries resource conflicts that occur between fishermen in terms of peace education in national law. The theme that the researcher uses to answer the formulation of the first problem is the authority of marine management in the local government of Madura Province. The first findings about lessons learned from the national law consist of Basic Agrarian Regulations (UUPA) No. 5 of 1960; Law No. 23 of 2014 concerning Regional Government; Government Regulation Number 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Regional Governments; and Government Regulation No. 54 of 2002 concerning Fisheries Business. On the basis of the national law related to the Marine Management Authority, it is explained that the granting of the widest possible autonomy to the Regions is essentially directed at accelerating the realization of community welfare through service improvement, empowerment, and community participation. It's just that the granting of authority must be done carefully and monitored by the central government to avoid the worst possible abuse of authority:-

On the other hand, through broad autonomy and in the strategic environment of globalization. The difference lies in how to utilize local wisdom, potential, innovation, competitiveness, and creativity of the regional community to achieve these national goals at the local level which in turn will support the achievement of overall national goals. (Consider data 1)

- (1) "In-Law Number 23 of 2014 it is explained that the Region as a legal community unit that has autonomy has the authority to regulate and manage its region according to the aspirations and interests of its people as long as it does not conflict with the national legal order and the public interest. To provide a wider space for the Regions to regulate and manage the lives of their citizens, the Central Government in forming policies must pay attention to local wisdom and vice versa, the Regions when forming regional policies in the form of Regional Regulations and other policies should also pay attention to national interests."

In-Law Number 23 of the Year concerning Regional Government, regions as autonomous regions are given the broadest authority to regulate their own government affairs and the interests of local communities in the system of the Unitary State of the Republic of Indonesia, and regarding government affairs are regulated in Article 9 paragraph (1) (Consider data 2)

- (2) “The regional government affairs consist of absolute government affairs, concurrent government affairs, and general government affairs. Absolute government affairs are government affairs which are fully under the authority of the central government. Meanwhile, concurrent government affairs are government affairs that are divided between the central government and provincial and district/city regions.”

With regard to regional authority over marine management, it is based on the regulation of Law number 23 of 2014 concerning Regional Government in Article 18 paragraph (1) (Consider data 3)

- (3) “Regional governments owning sea areas are given the authority to manage resources in the sea area, while in paragraph (4) it is stated that the authority to manage resources in the sea area is a maximum of 12 (twelve) nautical miles measured from the coastline towards the high seas. and/or towards the archipelagic waters for the province and 1/3 (one third) of the provincial authority area for the regency/city.”

Based on considering data 1,2, and 3, it can be understood that legally, the Madura Regional Government has the authority to manage fishery resources covering an area of 12 nautical miles measured from the coastline towards the high seas or in the Territorial Sea. Meanwhile, the Central Government has the authority to manage resources in the sea area minus the sea area that has been decentralized to the Provincial Government and Regency/City Government, namely the sea area outside the waters of 12 (twelve) nautical miles to include the sea area that has been authorized by legal provisions. International Sea (Law of the Sea Convention 1982/UNCLOS 1982). The marine management authority obtained by the regional government is expected to be able to increase competitiveness by taking into account the principles of democracy, equity, justice, privilege and specificity as well as potential and diversity, where one of the potentials in the Madura Strait is marine resources. As explained in a previous study that maritime authority is exercised by legal authorities in the context of coastal and marine development by empowering communities, managing and establishing institutions(Enright & Boteler., 2020). Furthermore, Law No. 23 of 2014 on Article 27 paragraph (1) (Consider data 4)

- (4) “In this article, it is explained that the provincial government is given the authority by the central government to manage natural resources in the sea in its territory. Paragraph (2) The authority of the province to manage natural resources in the sea includes: a. exploration, exploitation, conservation, and management of marine wealth other than oil and gas; b. administrative arrangements; c. spatial arrangement; d. participate in maintaining security at sea; and e. participate in defending state sovereignty. The authority of the province to manage natural resources in the sea is a maximum of 12 (twelve) nautical miles measured from the coastline towards the high seas and/or towards the archipelagic waters.”

The authorities which are the affairs of the regional government in the sea area are further described in the implementing regulations in Government Regulation Number 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Government, and Regency/City Regional Government. In Article 2 paragraph (1) (Consider data 3)

- (5) “Government affairs consist of government affairs which are fully under the authority of the Government and government affairs that are shared between levels and/or composition of government. In relation to the division of government affairs, Article 6 paragraph (1) states that the provincial government and district/city regional governments regulate and manage government affairs based on the criteria for the division of government affairs, while the government affairs consist of mandatory and optional affairs. Article 7 paragraph (3) states that the marine and fishery sector is an optional government affair, that is, those that actually exist and have the potential to improve the welfare of the community in accordance with the conditions, characteristics, and superior potential of the area concerned.”

The basis for the division of authority in the maritime sector is regulated in Article 14 paragraph (1) which states that the implementation of government affairs in the maritime sector is divided between the Central Government and the Provinces. The authority in the maritime sector up to 12 (twelve) miles is in the Provincial Region. In Law No. 23 of 2014, which relates to the authority over marine areas as stated in article 27, that the district/city government no longer has the authority, but in the case of fishery business the district/city government has the authority as regulated in Government Regulation No. 54 of 2002 concerning Fisheries Business, in article 13 paragraph (1) (Consider data 3)

- (6) “The Regent/Mayor or the appointed official grants a fishery business license to Indonesian fishery companies that catch and/or transport fish that are domiciled in their administrative areas, using non-motorized fishing vessels, external motorized fishing vessels, and motorized fishing vessels measuring no more than of 10 Gross Tonnage (GT.10) and/or whose engine power is not more than 30 Horsepower, and is based in its administrative area and does not use foreign capital and/or foreign manpower.”

From considering data 4,5, and 6, it can be explained that the division of maritime affairs which is the district's regional affairs is in the field of capture fisheries, the Regency/City Government only has the authority regarding the empowerment of small fishermen, namely traditional Indonesian fishermen who use fishing materials and tools. traditionally, and is not subject to a business license and is free from taxes, and is free to catch fish in all fisheries management within the territory of the Republic of Indonesia. Another district authority is the management and operation of fish auction places. Thus, the authority of the district/city government to fishermen in their territory only concerns the empowerment of small fishermen, the management and operation of fish auction

places. In the District/City Government Law, there are no provisions governing the authority to resolve conflicts between fishermen. Previous studies found that since Law No. 32 of 2014 concerning Regional Government, the authority of district/city local governments has become weak regarding the handling of social conflicts that occur between local fishermen (Iskandar et al., 2017).

Although there are reasons behind the implementation of the new marine management authority. Mao & Qiao (2020) state that the existence of political power interests and the negative potential of controlling regional assets or regional autonomy can be the cause of the revoking of the authority of local governments. The literature explains that the reason for the revoked authority can be due to failure to prevent abuse of power which has resulted in severe environmental damage due to excessive exploitation of local governments with the excuse of increasing their local income (Sadat, 2020). Although on the other hand, prior to the amendment of the new Regional Government Law, if there is a fisherman conflict, the district/city government will resolve it by resolving it in a community meeting involving village officials, community leaders, and the Marine and Fisheries Service. It is necessary to know the root causes of fisheries conflicts that occur between fishermen. The study found that fisheries conflicts in Indonesia occur when fishermen are faced with the problem of decreasing the number of fishery resources and overfishing sea conditions, there are migrant fishermen from other regions (Yamazaki et al., 2018).

Since the enactment of Law Number 23, the district/city government in the fishermen empowerment program only provides guidance to fishermen such as the use of environmentally friendly fishing gear and carries out counseling related to the correct use of the sea and provides an understanding to fishermen that the sea is open to anyone. As long as the sea is used without breaking the law, then everyone can use the sea and catch fish. In order for marine ecosystems to be well maintained in accordance with the provisions of national law, it is very important to understand the Agrarian Law or Law Number 5 of 1960. This is closely related to efforts to handle conflicts of interest in the community, especially fishermen and ensure legal certainty for the community. (Consider data 7)

- (7) The agrarian law emphasizes that the earth, air, and air contained therein are controlled by the state and used for the benefit of the people. The right of state control here means the management of the legal aspect to bridge between personal interests and public interests so that it runs harmoniously.”

Learning like this is done to prevent conflicts between fishermen, but if there is a conflict between fishermen, the efforts made by the district/city government will hand over the solution to the provincial government and act as a bridging party between the conflicting parties and the province. Previous studies have explained that poorly regulated government authorities can pose the worst threat to maritime security and lead to conflict (Pomeroy et al., 2016). It should be noted that fisheries conflicts have involved a very large degree of severity in various parts of the world causing crises of maritime security, natural ecosystems, and local people's livelihoods (Spijkers et al., 2019). Thus it is clear that the national law related to the authority of marine management carried out by the regional government is an effort to maintain harmony and provide legal certainty so as to minimize the occurrence of social conflicts in the future.

Q2: Learning about the Authority of Marine Resources Management on Handling Conflicts Between Fishermen through Peace Education in National Law

The theme that the researcher uses to answer the second problem formulation is the authority of agrarian law on handling fishery resource conflicts through peace education. The second finding explains the Learning About the Authority of Marine Resources Management on the Handling of Conflicts Between Fishermen through Peace Education in National Law. Judging from the aspect of legal theory as a foundation for practical life, there is a new paradigm in the 2014 Regional Government Law which "eliminates district/city regional autonomy" over marine areas, fearing the loss of regional attention to fishermen conflicts in their territory, because it is considered that it is not their authority and it is the authority of the province, and that concern is not proven, because currently the resolution of the fishermen's conflict is getting resolved faster. The study states that the conflict management efforts carried out by the Provincial Government are by forming Community Monitoring Groups (Pokmaswas) (Wiseli, 2020). The establishment of Pokmaswas in each sub-district is based on the Decree of the Minister of Maritime Affairs and Fisheries Number 58 of 2001 concerning Procedures for Implementing a Community Supervision System in the Management and Utilization of Marine and Fishery Resources. The establishment of this Pokmaswas is in the context of optimal, responsible, and sustainable utilization of marine and fishery resources. Pokmaswas is an implementer of supervision at the field level consisting of elements of community leaders, religious leaders, traditional leaders, non-governmental organizations, fishermen, fish farmers, and other maritime communities (Saputri & Muchtar,

2019). Pokmaswas was formed at the initiative of the community which was facilitated by elements of the local government and coordinated by a member of the community in the Pokmaswas who also functioned as a mediator between the community and the government. The Pokmaswas management is elected by the community and registered as members. If examined more deeply, it is clear that the existence of Pokmaswas is part of the implementation of Law no. 7 of 2012 concerning Handling Social Conflicts. The close connection with peace education is found in article 9, the fourth part. (Consider data 8)

- (8) The government and local governments are obliged to reduce the potential for conflict in the community. One of them is to carry out peace programs in areas of potential conflict and enforce the law without discrimination. And in article 37, the second part on reconciliation, it is explained that the interested parties must carry out the law peacefully.”

There are at least 25 words 'peace' in the regulation of Law number 7 of 2012 both which explain the strengthening of public policies, improvement and development of the community environment, as well as elements of peace activists. This indicates the importance of peace education in handling social conflicts, especially in this study directed at efforts to maintain the credibility of the maritime management authority carried out by local governments. In essence, peace education is a concept that describes the values of peace. The government is responsible for providing peace values as a guarantee of the right to live in society because education is the foundation of humanity that can build a democratic society (Ma' Arif, 2018).

Previous research explained that as an effort to maintain peace and provide a peaceful atmosphere, the provincial government through Pokmaswas provides conflict resolution efforts by receiving information about alleged violations in the management and utilization of marine and fishery resources to the closest supervisory apparatus such as the Coordinator of Civil Servant Investigators. , Head of Fishery Port, Head of Marine and Fishery Service, Air and Water Police Unit, Indonesian National Army-Navy, nearest police force, or Quarantine Officer at Port. The supervisory community can also report suspected fisheries crimes by Indonesian fishing vessels or foreign fishing vessels as well as other illegal acts in the utilization of marine and fishery resources. Furthermore, the officer who receives the report from the Pokmaswas continues the information to the Civil Servant Investigator and/or TNI-AL and/or Air and Water Police Unit and/or Head of Fisheries Inspection. In Government Regulation No. 2 of 2015 concerning handling social conflicts, it is explained about the government's obligation to be able to protect and provide a sense

of security for the community optimally and to handle social conflicts in a comprehensive manner, coordinated with stakeholders, and well integrated. (Considerdata 9)

- (9) “In the government regulation on implementing regulations for social conflict, it stipulates provisions regarding conflict prevention, emergency actions to rescue and protect victims, assistance in the use and force of the TNI, post-conflict recovery, community participation, funding for conflict management, and monitoring and evaluation.”

From the explanation of Government Regulation No. 2 of 2015, it is clearly stated the importance of supervising in preventing social conflict as has been done by the Madura local government through Pokmaswas. It is further explained that through this regulation, the government and local governments are given the authority to carry out conflict prevention through the implementation of peace education and training activities as carried out by Pokmaswas, namely optimizing peaceful dispute resolution through consensus deliberation involving community leaders and community elements involved in it. This has been explained in previous research conducted by Nelson (2021) that the determinants of individual peace for peace education include respect for race, gender, religion, culture, physical appearance, one's age, unity, good cooperation, and fairness.

Based on the supporting documents that have been collected, it is known that in four districts in Madura, Pokmaswas have been formed as a form of cooperation in monitoring marine and fishery resources by security forces and law enforcement as well as the community. In Bangkalan, Pokmaswas have been formed in 3 (three) sub-districts, namely Bangkalan sub-district, Kwanyar sub-district, and Klampis sub-district. In Sampang, out of 8 coastal sub-districts, Pokmaswas have been formed in 6 (six) sub-districts, namely Camplong, Sampang, Sukobanah, Ketapang, Banyuates, and Mandangin sub-districts. Meanwhile, currently active only Pokmaswas Mandangin and Camplong Subdistricts. In Pamekasan Regency, 7 Pokmaswas have been formed to help protect their marine areas and avoid conflicts between fishermen. In Sumenep Regency, of the 20 existing coastal sub-districts, 11 Pokmas have been formed. In the Sumenep area, from the guidance and guidance from the East Java Provincial Government, there are regulations based on local wisdom that were developed by Pokmaswas so that they were upgraded to Village Regulations. There are at least 3 local wisdoms from Pokmaswas in Sumenep Regency related to handling conflicts between fishermen which are then realized in Village Regulations including, “(i) Gili Genting - Kalianget Subdistrict there is local wisdom, The legal awareness of the community, if there is a violation at sea then it must be submitted to the local police and must not

take the law into their own hands; (ii) Telango sub-district has local wisdom; Planting mangroves is kept intact so that fish production will grow and develop; (iii) NungGunung District has local wisdom Prohibition to fish by diving.”

From the national legal rules and documents that have been explained by the researchers, it can be understood that there has been a gap between the agrarian law rules regarding the management authority of marine resources management and the problem of fishery resource conflicts between fishermen that have occurred since the enactment of Law Number 23 of 2014, where the authority for sea management by the district government has been abolished and taken over by the provincial government. As a result, the district government can only receive reports from the community about conflicts between fishermen and no longer have the authority to manage the sea. The novelty of the research is shown from the study of national law and an overview of peace education in handling fisheries conflicts and the authority of local governments in handling fisherman conflicts, namely by empowering Pokmaswas and increasing Pokmaswas capabilities. The potential and monitoring resources in the community are quite large and have become cultural customs as a form of community responsibility for their livelihoods. In the context of empowering existing supervisory resources and instilling the values of peace education in the community, the expected implication is that the East Java Provincial Government provides guidance, guidance and training for Pokmaswas in order to prevent conflicts between fishermen and in the context of preserving marine and fishery resources in its territory.

Conclusion

From the results of the research and discussion that investigates Learning About the Authority of Marine Management and Conflict Management among Fishermen through Peace Education in National Law, two important things can be concluded. The first theme is about the authority for managing marine resources, it can be concluded that learning about the Authority for Management of Marine Resources in the Madurese government is in national law. In essence, the national law concerning the Authority for Management of Marine Resources in the Madura government is directed at accelerating the realization of community welfare through service improvement, empowerment, and community participation. In addition, the authority for marine management exercised by local governments is an effort to maintain harmony and provide legal certainty so as to minimize the occurrence of larger social conflicts in the future. The limitation of authority since

the enactment of Law no. 23 of 2014 concerning Regional Government is to minimize the abuse of power. More deeply, the Provincial Government streamlines the formation and development of Pokmaswas as a form of cooperation in the supervision of marine and fishery resources by security forces and law enforcement as well as the community. The second theme regarding the authority of agrarian law on handling fisheries resource conflicts through peace education with reference to national law can be concluded that local governments establish Pokmaswas. Pokmaswas also has a hand in handling social conflicts and is an effort to implement peace education because it is carried out in order to handle conflicts without violence for the sake of harmony, unity, and peace by involving all parties involved in conflicts between fishermen.

Future research is expected to expand the research area to include other maritime countries and international law related to fisheries conflict management and peace education. For the government, it is very important to strengthen the existence of peace education and training programs in areas with potential fisheries conflicts. The district/city government as the owner of the management area/area needs to instill peace values that focus on anti-violence training and provide legal certainty to minimize the occurrence of social conflicts in the future.

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