

# CRITICAL IMPRESSIONS ON PAPUA

SOCIO-ECONOMIC PERSPECTIVE

VOL.2

DON AUGUSTHINUS L. FLASSY  
&  
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and Technology

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Socio-Economic Perspective Vol.2

**Don Augusthinus Lamaech Flassy**

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ISBN: 978-605-7736-68-0 (e-Book)

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*Critical Impressions on Papua: Socio-Economic Perspective Vol.2*

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# Dedication

*Tribute to Dag Hammarskjöld, Gus  
Dur, Theys Hio Eluay and those who  
think clearly on Papua*





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# Introduction

In particular, the volume contains three chapters:

*I. Constitution Vis-A-Vis Constitution Indonesian 1945 Versus Papuan 1999*

There is tolerance merger of Unity in Diversity versus solidarity merger of Togetherness in Diversity as poles of spanning the natural and engineering efforts are not natural to make or maintain existing fused together. Shown by the spirit of Indonesia's 1945 Constitution versus Papua's 1999 Constitution. This article titled "Constitution vis-à-vis Constitution: Indonesia 1945 versus Papua 1999" is intended to demonstrate the existence of each of the philosophical as well as the feasibility of correlation between the two as cause and effect in supporting the blare political action which is: "The Roadmap to the Revival of the Papuan Nation in West Papua: A Peaceful Decision on the Restoration of the Self". Affair have been taken place, namely through the Third Papua People's Congress (Kongres Rakyat Papua Tiga/KRP-3), October 16-19, 2011, where the Nation of Papua has announced Unilateral Declaration of Independence of the Nation of West Papua/UDI-Papua and formation of The Federal Republic of West Papua/FRPB (Negara Republik Federal Papua Barat/ NRFPB) back to and continuing the Political Status of December 27nd 1949 to December

1st, 1961 (after RTC of The Hague to Political Manifesto of Papua). This is the status before Papua being occupied by Indonesia at change of International conspiracy. Thus, as well as to formulate the two basics: First, how to understand the presence of Papua-Melanesian inhabiting Land of Papua? Second, whether, People of Papua-Melanesian and Indonesia who inhabiting Land of Papua can beeing together according to the federalist order of Papua-Melanesian? This may also potentially for other basic formulation of discussion likely to reveal a back-rock (the unshakeable basis) of each of the existence which is of Papua and of Indonesia as two different nations. The two nations are, as being correlated in the process of time and idealism. The appearance of actual and accurate Papua in Indonesia because of the synergies and mechanisms of critically adhesives of interest to tolerate incorporation of national unity or Multiple-wide but One, but also at the same time hard spanned cohesive because there is no solidarity which is Togetherness in Diversity because the nature of rejecting merger. There are many hidden presence but there are also some blatant. For this reason hidden structure theory needs to be implementing which convergent with other theories in the phenomenology-behaviourism methodology with the support of literature and empirical studies in practice (auto-ethnography). Thus it can be understood that there is tolerance merger of Unity in Diversity versus solidarity of Togetherness in Diversity is poles of spanning the natural and engineering efforts which are not natural to make or maintain existing fused together. The idealism reflected in each constitution of the two nations which are 1945 Constitution of Indonesia versus 1999 Constitution of Papua.

*II. The threefold logic of Papua-Melanesia: Constitution-writing in the margins of the Indonesian nation-state*

*Clashes over the status of West Papua and the political future of the territory proliferated markedly following the end of Indonesia's New Order regime in 1998. Amid a wide variety of demands for justice and independence, and a series of demonstrations, mass gatherings and prayers, only a few Papuans mused on how Papua could become a state and what would constitute its nature as being distinctly Papuan and/or Melanesian. One exception is the work put into the Constitution for West*

*Papua entitled Basic Guidelines, State of West Papua, a document edited by Don A.L. Flassy, a bureaucrat, writer and thinker, with a preface by late Theys H. Eluay, then chairman of the Papuan Council. In this article I analyse this Constitution to show how a combination of Christianity and local customs, and a mimicry of elements of Indonesian nation building and symbols of the Indonesian nation-state are reshaped to oppose Indonesian nation-building agendas. The Constitution shows that when Papuans imagine an independent state, forms of vernacular legality play a central role. 'The state' has journeyed to Papua and encouraged faith in 'the law,' and Basic Guidelines is partly the effect of this growing vernacular legality. My analysis shows that it is essential to see how legal mobilisations and imaginations of the state articulate with other normative systems and practices – in particular Christianity and custom (adat) – and how they mutually allow for and invite strategies.*

*III. Seeking for recovering their identity: The Melanesian-Papua treading returning roadmap*

The chapter describes 5 main areas, namely, (1) "Hidden Structure" that in the Social Meaning of Melanesian-Papua Cultural highlights Papuanistiescs and Melanesianology; (2) The Prestige and Power exposes the influence of the Big World Power to the problem of Papua; (3) Federalism in Indonesia reveal to the Melanesian-Papua in Land Papua as Special Specific Case versus unitary of The Republic of Indonesia; (4) Constitution vis-à-vis Constitution on constitutional philosophical correlation Indonesia constitution 1945 versus Papua constitution 1999; (5) Unilateral Declaration of Independence/UDI October 19, 2011, concerning Freedom-Melanesian Papuans in Land Papua as Nation and State. The background of this study is based on two main thoughts keys, namely: First, Meteray (2012: 268, 2013: 4) confirmed that, during the 17 years from 1945 to 1962, the process to Indonesian-sizing the Papuans are generally still in the stage of seeding while growth only in some areas of government and urban centres'. Awareness to be Indonesian-ness is yet to reach all areas of Papua. Meteray adding that the presence of Indonesian-sizing in past greatly influenced by the policies and the approach taken by both the Dutch and Indonesian government through the role of nationalists initiators of the period (2012: 264-267); Second; LIPI

study in 2007 (Soewarsono, ed) are still questions to the Indonesian-sizing of the Papuans reinforce the view of Meteray stated that it is to Indonesian-sizing among the Papuans still weak (Meteray 2013: 1). Meteray concluded that, in fact, to understand the history of Papua will become a basic reference for the government seek and find out the right way and dignified in overcoming the issues of Papua, though on the other hand Aditjondro, 1999 clamming, the Government and Important People of Indonesia has curled the history of Papua which by the Papuans wanting to be straightened out, He calls this act as: "The dark history of Papua in Indonesian Historiography". Thoughts of Meteray and Aditjondro strengthens the authors thought that the various problems occurred in Papua, especially the facts involves "M"/Merdeka (Freedom) Papua". Referring to the failure of Indonesian-sizing of the Papuans, it appears that it is not necessary regrettable because in fact, they are different. Precisely when indecision of the President of Indonesia to the case of Papua is safe step into alternative measures of the Melanesian-Papua people themselves must be hacked through, UDI October 19, 2011. This research focuses on the study of literature and interviews with the method of Descriptive Analysis and Method of Structure Linkage to assemble the Hidden Structure and Correlation Studies to reflect the relationships between aspects on the basis of Motivation Theory, Theory of Social Change and Theory of Balance and Theory of Realist and related by make use of Hidden Structure as Grand Theory. The formulation of the problem is (1). How to understand the present of Melanesian-Papuans in Land Papua? (2). Whether existing of Papua as "trust territory" of the UN is still attracting the winning of Prestige and Power of "the Big Power of the World" to be back to discusses at the UN of a future in accordance with Article 74 and Article 78 of the UN Charter? (3). Whether, Melanesia-Papua and Indonesian in Papua can together according to the federalist order of Melanesian-Papua? (4). How is the condition of social customs and traditions of Indonesia and Papua can be met?

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# 1

## Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999

Don Augusthinus L. **Flassy**

### Introduction

What is here become, the Fundamental View is, the presence of Papuans as integrated element within the State and the Nation of Indonesia apparently still implies various disagree<sup>1</sup>, then the effort to uncover, was always seen as opposition or challenger and even as an attempt or act of unlawful alias in the formulation of the term '*makar* (treason)' or '*haatzai artikelen*' (articles about sowing hatred), which is a Dutch colonial understand that not to be hated even stroked as a weapon of frightening.

Theory to be used in this study is Hidden Structure and Structuralism converged with other supporting theories, bringing the compromise and action to managed conflict discovered here

<sup>1</sup> Apparently still not to be understood that, before becoming Indonesia's, Papua has been formed through a phase of integration among the Papua themselves called *Papoeanizing* (Papuanization) 1828-1949 to 1970 so it is not necessarily. Papua in it self is a nation of uniting groups of ethnics and tribes.

between natures of diversity in togetherness versus natures of diversity in unity. The study then exploring method of library study as well as empirical (auto-ethnography). The practical purpose with respect to that is to know the concept of Papua-Melanesian related to the existence of daily life behaviour as well as philosophy in the form of "source of life" and "way of life". By employing structure linkage methods, among others: correlation method and comparison method or will be more wrapped up with the phenomenology-behaviouristic method to find and emerge to the surface as well as by approaching the auto-ethnographic method of self in order to clarify the position of the problem and consciousness of existences.

As shown above, the different standard may caused stigma which limiting the maturity of *thinking public good* on both sides namely of Jakarta in this case the Government of Indonesia in the broad sense and the Papuans themselves as the party to be integrated. In the sense of liberation, would like Papua from the Dutch, scholars in Indonesia (Papua) as if to see that Papuans themselves just being passive, waiting for the arrival of the "liberators" of the Indonesian territory west of the island of Papua. This is reflected in the words that "Indonesia" liberates "the Papuans" from Dutch colonial rule (see, for example, Lubis, 1984). The role of the Indonesian people (non-Papuans?) - Like Sam Ratulange, Yos Sudarso, even Benny Murdani<sup>2</sup> - in "liberating" or "educate the national consciousness" among "the Papuans", whether it is also exaggerated it?

George Junus Aditjondro (1993) calls the pattern of acceptance and understanding such as fraud of Papuans Nationalism in Historiography of Indonesia. Of the various clashes opinion of Jakarta as the party that presents a policy is not the slightest pursue policies that are not wise (policy of non-virtue) put Papuans who integrated as the party of never stopped demanding forth, both to and from the inside and ignited by the international.

2 According to sources the Dutch-PVK-Army (Casper van Bruggen, 2011: 219): Kapten Benny Murdani was bevond tot major terwijl hij zich in de jungle bij Merauke bevond (...was commander rank of captain to major hiding and ran a way from the pursuit, just daring to show himself after squash of weapons announced by UNTEA-UN.

Events and series of political occurrences in Papua, known as the roar of the transformation is complete on the tracks of the Indonesian Reform at the end of 20<sup>th</sup> century of (1997-2000) then all obsolete form of resistance guerrilla performance switch into forms of dignity diplomacy. At that time, in 1999, the Papua Independent Committee (*Komite Independent Papua/KIP*) also just formed in 1988, commissioned by the Leader of Papua Theys Hio Eluay<sup>3</sup> follow-up work which is not completed designed by Papua National Committee in 1961 that is set on October 19, 1961 in the form of the Political Manifesto of Papuans in West Papua which was declared on December 1, 1961.

Similarly, the Basic Guidelines Papua Melanesia was launched with typical charge of Triple Fold Logic of Melanesian-Papuans in the Malay and English version was held into the *Basic Guidelines-Triple Fold Logics*<sup>4</sup> of *Melanesia-Papua*. This academic intellectual work is intended to support the efforts of mass mobilization that culminated in three major events after the appearance of 100 Team (Tim Seratus) Delegation of Papua in February 6, 1999 for National Dialogue on coordination of Reconciliation Forum of People of Irian Jaya (*Forum Rekonsiliasi Rakyat Irian Jaya/FORERI*) with the President of the Republic of Indonesia, Professor B.J. Habibie. The 3rd Indonesian President was although mention the act of the Papuans through the 100 team as "*a soft rebellion*" at the same time advised to "*pulang dan renungkan kembali* (go home and think back)". Here then after reflecting on the fact<sup>5</sup> there was a backlash

3 Theys Hio Eluay, by members of Papua Independent Committee (KIP) who was with him were detained at Jayapura Regional police station, at a dawn service on 15 October 1998, was established as the Papuan Leader with the words "Before you were Saul, now for the gift and glory of the Lord God the Most Merciful, you are Paul (Quote Acts 9: 1-18.), he then continue: Before I fought as Red-White Linerup, now and forever I fight for Papua Merdeka".

<sup>4</sup> Triple Fold Logics or two units of three in the sense that there are two part, each consisting of 3, namely 3 Principles of Melanesian Brotherhood (one people-one soul-one solidarity) and 3 Principles of Papuan Virtue (mercy-faithful-honest).

<sup>5</sup>Although for that shake, Drs. Agus Alua, MA, head of the team trying to answer this rhetorical of Habibie in June of that year through a Working

among Papuans in the form of three events in a row respectively: The rising of National Flag of Papua the 'Morning Star' alongside Indonesian National Flag 'Two Colors' in December 1, 1999, with the demands of Reset the Name Papua, Align History of Papua, and Held The Extraordinay Papua National Ensamble (*Musyawarah Besar*/MUBES Papua) on February 26, 2000 revised the West Irian Congress in the Act of DMP-PEPERA 1969, and launching National Congress of Papua to Declaring Transitional Government of Papua.

The MUBES Papua took place on February 29, 1999, and then the Second Papua National Congress took place on May 29 to June 3, 2000 in follow up the First Papua National Congress in 1961 by Papua National Committee (Komite Nasional Papua/ KNP) notching by New Guinea Council (Nieuw Guinea Raad/NGR), made-up Political Manifesto of Papuans in West Papua.

This is originated from the desire to reproduce the Deliverables of First Papua National Congress that is, the Basic Guidelines with Triple Fold Logic of Melanesian-Papua held in the format of the Charter and Constitution of Papuans. This document is very limited indeed, circulate only in the National Congress that despite appearing in public through the mass media that reported by the Weekly Tifa Irian, the second week of May 2000 for a limited Papua and worldwide by Agency of France Press, June 6, 2000.

Because the mechanisms and design elements that bad image diverting The Second Papua National Congress was rather complement the First Papua National Congress with Constitution and Declaration of Government instead the Leaders, Theys Hio Eluay and Thom Beanal led to negate the original purpose of the Congress which is to declare the Transitional Government of Papua instead become "received Special Autonomy (Otonomi Khusus/OTSUS), replace *merdeka* (independence)". On condition beyond a doubt that the manuscript of the Papua Nation Constitution 1999 to be valid and became hampered as well as the Manuscript of Transitional Government.

However, by a researcher of Van Vollenhoven Institute for Law-State University of Leiden (which for some reasons was not

Paper entitled "Already, We Reflect" is a futile effort because not responded by Indonesia.

mentioned by name) had commented academically against this text as "Constitution on the boundary-line of periphery-marginal of the State of Indonesia". Although it may be a taboo to reveal the back but felt the need to be known to sit because as an intellectual product of academic effort direct correlation with the Constitution of the Republic of Indonesia 1945 (if Papua is in the integration) that shadow Constitution of Papua (if Papua is outside integration).

Although the manuscript was received, then was passed on to the Third Papuan National Congress (KRP-3) 16-19 October 2011 as material on congressional provisions.

## Problematica

This study needs to reposition whether the interests of the Papuans, (call: Papua Nation) that has been accommodated in the Indonesian constitution in accommodative manner or just in performance alias occupied which obligatory submissive and obedient to that occupier by other words integrated submissive and obedient to the perpetrators of integration or integrator. This is where the term 'invaders' or 'colonial' or 'imperialism' to be tested.

While on the other hand Papua (as an integrated nation) is not always true, because the opportunity to define them as independent may occur (outside the integrator nation). As has been lit revealed, at least four episodes of wasted namely the First Papua National Congress initiated by the Papua National Committee formed by the Nieuw Guinea Raad (Papua Council) when it launched a Government of Papua as alleged by the President Soekarno in The Tri Command of People: 'Disband the Puppet State of Papua made by the Netherlands in West Irian home land of Indonesia' while the Papua just on stage to talk about the completeness of the State in the form of State Emblem Bird Mambruk pigeon (*Gaura Victoria Regia papuana*) and Papuan flag Morning Star and the National Anthem of West Papua 'Hai Tanahkoe Papoea' completed the name of the Nation as "Papoea Nations" and the country name of "Papoea Courant West".

So first be preceded by a declaration to be Papua Volks (Nation of Papua) and the country name of West Papua. Although at that time there already a manuscript which was compiled intellectually

by a member of the Papua National Committee who also member of Nieuw Guinea Raad, Nicolaas Tanggahma the representatives of Fakfak electoral districts.

The following opportunities occur in the Act of PEPERA in 1969 that at that time there were only voice that of Eduard Hegemur<sup>6</sup>, again from Fakfak electoral districts requiring the Free Papua became State's of own outside any country both Indonesia and the Netherlands. One only truth was among 1026 voices of lies. This incident with various other motions of the Papuans themselves as well as for the support of 30 Member States of UN supporting the proposal of Ghana<sup>7</sup>, now only decorates the archives of the United Nations simply by the word 'take-note' (bubbled by Security Council of the United Nations 19 November 1969).

The third occasion occurs during the National Dialogue 100 Team to meet with President Habibie, instead "the independence" must declared first then report, the action was to ask for Indonesia to give. Obviously it was rejected with the words "*pulang dan renungkan kembali* (go home and think back/look at your self at the mirror)" however the word "*soft rebellion*" was expressed by the 3<sup>rd</sup> President of Indonesia in commenting the request submitted by the Papuan 100 Team.

The fourth opportunity was occur in and on the rails of Indonesia Reform to obtain the grace and ease of the Government of Indonesia through Kiai Haji Abdurahman Wahid famous with Gus Dur, the 4<sup>th</sup> President of Indonesia, is to allow the raising of Papua Flag, returning the name of Papua replace the stigmatizes backwardness and enslavement name of Irian (Barat or Jaya) and the all-important of all of them, allowing the Second Papua National Congress be organized by sponsoring a fund of 1 billion rupiah.

Papuan people apparently do not see this as an opportunity to complete the tasks of the First National Congress of Papua which still incomplete i.e. by announcing Transitional Government,

<sup>6</sup>) Cahya Pamungkas, 2009, History of the story of the integration of Papua into Indonesia The experiences of the Kaimana people in the days of Trikora and Pepera" in 104 Paramita Vol. 25, No. 1 – January 2015.

<sup>7</sup>) The UN 24<sup>th</sup> Session of UNGA: Provisional A/PV. 1812, 19 November 1969).

though the chance of that is very promising. Including in this case did not ratify the Constitution (the one in charge of Basic Guide Lines and Triple Fold Logic intended).

The re-studies be categorized “rectification step” of Papua's history<sup>8</sup> according to the mandate of Article 43, 44, 45 and 46 of RI-Law 21 of 2001 on Special Autonomy for Papua Province, presumably a proposal submitted as a measure of participation of individuals in order to provide input to the Order of Formal Governance attendance.

In that regard, returned comments by the researcher of Vollenhoven Law Institute, it is, the manuscript in question is the involvement of cultural creativity framed in correlation with the Constitution of the Republic of Indonesia, Papua customs and specific *cosmopolitan* (universalism). The resulting manuscript virtually an image of very broad and spacious even be read as a hyper-rationalism with charisma, creativity and structure, generating from *foundationalism* proposed, and inspired by unrest, demonstrating *the way of life* (principles of life). Not the same as the traditions constitutional in the west that is the constitution moves by *self-constitution* (outside charismatic stage) and become routine as *the bedrock foundation of law* (unshakeable law).

The Constitution meant here again following the researcher of Vollenhoven Law Institute, is still warm and can be disturbed. That is there for should be read as an astute reflection on the current condition and use of the potential for the state to use a reference mixture of lectures, ideas and different political systems.

The leading is a response to the instability of government in Papua, which was introduced by an *ever-widening gap* (distance immortality span) between legal certainty and achievement

<sup>8</sup>) This phenomenon would occur repeated almost every year on May 1; There are two celebrations that of the Government with the claim "The day return of West Irian (Papua) to the bosom of Mother Pertiwi Earth with a period ends the Provisional Government of the UN/UNTEA, being by the Papua People claimed as time began "occupation" of the Tanah Papua is then legitimized by World (UN) on the Act of Free Choice in August 1969 very detrimental to the People Nation of Papua received on November 19, 1969 (above).

Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999  
granted by principal of national unity in tolerance (Indonesia)  
versus national diversity in solidarity (Melanesian-Papua).

## Flows of mandate

Gaining the further highlight from the researcher of Vollenhoven Law Institute, to explain the specific charge of *Basic Guidelines-Triple Fold Logic* of Melanesian-Papua is indeed possible to show how the current mandate opposing surrounds the idea of a new nation with a constitution built on an understanding of the Indonesian state, with borrowings from performance to domestic Christianity and legality assurance of heritage (customs) revitalized of Papuans continue to increase in light of the political shock conditions of the Nation and State of Indonesia. Certain contextual influences on the constitution also includes knowledge of the Dutch colonial government and the ownership understanding of sources and *idiosyncratic knowledge* of New Guinea stored in the collection of Netherlands and other intimacy. From a more regional level, there is also the influence of *eschatology* Melanesia to generalize and idealize the notion of culture and customs (environment) of the Papua Nation. Must be respected certain environment where include *audience-in-mind* (attention-in-thought) to understand what is going on.

*Basic Guidelines-Triple Fold Logic Melanesia-Papua* is a product of *the cosmopolitan periphery* of Indonesia so is a sign of engagement of local traditions with global magnitude laid Papua in a vast world.

The Constitution was written by using various sources of neighborhoods near Jerusalem in the land of Judah, New York on American soil, and others including Betawi Jakarta in Indonesia and of course the Netherlands that is so is a global format cosmopolitan engagement. The engagement took place in imbalance of strength (power) between the centers of the country with the outer boundary (the periphery). Writing a constitution is among the most powerful practice to lay it bare (whatever they are), deconstruct (detightens) and redefine the boundaries of race and culture in the State Indonesia versus Papua.

No constitutionalism that match this constitution that arranged marginal on-line or line-edge of the Country presumably so the response of the audience could possibly happen. Field as it will be



seen on the conditions by which this base and the foundations of the sacred (taboo and divine) for the laid of an alternative state.

The Constitution is the fruit of work that virtually *creative* and *sophisticated* possessing a clear vision. The source or basis of inspiration or *holy grails* (holy innuendo)<sup>9</sup> variety and method of composition is very colored various broad insight while the goal is obviously to generate a structure that will abdicate those who have too much power and inherited rights for all, including supposed to protect the rights of the marginalized (in the sense, too, including those who are integrated).

Dependence on the dissemination and response, social processes may lead to coverage of the mobilization of the Papua People's intention "M" of their own or against the opinion desired but also a kind of interaction is presented by people in Jakarta.

The latter possibility will always exist around the corner but it is often not recorded by Jakarta. (The Book of) *Sinkronisasi* (Synchronization) written by this author (Flassy, 2004)<sup>10</sup>, the said is an event that clearly would a foundation for creative reciprocal agreements between center and periphery countries and governments of the region which often causes a reaction very stiff and scary (virtue unwise and or policies that sometimes non-civilized) from Jakarta. However, as shown by Timmer (2004, 2005), gap between Jakarta and Papua is not narrowed, it is also, perhaps the central and periphery boundary most east of the country to each other are involved when *educable entities* (unity of learning) so that the two are closely related to each other in the understanding of balance, of the price-appreciate the value, and of cosmopolitan connections of cultural traditions and knowledge.

Another defense is knowledge and wisdom of local domestic (emics), which is almost always stagnant when introduced outside knowledge (ethics) which followed in the construction of the still

<sup>9</sup>) Indeed somewhat exaggerated but is an ambition on the basis of the moral order that is charged for the sake of the constitution itself.

<sup>10</sup>) In order to promote RI Law No.45 Year 1999 on Expansion of province into three provinces with the Law-RI No. 21 Year 2001 on Special Autonomy for Papua Province.

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underlying prejudices and assumptions omniscient will target  
service (Papua as a target group).<sup>11</sup>

## Different in the unity

In this case, which of course is not easy to become part of the establishment or get a room even point and the entrance repertoire consideration the concept of the Republic of Indonesia: *Bhineka Tunggal Ika* (Diversity in Unity). As has been revealed before, as derived from the basic philosophy of Tri Fold Logic of Melanesia-Papua is an entirely different question remains distinct or Unity in Diversities. In a sense, each element not smelt (intact no yield) *mosaic banded* (integrated in mosaic) then it is completely different and it is still different, that of the respective interests of balanced manner *cybernetic* (synergy) as solidarity, togetherness, customs and attitudes, including the interest of both the race of Papua is Melanesia and humanity in another scale, especially in the integrity of the Republic of Indonesia (NKRI) can certainly be tested.

Then in the understanding of the 1945 Constitution of the Republic of Indonesia with Pancasila and the 1999 Constitution of Federal State of Papua with Melanesian-Papua Triple Fold Logic at the edge of periphery or marginal line of the Republic of Indonesia was to be paired academically and intellectually. With the aim to draw from both crosses smart for both parties in the advancement of mutual understanding and mutually beneficial multilaterally. In this regard the Government of Indonesia to seek the flexibility of the immortality of government behavior (integrator) which is in entering the feel of Papua (integrated parties) in the balance of dignity and fulfill the values of civilized humanity.

The existence of an understanding of the constitution in marginal line and periphery boundary is, the possibility of judicial review and even test of the quality of what is meant by *local wisdom* (local knowledge) nations and tribes in the Republic of Indonesia (read: Nusantara/Archipelago) was has accommodated perfectly in Pancasila and the Constitution of 1945. Call it "Shari'ah-Islam", which is said to be excluded from the Preamble of the Constitution

<sup>11</sup>) Discuss Pike (1967).

of 1945, but remained local wisdom intentions for the people, regions, populus and certain ethnic groups. That State Idealism of Indonesia starting from Syarikat Islam then row of three Indonesian Islam nationalist, whom were, Tan Malaka, Sukarno and Mohammad Hatta launched their writings as shown by Yos Rizal Suriaji (2008). The figure of Tan Malaka was the first to initiate written concept of the Republic of Indonesia. He wrote *Naar de Republic of Indonesia* (Towards the Republic of Indonesia) in 1925, much earlier than Mohammad Hatta, who wrote *Indonesia Vrije* (Indonesia Merdeka) as a plea before a Dutch court in The Hague in 1928, and Bung Karno, who wrote *Menuju Indonesia Merdeka* (Toward Indonesia Merdeka) 1933.

Indicates Islam as a milestone of Indonesia or virtually Pancasila and Shari'a as two sides of one coin that will not actually be enshrined absence only (read: Preamble UUD'45) because it would have appeared also in the policies of all Regional Regulation (Perda, Perdasus, Perdasi) even though RI Act, in the later period<sup>12</sup>. Islamic law is thus *back rock* (unshakeen) and *inner-deep structure* (or backbone) which is *hidden structure* of UUD'45. The original formulation of the manuscript of the Jakarta Charter reads: "... based on: the deity, with the obligation to carry out the Shari'ah for adherents, according to the basis of just and civilized humanity, the unity of Indonesia, democracy, led by the inner wisdom of deliberations representative and by fostering a social justice for all Indonesian people."

From this point anyway, this author wishes to reconcile the Constitution of the Republic of Indonesia UU'45 with the text of the constitution of boundary-line or marginal periphery of the country of Indonesia. The imagination is on the Constitution of Federal State of West Papua with the Melanesian-Papua Tri Fold Logic. The first mentioned as already discussed above insightful of pyramidal syncretism of Islamic Nationalist minded while the latter is balance mosaics of Christianity and Customs of the Melanesian-Papua. In a sense not intended to oppose but rather look for entry points that allow acceptance of differences and

<sup>12</sup>) As for the State of Indonesia is not an Islamic State so of Papua it is not a Christian State because both are the National State.

similarities between the cosmopolitan as intelligent wisdom in order to get a balanced solution between the parties.<sup>13</sup>

The 1999 Constitution script was based on 3 previous scripts that are *Pulau Fajar Keemasan: Sebuah Anjuran Kerjasama antar Negara dan Pemerintahan Transisi Papua Barat* (Golden Dawn Island: A Cooperation Exhortation between States and the Transitional Government of West Papua) by Papua Independent Committee (Komite Independent Papua/KIP), Port Numbay April 1999 and *Rendevous dengan Perjuangan Kemerdekaan Papua Barat* (Rendevous with the Freedom struggle of West Papua) in 1999 and two more are *Pedoman Dasar Bangsa Papua 1999* (Basic Guidelines of Papuan) 1999 and *Draft Konstitusi Negara Federalis Papua* (Constitution Draft of Federal State of Papua) in 1999.

Referred to the first book was been thought if the Government of Indonesia and the people of West Papua reach an agreement in the dialogue as well as the Round Table Conference as held in The Hague 1949 to position the Sovereignty State of the Republic of Indonesia, then all defense cooperation, including economic and labor citizenship can negotiate intended as advised. The second manuscript is an admiration for what the accomplished writer of Papuans after integration while fighting for their existence in uncertainty and yet can be realized as far as this limit.

Furthermore the script of 1999 Constitution referred to, can be seen in the context of fulfilling the criteria: the territory, the people, the willingness, then the country and it is necessary for the rules, so the constitution is positioned at the periphery boundary and marginal line to the 1945 Constitution, in the sense of a reality correlated with a shadow.

From another angle as well as this factual is about to be answered Djuyoto Suntani, 2015, "Indonesia to be Broken". The book with a straightforward and arbitrary style of Javanese by

<sup>13)</sup> Already various occasions meetings with various groups Officials of the State of Indonesia, Komite Independent (Papua Independent Committee) seeks to attract to handle this offer, but as it is said Benny Giay in a seminar in joke that "talks with officials of Indonesia looks like we talk to rock, so there would be no answer or cross talk". Is this correct, I am personally not convinced that, because Abdurrahman Wahid can do spectacular.

typical style of knowing-all (or quasi-know) showing the conquest as eternity. This is where the mistake. Papua, which in Indonesian great personalities minds and also of the all great people do not positioned as Region, Human and Civilization were awakened ten years (1949/1950-1960/1961) separate from the Dutch East Indies which is different than the others.<sup>14</sup> Not just a district or a region of the Sultanate of Tidore which of not at all any progress and at all no balanced. How one cans could equate Hollandia 1955 for example with Ternate in the same year which is still a villages and hillbilly. Else, if Djujoto Suntani said like that, then Papua is not included in the said *anti-Christ*.

## **The Juxtaposing among the (Reality) Constitution of the Republic of Indonesia to the (Shadow) Constitution of the Federalist State of Papua**

The Juxtaposing among both constitutions thus can be discussed and given outlook as follows:



### **The state basings of the Republic of Indonesia**

#### ***The constitution 1945***

The Constitution 1945 or Undang-Undang Dasar (usually referred to as UUD '45) was written when Indonesia was emerging

<sup>14</sup> Need also noted in this regard that New Guinea (Papua) according to Batavia Declaration 7 March 1910 being excluded which nolonger part of Dutch Indies which devotes particular attention to the so-called "Outer Islands", and the forces that Batavia saw at work in this periphery; uploaded June 2016. [[Retrieved from](#)].

from Japanese control following World War II, and declaring its independence from its former colonial occupier, the Netherlands.

The Constitution was abrogated by the Federal Constitution on 27 December 1949, replaced by the Provisional Constitution on 17 August 1950, and restored on 5 July 1959, experiencing the followings:

- Today, the Constitution is the supreme legal authority and requires the deference of all governmental actors in the State of Republic of Indonesia. Since 1999, amendments to the Constitution have increased its size from 37 articles to 73 articles. This version of the 1945 Constitution has been annotated by the Department of Information, and the English translation is only provisional.

- The following provisions of the 1945 Constitution are potential sources of intellectual property rights: Article 32 (patents and copyright) and Article 33.3 (genetic resources).

As juxtaposing to the Constitution of 1999 the author was based on the original script before the amendment so that it appears there is a correlation, but there is also another step forward regarding the natural environment, human rights, ownership of private armed and others that do not appear in the original of 1945 but then appear in the amendments text.

The other thing which is also recorded in 1945 is, among others: Here the State border of the point of coordinates or the place name is not mentioned, what is not a deliberate way? Necessary inputs to improve the amendment. Also that since 2009 for the first time by the Direct Election of People was held in Indonesia.

Included in this correlation the State Bodies which have been omitted in the text of Amendment of UUD 1945 was still visible on the Constitution of 1999, of which the *Badan Pertimbangan Agung* (Supreme Advisory Council)/BPA and the election by the Majelis Permusyawaratan Rakyat (Assembly)/MPR.

The full text can be seen on the original manuscript of the Constitution of the Republic of Indonesia Year 1945 by National Law Development Agency, Ministry of Justice and Human Rights in 1998 where for the Amendment manuscript can be seen in the Development Reform Cabinet MPR Decree No. 1998-2003 II/MPR/1998.

### ***The attribution of Republic State of Indonesia***

#### ***Symbol of the State of Indonesia "GARUDA PANCA SILA"***

As previously mentioned, the UUD'45 was digging out from the fundamental philosophy of principals in Panca Sila shown by symbols at the chest of Garuda.



Garuda Pancasila  
State Weapon of the Republic of Indonesia

#### ***Pancasila***

The affirmation and or understanding of each *Sila* (principle) [[Retrieved from](#)] broadly stated as follows:

**Sila number 1: One supreme God** asserted that the people of the nation of Indonesia believe God exists. It also implies that the people of the nation of Indonesia believe there is life after death. It is emphasized that the teaching and holly values will lead the people of Indonesia to a better life in the hereafter. This principle is based on the belief that there is only one God that is God Almighty symbolized by the star in the center of shield of Garuda Pancasila.

**Sila number 2: Humanity of Fair and Civilized** stated that there is the human desire to be treated with respect and concern for the dignity they deserve as creatures of God. In a sense emphasizing that the people of Indonesia do not want the pressure of physical or spiritual people by the people of its own nation as well as by other nations. This spirit is symbolized by a chain displayed at the bottom right of the shield indicates that the generation of the human race in succession comply with this spirit.

**Sila number 3: Unity of Indonesia**, confirmed the existence of a form of the concept of nationalism, of a resident person of Indonesia nation people love the country and nation by considering the need to always foster integrity and national unity.

Pancasila nationalism demands that every citizen of Indonesia to avoid feeling superiority on the basis of an ethnically pure, consideration of family lines and colour as stated in *Soempah Pemoeda* (Youth Swear) 1928: *Satoe Toempah Darah* (One Homeland) Indonesia, *Satoe Bangsa* (One Nations) Indonesia, *Satoe Bahasa* (One Languages) Indonesia immortalized with the motto "unity in Diversity" which means diversity in unity, symbolized in banyan tree on the top right of the shield.

**Sila number 4: Populist Led by Wisdom in Consultative/Representative**, expressed on democracy of Pancasila that requires decision making through a process of *musyawarah* (deliberation) to reach consensus or agreement. This is characteristic of vibrant democracy and principle of Pancasila. This fact implies that the right or the truth of a democratic must always be tested with a feeling or sense of responsibility to God Almighty according to the sentence which demands self and religious faith, with respect for the values of humane about the integrity and dignity of human beings and with a view to maintaining and strengthening national unity and justice, symbolized by the Head of the Wild Bull on the top left of the shield.

**Sila number 5: Social justice for the whole people of Indonesia**, requires dissemination and equitable prosperity that deserves to all residents and citizens or not static but progressive and dynamic. In the sense that all the country's natural resources and the national potentials should be used as best as possible evenly to the happiness of the citizens of the nation. This justice implies protection of the weak by providing employment opportunities in the field and ability of each person. Protection is required to prevent arbitrary actions of the strong and ensure the rules of justice to the meaning of this, as symbolized by Rice and Cotton grains on the bottom left side of the shield.

#### *Symbol of Garuda*

The symbol of garuda [[Retrieved from](#)] was in adjacent to the real hawk eagle. This bird is found in the paintings in temples of Dieng described as beaked and winged man, then at Prambanan temple, and Panataran shaped like a giant, beak, claws and long haired. Some kingdoms in Java had used Garuda as the

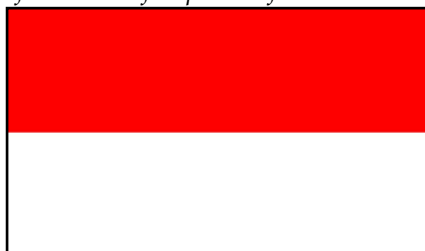


stamp/royal seal, as is stored in the National Museum, is a stamp owned by the Kingdom of Erlangga (sultan\_abdul\_hamid2-01). Garuda established as the State Emblem of Indonesia since inaugurated on February 11, 1950, and set forth in Government Regulation No. 66 of 1951. Initiator was Sultan Abdurrahman Hamid Alkadrie II, known as Sultan Hamid II, who then served as State Minister of the Negara Republik Indonesia Serikat (United States of Republic of Indonesia/RIS).

In Hindu mythology this bird appears with the name Jatayu as rescuers of Dewi Shinta the lover of Rama from the giant Ravana. While on the other hand, this bird is also said to be Buraque that was bird creature driven by the Prophet Muhammad to heaven on Isra Miraaj. In character, Soekarno merge these two forces (Islam and Hinduism) to unite Indonesia.

What we may know of among some Papuans, especially from Kaimana to Sorong and throughout the Bird's Head Peninsula is on this bird will also sound another. That Soekarno when discarded by the Dutch became internment in prison of Boven Digoel, has come out to Lobo in the south of Kaimana and took the power of the bird along with a keris from the mountain Nabi (Prophet) among Fakfak, Bintuni, Babo, Kaimana and Wasior. That strength has been brought to Batavia and became power of Indonesia as a country. Although we do know very well, that Sukarno was discarded by the Dutch but not to Boven Digoel as so far to the east just to the Ende-Flores where the rest in Sumatra and Java. That was to Boven Digoel only other fighters, among them Mohammad Hatta and Sutan Sjahrir. And the *keris* was just a private property of Soekarno which not belong to the royal or government forwarded. Not from Suharto nor Yudhoyono turned out without any kind of *keris* and neither Joko Widodo who is the 7nd President now (2014-2020) and whose ever in the future.

*National Flag of the State of Republic of Indonesia "DWI WARNA"*



**Figure 3.** *Dwi Warna The Flag of the State of Indonesia*

### 1) Origin

The flag of the Republic of Indonesia, the Red and White ([https://id.wikipedia.org/wiki/Bendera\\_Indonesia](https://id.wikipedia.org/wiki/Bendera_Indonesia)) in Sanskrit marked into *Dwi Warna* (Two Colors), is a simple flag with a two-color design that is divided into two sections horizontally (landscape). The color was taken from the color of the Majapahit Kingdom. Actually, not only the kingdom of Majapahit wore red and white flag as symbol of greatness. Before Majapahit kingdom of Kediri had wearing red and white pennants.

In addition, the war flag of Sisingamangaraja IX from Batak was wearing a red and white as the color of its flag, pictorial twin swords white color with red and white base. Red and white is the color of the flag of war Sisingamangaraja XII. Two twin swords symbolize *piso gaja dompak* (densely packed), heritage of kings of Singamangaraja I-XII.

When the war in Aceh, the fighters of Aceh had used the flag of war in the form of banners in red and white, on the back applied swords, a crescent moon, sun, and stars and some verses of the Quran.

In the age of empire Bugis Bone, South Celebes before Arung Palakka (rafting), the flag of Red and White, was a symbol of power and greatness of the kingdom of Bone under the famous name of Woromporang.

At the time of the Java War (1825-1830 AD) Pangeran Diponegoro wear pennants of red and white in its struggle against the Dutch.

The flag, called the *Sang Merah Putih* (Red and White) was first used by students and nationalists in the early 20th century during still under Dutch rule. After World War II ended, the

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independence of Indonesia had started using this flag as the national flag.

## 2) Meanings and Colors

Indonesian flag, *Dwi Warna*, has a philosophical meaning. Red means bold, white means holy. Red symbolizes the human body, while white symbolizes the human soul. Both are complementary and perfect for Indonesia.

In terms of history, since time immemorial both red and white contain sacred meaning. Red color is similar to the color of *gula jawa* (brown sugar/palm sugar) and white color similar to the color of the *nasi* (cooked rice). Both of these materials are the main ingredient in the cuisine of Indonesia, particularly in Java. When the Majapahit Empire triumphed in the *Nusantara* (archipelago), the color of the banner used was *abang putih* (red and white) banners (pennants red and white). Since the past red and white by the Javanese used for salvation ceremony of womb after four months age baby in the womb in the form of slurry which was given a red dye portion. The Javanese believe that pregnancy begins since the unification of red elements as symbols of the mother, the blood spilled when the baby is born, and the element of white as a symbol of the father, which is planted in the *gua garba-senggama* (womb of intercourse).

While, from our knowledge, the countries of the Middle East that breathe of Islam by understanding the red is the desert and white is a sword in proclaiming the truth of "Islam" to combat "kafir" (disbelief).

## 3) Regulations of the Red and White Flag

The Regulations on the flag of Red and White contained in:

1. UUD '45 article 35; the flag of the Indonesia State is *Sang Merah Putih* (The Red and White).
2. Government Regulation No. 40/1958 on the National Flag of the Republic of Indonesia.

## 4) Similarities of Red and White Flag

From the knowledge of the flags of the nations that have similarities with the flag of the Republic of Indonesia, both by design and composition is different or similar but to the base is the same, the color is red and white. Can be shown as follows:

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The flag of Japan, Polandia, and Greenland



The flag of Arab Emirate Union, Kuwait 1915–1961, Bahrain



The flag of Singapore, Greenland, Kuwait 1909–1915



**Figure 5.** *Oranye Hotel Surabaya, was the place where the Dutch tricolor torn its blue became Dwiwarna of Indonesia*

While there are also opinions evolve that are not based on strong references that besides influenced by the Japanese who ruled or occupied Indonesia ahead of the proclamation, also said to be the top and middle of the flag of the Netherlands (Red, White, Blue) torn its bottom in Surabaya and was rushed to Jakarta, in addition of course is designed of Sukarno and sewn by the lady Fatmawati before flown at the Proclamation in East Pegangsaan Central Jakarta.

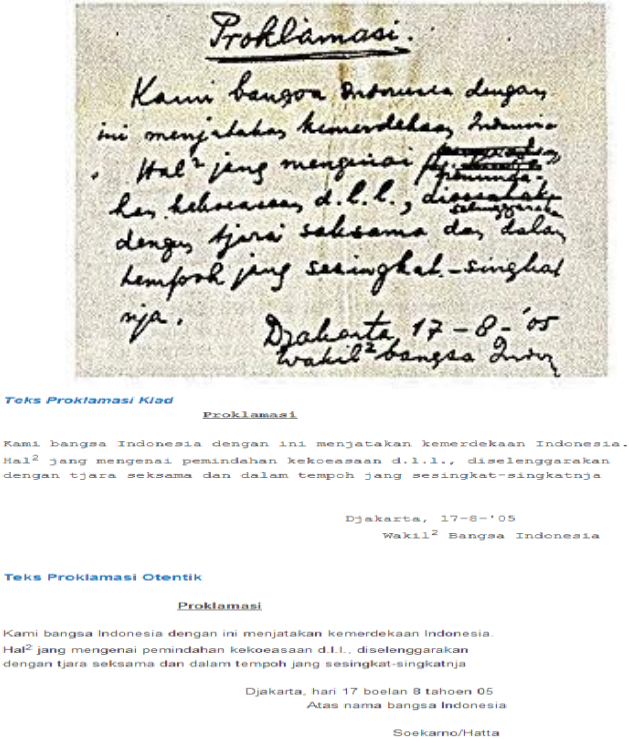


Figure 6. The copy Indonesia Independence Proclamation Text



Figure 7. Soekarno and Hatta as well the audience watched the flaying of the origin flag at Pegangsaan Timur, Cental Jakarta: "After the echoud of Indonesia independence, 17-8-'45.

*National Hymn of the Republic of Indonesia "INDONESIA RAYA"*

National Hymn or Anthem Indonesia [[Retrieved from](#)], although it still continues to be sued as a replica of a Dutch arrangements for standardized of historical knowledge still held the opinion that it is the work of a son of Indonesia named Wage Rudolf Supratman. Here are the complete three stanzas of the national anthem the Indonesia Raya:

*Bait 1*

---

Indonesia tanah airku, Tanah tumpah darahku.  
Disanalah aku berdiri, Jadi pandu ibuku.  
Indonesia kebangsaanku, Bangsa dan Tanah Airku.  
Marilah kita berseru "Indonesia bersatu."  
Hiduplah tanahku, Hiduplah negriku, Bangsaku, Rakyatku, semuanya.  
Bangunlah jiwanya, Bangunlah badannya.  
Untuk Indonesia Raya.

*Refrein:*

Indonesia Raya,  
Merdeka, Merdeka  
Tanahku, negriku yang kucinta.  
Indonesia Raya,  
Merdeka, Merdeka  
Hiduplah Indonesia Raya.  
Indonesia Raya,  
Merdeka, Merdeka  
Tanahku, negriku yang kucinta.  
Indonesia Raya,  
Merdeka, Merdeka  
Hiduplah Indonesia Raya.

*Bait 2:*

---

Indonesia! Tanah yang mulia, Tanah kita yang kaya.  
Di sanalah aku berada Untuk slama-lamanya.  
Indonesia, Tanah pusaka, Pusaka Kita semuanya.  
Marilah kita mendoa, "Indonesia bahagia!"  
Suburlah Tanahnya, Suburlah jiwanya, Bangsanya, Rakyatnya semuanya.  
Sadarlah hatinya, Sadarlah budinya.  
Untuk Indonesia Raya.

*Refrein:*

*Bait 3:*

Indonesia! Tanah yang suci, Tanah kita yang sakti.  
Disanalah aku berdiri menjaga ibu sejati.  
Indonesia! Tanah berseri, Tanah yang aku sayangi.  
Marilah kita berjanji: "Indonesia abadi!"  
Slamatlah Rakyatnya, Slamatlah putranya,  
Pulaunya, lautnya semuanya.  
Majulah Negrinya, Majulah Pandunya.  
Untuk Indonesia Raya.

*Refrein:*

Narrated (sources above), once upon a time, in a modest house in Central Gang of Salemba Jakarta, was born the song of *Indonesia Raya* from a young man named Wage Rudolf Supratman. The song recorded by Tio Tek Hong is played first in the Youth Congress in Jakarta in 1928. But this patriotic song then banned by the Dutch colonial government. The lyrics “merdeka (independent)” replaced with “mulia (noble)” so a bit soft. WR Soepratman other works is a romance titled *Perawan Desa* (Virgin of Village), seized by the Dutch colonial government. Roman is about landlords who used his fortune to have fun with the innocent village girls. The story is considered to cause hatred between the factions.



*Wage Rudolf Soepratman, The Composer of Indonesia Raya*

WR Soepratman's life is relatively short, but the 34-year time span that passes carved his name as a hero. He is also known as a journalist and teacher. He has taught in Makassar after graduating from *Klein Ambtenaar Examen* (School for Small Employees) and school teachers of *Normaal School* (Normalized Teacher). In the world of journalism, he worked at newspapers *Kaoem Moeda*, Bandung, then became editor in chief *Kaoem Kita* and establish *Alphena News* joint with P. Harahap, last he moved to Chinese Malay newspaper *Sin Po* as a freelance helpers.

INDONESIA RAYA was in 1951 standardized at the initiative of Jusuf Ronodipuro, Head of Radio Republik Indonesia (RRI) Jakarta. Jusuf asked Jozef Cleber, a Dutch musician, to compose the song. Bung Karno agree.

This figure did exist but what is said about the song Indonesia Raya could simply engineering by Sukarno in order to make this tracing into something legitimate. According to the author this is no matter at all, because the strength of the song has become a glorified is a legal product and the recognition of a nation as well as songs with metrum of *Terang Bulan Terang Di Kali* (Moon Light Bright into River), now became National Anthem of Malaysia as well as song "Hai Tanakoe Papoea (Oh, My Land Papua)" be Papuan National Anthem.

Further and complete account of the debate of Indonesian National Anthem "Indonesia Raya" can be seen in this author's book with the same title with this chapter, namely (2004) *Constitution vis-à-vis the Indonesian Constitution 1945 versus Papua Constitution 1999*, Jakarta, HAM.

### ***Indonesia-Soekarno-Islam***

Talking about Indonesia certainly can not be separated from leaders of Sukarno and Islam as state fundamental even though there is here and there colored mixture especially also Jawi, slightly Sanskrit Hindu, Christian and else. About all of it are indeed a lot of literatures that discussed at length.

The focus of the author in this case is lead to see Sukarno as a figure of people, prominent founder of Indonesia [[Retrieved from](#)]. Dr.HC Ir. H. Soekarno, name of born Koesno Sosrodihardjo, born in Surabaya, East Java, 6 June 1901 – died in Jakarta, 21 June 1970 (69 years) was the first president of Indonesia who served in the period 1945 to 1966. He played a key role in liberating the people of Indonesia from Dutch colonial rule. He was proclaimed the independence of Indonesia (along with Mohammad Hatta) that occurred on August 17, 1945. Sukarno was first sparked the concept of Pancasila as the state foundation of Indonesia and he himself called it.

Soekarno bearing background and is well understood by Islam (in this case the people and the *ulama* (clergy) son then not doubt of ideas, ideology of Indonesia in this regard Pancasila as the State Fundamental, the UUD 1945 (Constitution) as the embodiment, of course, still adrift in the link, though at a later date, before the fall, there are a variety of intrigue others their success once molt



position of this figure, saying only "group with communism (PKI)" very successful set direction step on this figure by bringing forth what is known as the "NASAKOM" stands for the Nationalists, Religion and the Communism, during the Old Order serves as a way of integrating different factions in the Indonesian political direction. There is also the beneficiary in this merger is the Indonesian Communist Party (PKI). By doing this merger, PKI can enter the Indonesian government organizations, and with the entry into the organization's PKI makes it easy for expand its wings and begin to instill communism in the nation. Due to the restricted party PKI and also NASAKOM forbidden (1972, briefing material of Marhaen; and extracts from the book Authorship of Sukarno, in 1964, *Dibawah Bendera Revolusi* (under the flag of the Revolution)).

This understanding made by Sukarno, with the aim to generalize across the bow of the political conflicting. There used PKI, Masjumi, PNI wing respectively. To be fair and not political clashes, Sukarno made a political Nasakom, consisting of:

- |                                 |           |
|---------------------------------|-----------|
| <b>nasionalis</b> (nationalist) | = PNI     |
| <b>agama</b> (religion)         | = Masyumi |
| <b>komunis</b> (communist)      | = PKI     |



Figure 10. Soekarno, "Dibawah Bendera Revolusi"

This three understanding of Nasakom actually compete in war to win the hearts of the people's and became the largest political party in Indonesia. In fact, the PKI is more desirable because of programs that arouse people's hearts, such as free education, the welfare of workers, the emancipation of women, social justice and moreover to Seize West Irian (Papua).

Nasakom be understood that banned because of its involvement in the G30S, which is still vague. Mainly because of the word "kom" behind Nasakom. Nasakom own paraphrase of Pancasila which each contain meanings precepts of religion, the communists and nationalists.

sila 1 : agama (religion)

sila 2 : komunis (communist)

sila 3 : nasionalis (nationalist)

sila 4 : demokrasi (democracy)

sila 5 : komunis (communist)

The name of Sukarno has a huge magnet, speeches so jarring and foster the spirit of nationalism and now the Soekarnoist still believe that the charismatic Bung Karno is a great leader who will never be replaced, and that us true.

Bung Karno as Nationalist Icon no doubt, from west to east of the country as embracing yet another side of Bung Karno as a teacher of the nation who also had Islamists sides, certainly not many people who know of them in his tenure marred by clashes of Islamist political circles and polemics sharpened base around the country with the most prominent figure among Muslims at the time, Mr. Mohammad Natsir. Necessary to underline that the love among Muslims to Bung Karno expressed a critical attitude and efforts correction of attitude and political steps of Bung Karno not with an attitude always sweet moreover treating. An attitude which is considered by some Soekarnoist as attitude of counter-revolutionary, but throughout history of Islam political power, presented by Masjumi was always be a balancing force (the opposition) are always "loyal", the betrayal that ultimately comes from the Indonesian Communist Party (PKI) strategic coalition government of Sukarno joined in Nasakom are always trying consecrate itself as a force of the progressive revolutionary (idem).

The name of Bung Karno known as *Putra Sang Fajar*<sup>15</sup> (Son of the Dawn) can not be separated from the figures of the Islamic

<sup>15</sup> The title " Putra Sang Fajar (Son of the Dawn)" was once appointed by playwright Sadono be held by title of colossal drama plaid by Garuda Patria group in Yogyakarta in commemorating 100 days of Sukarno's

Movement who were Istiqomah (big fight) for the ideals of Independence of Indonesia, where the young Sukarno had lodgings at the house of Haji Oemar Said figures of Tjokroaminoto, leading figures of Sjarekat Islam, in addition to studying philosophy and Islamic thought the youth Soekarno also learned about the movement to the right people. Bung Karno really enjoy lectures and speeches of Tjokroaminoto which were so energetic struggle even under the supervision and suppression of the Dutch. Style speech of this teacher helped shape the leadership style of Bung Karno with typical speeches that loud and fiery, Islamism of Tjokroaminoto dubbed by the Dutch as the "king of Java without a crown" to some extent absorbed by young Sukarno. Although Bung Karno finally chose his own path to move to Bandung and later founded the Partai Nasionalis Indonesia (Indonesian Nationalist Party, idem).

When in exile by the Dutch, Bung Karno always corresponded with Kyai Haji Mas Mansur, movement leaders and influential cleric from Surabaya close to the NU, later KH Mas Mansur believed to be the Grand Chief of Board of Persyarikatan Muhammadiyah and during the occupation of Japan established the *Pusat Tenaga Rakyat* (Center for Energy People/PUTERA (SON) and engage in joint struggle Bung Karno in the Four Ones.

Together with Mas Mansyur, Bung Karno often exchange ideas about the dynamics of Islam and measures to facilitate the understanding of Islam, he expressed his disagreement with the attitude of imitation even explicitly criticize about the "hijab" or barrier between the congregation of men and women pilgrims, and many anxieties Bung Karno on Islamic issues, all of which showed the spirit and hope of a President Soekarno to *Syiar Islam* (Islamic symbols) not going nowhere.

In addition, by KH Mas Mansur, Bung Karno also often sent letters to the Tuanku A. Hassan, the Islamic leader the *Founder Persatuan Islam* (Unity of Islam/Persis) in Bandung. In the book "*Di Bawah Bendera Revolusi*" in 1964 these papers were co-invest. Bung Karno did not hesitate to ask the "sending" of Islamic literatures when he was in exile (idem).

death; the author include as one cast of the drama that was held in the Balai Batik Alon-alon Utara Keraton Yogyakarta.

On the other hand Fatmawati, the wife of Bung Karno known to be very religious, in a note at the meeting revealed that the giant Ikada Stadium which is now known as Gelora Bung Karno, Fatmawati echoed verses of the holy Qur'an. Fatmawati the religious background assessed also brings a considerable influence on political careers and life of Bung Karno until the end (idem).

Talks about Soekarno as a figure meant that the NKRI was and does remaining on the basic of Islam that is animated but also dominating the other understand (Javanese, Hindu, Christianity, even Communism and local wisdom) within Indonesia.

## On Papua

### *The proses towards the constitution draft*

Subsequently this is directly correlated with the Constitution of the State of West Papua Script of 1999. The study results was earned by Papua Independent Committee (KIP) as ever reported to the public through the media of Tifa Irian in February 2000 and the Japan Shimbun newspaper by a French journalist June 6, 2000.

Although it is an ironic because only a mere shadow for failing to translate into products and Extraordinay Council agenda (MUBES) Papua in 29 February 2000 and as a logical consequence, there also appears at the Second National Congress of Papua 26 May - 3 June 2000. Just a disgrace history abandoned because it proves the folly of Papua achieve real political will has been presented completely by the Government of Indonesia through the President KH Abdurahman Wahid. That opportunity is as wide open as happened in East Timor under President B.J. Habbie previous year (1998).

Nevertheless, it is not our desire to express it further because it has been fulfilled in the Third Papua National Congress it is by having ratified this Constitution becomes the Constitution Papua Nation.

The desire to be realized is pushing the correlation studies that scientifically about to be revealed philosophical background that both parties (Nationalism of Indonesia and Idealism of Papua) can be brought together in relationships of the various conflicts that would be taken for the settlement of differences that exist.

The composition of the 1999 Constitution of Papua is initially back-up with interrelated items towards the content. These are prologue, introduction, specific agenda, genesis, and exodus. The mentioned items containing the concept of base philosophy gives insight for this constitution.

### *Prologue*

#### THE LEADER OF PAPUA

Jl. Bestuurpost 5, Sentani, Port Numbay

#### LETTER OF DUTY

-----  
Reg: 01/Legis.I/3/1999.

From : The Leader of Papua.

To : Papua Independent Committee.

Subject : Draft for Items of Governance of the State of Papua.

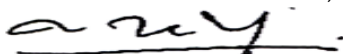
-----  
In the name of Father, Son and Holy Spirit,

I, the Leader of Papua on behalf of the Nation People of Papua in the Land of Papua and anywhere reside, refering to State Items of the State of Papua hence as Leader feel important to assign to Papua Independent Committee to collect data, studying and compiling Draft in the form of Logic, Elementary Ideologi, Common/Public Governance, and Constitution of Papua.

That way, may to be achieved in fully responsibility.

Port Numbay 28 Februari 1999.

THE LEADER OF PAPUA,



ONDOFOLO THEYS H. ELUAY

### *Introduction*

#### *1) For the last out come*

The fundamental matter which will uttered here is that, have been happened various adjustment as according to political growth that happened since end of year 1999, and early year 2000 and the then growth till the Performing of Papua Extra Ordinary Deliberation (MUBES) 2000 dated 23 to 26 February 2000.

That by the successfully announcing of the Returning of the Name of Nation of Papua from the previous term that is Irian (Barat/Jaya) which is fully ugly conotation and which have hostility implication by the fourth President of the State of Republic of Indonesia, Kiyai Haji Abdurrahman Wahid (Gus Dur), hence, since the date of 1 January 2000 the news have had an effect on to give understanding pattern of the importance of resettlement and change in all life scale for example abstracting War Sections of Triple Comand of People (TRIKORA) 1961 because going into effect for the vanish West Irian and or Irian Jaya but non for Papua.

By itself the Term of West Papua of that is stated at previous Sections will enough only mention as Papua. This consideration besides inline with the announcement of the President mentioned above, also utilize to accomodate to return to Political Manifesto production results of Papua National Committee 19 October 1961.

Others, there is also dissimilar specifics especially concerning substantation of section and Transitional Governance and also the duty function of relevant institutions.

That way can make enunciated for all wearer. Thank.

Port Numbay, March 2000.

Compiler

## *2) Introduction to the First Outcome*

The Struggle of the Nation People of Papua in Papua have arrived at more existing arrangement as according to organizers order as claimed in civilized association and modern political stratum.

Utilize to equip and greet all these, the Papua Independent Committee is very stubborn because had been entrusted by the Leader of Papua, pursuant to Letter of Duty, number 01/LEGIS.I/3/1999, dated 25 Februari 1999 to execute duty of mustering data, studying and compiling of draft as mustered in this writing.

Urging Prof. Dr. B.J. Habibie, the President of the State of Republic of Indonesia at the event of National Dialogue with the Society of Irian Jaya as response for the aspiration demand for the confession to the Independence of Papua declared date of 1

December 1961, hence as people believe in to make proper we climb to Praise Thanks to God Presence Which The most the Humane and Love for that Blessing. Those historic events which go on in State Palace, Jakarta dated 26 February 1999; make proper can be nicknamed as 'Sweet Rebellion'. This sheet have proved to the world that People of Papua own high customary politeness and which still be defended though the distress burden experienced as fruit of integration since year 1963 very much heartbreaking.

By Confidence and really Belief of the intervene God, hence the tradition politeness strength which still hold out that have squired up at stages of solving of free conflict of religion, tribe, gristle, race and free of convulsing.

This performa may be created if we have known to realize the existence of each of us. Thereby, hence orchestrated strives, provocation, and even unpraised intention, by each party avoided surprisedly with have directive, that, 'definitive truth is God property Exclaim, Experienced All.

Attituding the existing condition and which will immediately rush about to go to a period forwards, hence from strong desire of various party to realize more orderly job mechanism existence according to existing demand in accommodating aspiration and acceleration of People Nation of Papua which is fought for. From existing understanding, hence, various party also suggest, shall be formed through formula like intended by this Elementary Guidance.

That way, from consultancy result, uniting opinion and correct careful and also viewing various party for example Mr. Theys H. Eluay (Chief Institute of Custom Deliberation, the Leader of Papua), Mr. Herman Wayoi (History Perpetrator of the Nation of Papua), Mr. Herman Saud and Mr. Herman Awom (Evangelish Christian Church), Mr. Tom Beanal (Amungme Customary Figure), Mr. Yohanis Bonay, S.H. (Human Right Activist of ELSHAM) and also Mr. Octovianus Mote and Dr. Benny Giay (Irian Jaya Reconciliation Forum/FORERI), also various dissimilar name, hence, we are from Papua Independent Committee try to raise Draft of this Elementary Guidance.

As base for labouring of various concept forwards, Papua Independent Committee feel important to beforehand offer formula for idealism consisted in. Draft of this Elementary Guidance, in consequence comprise items in the form of Three Fold Logic Papua-Melanesia, Elementary Ideology, and the Public Governance, and also of State Constitution of Papua.

Though not yet completely correct, we have referring to documents in the form of United Nations Charter 26 June 1945, General Declaration of Human Right 1948, First Paragraph of Preamble Constitution of the Republic of Indonesia 1945, Resolution of The United Nation's General Assembly 20 December 1960 number 14 and 15, Papua National Committee's Manifesto 19 October 1961, Constitution of the United States, Constitution of Swizterland Confederacy, liberal and conservative view of Great Britain, and also the June World Labour Convention 1989 number 162, etcetera.

From that existing contemplation, and constitutedly the existing local domestic cultural norm and also also experience of 36 year integration with Indonesia, we arrive at conclusion that, however it's varying, life qualifier in existing tradition manner, Papua Nation is marked as owning dominant *liberal* and *democracy* indication. Finding of that's daring our tendency from Papua Independent Committee to specify *liberalism* and *democracy* as political vehicle of the People Nation of Papua. Will various problems faced by Nation People of Papua, is of course expected through political vechicle with this knowledge able to reply or at least drawing near at step of understanding of the problem and of course later also step the solving of it. Items compiled else than that, are also dribbled for have nuance of future in attitude the growth of global world in coming era. At least there is understanding of condition will two shares of Papua that is the State of Papua Nugini and Papua which later and start nowadays have seen to own tendency of unification become one state of Great Papua (Great Papua) start year 2003.

The early work may say, have been lapped over on the date of 7 March 1999 at the same time with Demand of Resurecting of the name of Port of Numbay replacing Jayapura as the name of Capital City of Papua but because still be obtained dissimilar experiences



Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999 especially of the Forwarding of Contemplative Result by the Team 100 to the Government of Indonesia, date of 24 July and also of miscellaneous concerning Contextual of Constitution hence this Draft can be finished jut now (ed. August 1999).

Still a lot of course which require to be completed at this Draft, but that's existence. Because representing shared problem which absolutely to be faced, we are very open to accept corrections and criticizes for the shake of the providing of pilotage for the Base Guidance desired with all.

Finally, presumably this Draft, can reach its exploiting and also for belief which is passed to Papua Independent Committee, we render thanks.

Port Numbay, Jayapura, 28 Agustus 1999.  
Papua Independent Committee.

### *Specific agenda*

#### *1) Check and Balance*

A Constitution or Basic Law proper to own the possibility of to be entered by the coronet instructing New Vision, Reform of System towards Civil Society. In the form of and early congeniality, constitution is static. Its base is to arrange organizational formation of the state about residentships. But in modern congeniality at the develop countris go forward not merely conversing about static elements but also the dynamic elements.

At least there is fundamental starting point which must and can mirror in Modern Constitution that is democratic concept, state concept pursuant to law and prosperity concept besides certainly added with sovereignty or liberalism concept. Such obstetrical is not vaguely so that interpreted messing about as but as bare and shall realized by the existence completely. Each instansional component is proper to be mentioned clearly how the relation among one with dissimilar.

In meaning that presented by a Constitution shall represent integrity of *chack and balance*.

Some tendency of proper public taken heed in compiling a constitution is:

- How is the process take place so that make proper for amandment?

- How is the dimiciling of Congress in General Election mechanism?

- How is the dimiciling of Executive?

- How level of dimiciling and power of the President and Lead Governance (Prime Minister)?

- How must its time to defensive for a President and Lead Governance (Prime Ministre) in period of power, ought to in how many year and period of General Election and also the pertinent may how many times entitled to be re-selected?

- How responsibility of a President and Prime Minister if experiencing different process between Election and selected direct by people, and also in the case of its responsibility execute Outline of State Bow (GBHN)?

- How is process and who is entitled to lift and agree for somebody lifted to become Minister?

- How is the process of authentication of Code/Law, who is entitled to raise the BILL, who prepare the BILL items, how long an authentication process, how to veto, how balloting in Congress to express veto?

- How the Congress, Lead of Governance/Prime Minister and the President lifted or directly selected by people in General Election, et cetera?

In meaning, may not be given the possibility of prodigal interpretation and without considering. Sovereignty is on-hand of the People, hence the arrangement even also be clear as there is no possibility for ambivalent.

If needed transfer or gift a mandatory hence shall be arranged later in AXLE JOURNAL followed with Code. Something component of legal force if told, will regulate hence shall be clear of its frame. This matter is to avoid fiction which far among a legal product with others. A Code, if will be replaced with newly Code, hence shouldn't to have too long distance in its differences. Others, that there is boldness or clarification, may not to be made source or reason of a legislating so that can cause to trespass Constitution.

## 2) Amendment

Though is confessed, a Constitution besides representing legal order is also an Ideology radiation. A Constitution in consequence does not have to hold sacral, hence thereby earn to be amendment so that obtaining more comprehensive form. It's had to be tested and continuously studied so that able to transmit *democracy, justice, prosperity and sovereignty or liberalism*.

In the life qualifier of state bearingness, it is more beneficial to conduct amendment rather than changing Constitution. In executing amendment, Preambul is not at all bothered because containing historical values besides also avoid existence of debate of coverage which at all do not profit. In this case, only one Section in this Constitution that is Section 54, which is used as base. The arising out of discussions and debates is on facet of its juris, in meaning only of its torso, just doing not bothering its Preambul.

In this case only translate its order of law, whereas the Preambul is not a Code but more common and global of its coverage. Amendment in that congeniality thereby will comprise adjustment and items completion.

### *Genesis*

"God, The Lord Jahweh has created the universe and it's inert" as written in the Bible<sup>16</sup>, reflecting the fact of godliness as confessed by every human being".

Through personification and implementation of godliness, certain formulations and various terminologies of nicknames based on the cultural background and experiences in the life of humanity are created.

#### *1) Terra Australia*

The earth of Terra Australia is situated upon The Sahul Shelf and separated by into Australia and Papua or New Guinea with Tasmania and Aru since the latest glacial epoch. Studying the formation process of the sub-continent of Papua, it had undergone seven epochs.<sup>17</sup>

1). Jurassic Period (170-140 million years ago);

<sup>16</sup> Genesis,1.

<sup>17</sup> Mueller, (1990:20)

- 2). Cretaceous Period (140-63 million years ago);
- 3). Eocene Epoch (53-37 million years ago);
- 4). Oligocene Epoch (37-24 million years ago);
- 5). Middle Miocene Epoch (15 million years ago);
- 6). Pliocene Epoch (5-2 million years ago);
- 7). Pleistocene Epoch (20 thousand years ago);

## 2) *Nova Guinea*

Period of latest notching, which is also referred as Pleistocene Epoch recognized now because following its inhabitants as Nova Guinea (New Guinea/Nieuw Guinea) or Papua.

The land features a length of 2.400 km, a width of 740 km or an area of 792.540 square km. Concerning West Papua itself, it stretches from 129 degree Longitude East to 141 degree Longitude East and 1 degree Paralel South to 10 degree Paralel South with an area of 421.981 km.<sup>18</sup>

The geographic structure of the latest formation reveals rich natural resources. The problem is how to make use of them for the prosperity of mankind, mainly benefiting its natives known as the *Papua-Volken* (Papuan tribes).

## 3) *Geographical Position of the State of West Papua*

Territory of the State of West Papua intended in this study is region of West Papua in composition of 1 December 1961 which in the year 1963 becoming West Irian then in year 1972 becoming Irian Jaya. As already mentioned above, geographically the such territory unfolding at 129 degree Longitude East abutting The State of Indonesia (Maluccas) to 141 degree abutting The State of Papua New Guinea, and 10 degree Paralel South abutting The State of Australian and 1 degree Paralel South abutting The State of The Philipinas and The State of Palau (Micronesia) in the Pacific Ocean with broadness of 421.981 square kilo meters.

## 4) *Bowels of the Earth*

The existing perfection which is as now known, own resource of nature which abundance omit still how its management for

<sup>18</sup> Nieuw Guinea Instituut (1956: 7-16)

prosperity of mankind especially tribes representing indigenous resident of this island or the so-called and mention its' self (Papua Political Manifesto 19 October 1961) becoming Papua-Volken (tribes of Papua).

The intestines of the earth consisting at least 26 different mining minerals or natural resources, among others nickel, cobalt, diamond, copper, manganese, silver, uranium, black tin, white tin, zinc, marble, opal, bismuth, chrome, coal, mica, arsenic, gold, aluminum, platinum, lime, asbestos, tungsten, oil and gas.

That attention also admits of again passed to dissimilar natural production like various useful wood type, cane, resin, palm oil and copra, coffee, cacao, and crops planted and rice, inclusive livestock animals, flowers, flora, and the fruits. Also water produces like fish, prawn, crocodile husk, cockle, sea weats, and etcetera. Of course still have to be reckoned the air properties potency in sky curve of Papua for satellite and effort other sky space and also the source energy strength which is there are above or awakened from within its.

As the legal heir, The Papuan People in the State of Papua New Guinea and Federalist State of West Papua have to make use of these assets in an optimal way in the future. This may result in benefits for the wealth and the prosperity of all components of the nation in various sectors of life and also for the common interest of mankind on earth.<sup>19</sup>

As creatures of God and a civilized nation, mutual respect and acknowledgment should prevail. This may be realized by a manner of life, which emphasizes on a harmonious neighborhood as a family providing mutual benefits among human beings due to the grand arrangement of the Almighty God Jahweh, The Creator of the World Universe.

Realizing the blessings of God, which greatly overflows the Papuan earth owned by ethnic Papuans of Melanesian origin in Papua Nugini and West Papua; it is very much needed to formulate regulations for the common use or exploitation of existing resources.

<sup>19</sup> Al Gore, (1992: 199-376).

### *Exodus*

That Papua Volken is estimated to enter the Island of Papua 4000 years pre-Christian conterminous with Abraham went out from Ur Quasdim Mesopotamia (Iraque) to the land of Canaan. It is very strong anticipated that countries in South-East Asia have represented land of sojourn or if not the so much regions of dwelling of Melanesian Ethnical with giant generation of as does Soloensis Erectus (ancient human being) whom was found its rawhide in Cangkring Central Java.

It is very much anticipated the ossify area of first sojourn was the Peninsula of Onin (Fakfak) now some epic before ice age melt. In the language of Iha, this event named "wanang-wanang" (water to become mucus).

From Onin, the human being of Melanesia gone the round of easterly and the west far before the earth surface erected became mount boost creating barricade insulation now. Hence it was very possible that the people of Asmat, Marind, Sepik, Sentani and Tanah Merah sharing the same origin of owning skilled and the same cultural root.

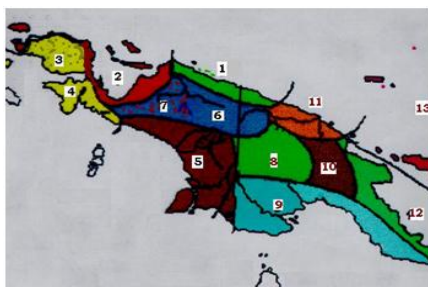
Colliding of the Pacific crust with Sunda crust have squeezed the Terra Australian continent or Sahul crust so that erected to the sky from the basin, mountains as giant abscess which hitherto still be witnessed.

The mass of water pouring from north horizon have disjointed Terra Australian become two that is Australian continent and sub-continent Papua and as well as with the islands of Tasmania and Aru.

Human being of Melanesia which step into Papua primevally was Melano-Negroid, Melano-Papua and later once was Melano-Wedoid. First group are resident of mountain and highlands, second are plain resident, area of bog and river boundary, whereas the third are resident of coastal area go out to sea and islands. If the third group pursuant to linguistic referred as Austronesian hence the first and the second group are Non-Austronesian or Papuan languages.

From that understanding hence the Papua Volken structured in 2 patterns of sub-ras that is Austronesian and Papuan own more or less 1.000 language (700's in PNG and 250's in Papua) and gone the

Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999 round in more or less 11 Cultural Regions (6 in PNG and 5 added by 2 subs in Papua). Cultural Regional in West Papua which later made of administrative base decision is:



**Figure 11.** *The Seven Customary-Culture Areas*

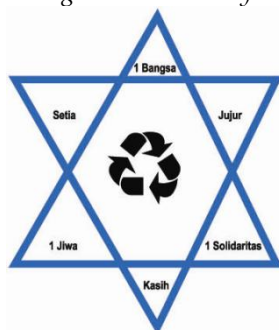
- 1). Culture Area of Tabi (Mambramo-Tami)
- 2). Culture Area of Sarera (Geelvink Bay)
- 3). Sub-Culture Area of Doberai (Sorong-Manokwari)
- 4). Culture Area of Bomberai (Fakfak-Kaimana)
- 5). Culture Area of Ha-Anim (Merauke-Mimika)
- 6). Culture Area of Lani Paqo (Baliem)
- 7). Sub-Culture Area of Me Paqo (Paniai)

## Law and Attribute of Papua

### *The 1999 Constitution of Papua*



### *Triple Fold Logic as Elementary Philosophy*



**Figure 12.** *The Correlation of Triplefold Logic*

As a nation, which possesses features of customary modesty and nobility, we are also very aware of The Love of the Almighty God embodied by Jesus Christ as the Savior of Mankind proclaimed by all prophets and rasuls strenghtened with innerly august value and earth of Papua-Melanesia, hence exist implication of the Nation of Papua in qualifier of life of nation and state obliged to actively have integrity as part of world society.

The reflection of the spirit is mirror in The Triple Principle of Papuan Luster: *mercy, allegiance and honesty*, (*Caritatis - Fidelitas - Justitatis*) in rhythm with The Triple Spirit of Melanesian Brotherhood: *one man-one soul-one solidarity* (*Unus Populus-Una Anima-Solus Solidarita*)<sup>20</sup> placed at 6 star angle. Its singleness

<sup>20</sup> Spirit of One Solidarity (Solus Solidarita) representing of complement job of KIP inspired focussely by the of Leader Papua, Theys Hiyo Eluay about Nation of Papua which manner peaceful and will esteem, also if



becomes 7 correlation identity items from strength axis that is the Power God the Most Creator of the Earth and Sky epistemologically has correlation cybernetics and re-cyclical in ontologic (elementary), epistomologic (torso) and axiologic (fruit of result) unravelled the followings:

*1) Triple Spirit of Melanesian Brotherhood*

The three items of The Triple Spirit of Melanesian Brotherhood are:

***I. One People (Unus Populus)***

The strong demand of realizing the reunification of West Papua and Papua New Guinea to become One-Nation represents one of God's miracle. By possessing this generosity, The Papuan Nation is obliged to respond by dedicating its soul and body, thus creating the Island of Papua as a blessing to the world. The realization of unilateral corporation in a bilateral, trilateral or broader way is a demand to be fulfilled.

***II. One Soul (Una Anima)***

From the isolation and heathen power, the Papuan Nation was formed into One-Soul. The nature of One-Soul will be protected, as long as indignity, hypocrisy, selfish attitude, and apathetic and ignorant behavior do not pollute life. As imbalances emerge towards the nature of One-Soul, it may create disasters in the life of nation and society.

***III. One Solidarity (Solus Solidarita)***

Mutual help and responsibility encourages the establishment of a constructive attitude and ability of communication to build One-Solidarity. The One-Solidarity link arranges ways of mutual respect, mutual help and appreciation without hoping for a return. The dominant solidarity for the fellow members of the religious community is to worship Jesus Christ, Our Lord as the World Savior, with the obligation of mankind to confess the existence of The Lord.

*2) The Triple Principle of Papuan Luster*

The three items of The Triple Principle of Papuan Luster are:

only One People-One Soul hence which is gone to by Totalitarian State whereas which we crave the Federation.

### ***I. Mercy (Caritatis)***

The emergence of the West Papuan Nation had only come true by the willingness of The Mercy or Love of Jesus Christ. In the name of The Triple Spirit of Melanesian Brotherhood Lord, Ottow and Geissler, two disciples from Germany, had crossed the sea and stepped feet on the island of Mansinam at Dorei Bay, Manokwari. This is The Lottery Land of God (Psalm 125:3), as stated for its baptism. *In Namen des Herren Jesus setzen wir unseren Fuss auf dieses Land Papua* (In The Name of Lord Jesus, we stepped our feet on this Papua land).

Love the Lord your God with all your heart, with all your soul, etc., and, Love your neighbor as you love yourself (Math. 2: 37-40). Love will defeat everything, so the enemies may be weakened to become friends. Giving love to other people is the manifestation of God's Love within the heart of mankind.

Whatever the experience is, it has been strengthening oneself through the medium of Love, where diverse Papuan Tribes are organizing themselves to become one nation, The Nation of West Papua.

The Gospel of Christ worked horrifying: "After chucking The Head of this Bird Like Island, then the whole body on to the tail shined by The Love of Jesus Christ, from Sorong to Samarai".

### ***II. Allegiance (Fidelitas)***

The fruit of Mercy is Allegiance. This is being manifested as Allegiance to the Nation and State, which may be regarded as the Grand Commandment of the Lord reflecting His wisdom and knowledge. Allegiance is awaiting the Lord's Promises, giving hope to the Papuan Nation to realize their Independence and Sovereignty, which will be a miracle, a gift from God. Allegiance in getting along with one's own promise to be a solid character as part of the nation, obeying and listening to the truth of the Lord and The Heart's Luster of sincerity.

### ***III. Honesty (Justitatis)***

Another fruit of Mercy is Honesty. A modest and honest character creates peace because this may lead to mutual aversion of lying, overacting, exceeding undesirable limits, and, therefore, creating a balance.

Regarding this principle, I.S. Kijne, the prophet of Papua, in his vision once acclaimed. "*Gene die op diet land waar en eerlijk daden deed en ook gehoorzaam zou blijven, mocht nog van de eene naar de andere wonderlijk kunnen beoordelen* (Those who work in honesty and allegiance and also would remain obediently in this land, may experience miracle after miracle)"

The Triple Principle of Papuan Luster of *mercy, allegiance* and *honesty* is able to create mutual completion, relating to psychological, spiritual, physical and environmental aspects.

The principle of Threefold Logic of Papua-Melanesian may be described in nature of complementary<sup>21</sup> visible in 6 angles and 1 center.

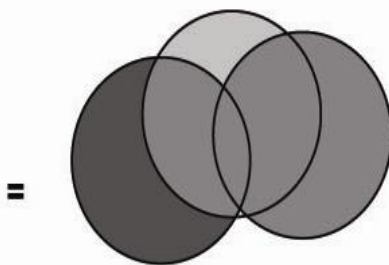
In reality, above-mentioned aspects occur in life by occupying an appropriate circulation, which is well understood by each supporting group. The distributing in such a circulation pertain an axis although the level of rotation is not always equal because this very depends on forces from outside or inside. Comparing with the *synergetic equilibrium* of other cultures, this is seemingly very different.

The Western culture is, at its most perfect stage or cybernetic, conical structured. This develops from the very simple or uncivilized stage to more developed conditions, and subsequently leads to an established or civilized condition.<sup>22</sup> As if for the Dravidan cultural pattern, which also includes Indonesia, the stabilized condition points to the establishment of the pyramid-civilization. This will continue to status quo before breaking-up into incarnation or say *mandeg pandito* and other appearances.<sup>23</sup>

<sup>21</sup> No interactive terms are used because of the positive view applied; meaning rejecting or tightening characteristics is not considered. This is the real road to wards liberal-democracy, rather than class conflict, symbolized by "re-cycle" nodes.

<sup>22</sup> Taclot Parson, (1951: 205-7, 250, 272-7).

<sup>23</sup> Don AL. Flassy, (1983: 136).



**Figure 13.** *The Mosaic of Papua-Melanesia Triplefold Logic*

At this point, the synergetic equilibrium is formed as *cyclic equilibrium* but at each rotation a change of the cybernetic level of non-permanent nature may occur. This may only happen for the further phase to reach the rotating again in the cycles. On the above figure 1, the 're-cycle' nodes are symbolized. It may be stated that the cycle by itself is a cybernetic one or also called *cyclical-cybernetics*. However, the relation is not strict, rather indicating a hidden-structure however all components are reciprocal or *equitable-complementary*.<sup>24</sup>

### *The Charter of Papua*

We are by full glory and warship, admitting that, The Nation and Country of Papua, is under the authority and truth magnificence of God the Lord-Yahweh, Jesus Christ-The Peasant King and The Holly Spirit.

*As cosmopolitans we, the people of the Papuan Nation*

**Declare:**

That based on the experience we have been undergoing, that colonialism of any kind and name being exercised by any nation is not suitable at all with humanity and justice, and contradict with principles of freedom and human rights, therefore, colonialism must be continuously combated and disappearing from the world's surface, so, for this reason,

Involved in bearing real responsibility for the sake of freedom and human rights, based on values and truth of humanity as an individual, by respecting aspects of gender and equal relationships

<sup>24</sup> Don A.L. Flassy, (1995).

between nation groups of small and weak between big and strong, besides preventing tendency predominate of big group or tirani of small group, and also the experienced environment existence which remain to be peaceful and everlasting as source of humanity life, and,

Involved in establishing atmospheres which allows to develop possibilities for justice and respect as an obligation to enforce law and the truth on earth, and,

Involved in promoting the improvement and restoration of life, that is by approaching an appropriate standard ensured by freedom and full responsibility.

***Hence utilize its materialization:***

Endeavors are required in full responsibility to The Papua-Melanesian Triplefold Logic, that is The Papuan Principle of Triple Luster of *mercy, allegiance* and *honesty* with full respect to The Triple Spirit of Melanesian Brotherhood principles of *one people, one soul* and *one solidarity*, that is,

Enabling the establishment of tolerance and peaceful co-existence among fellow mankind and among nations, and

Involved in strengthening peaceful bonds, as an effort to create a safe and peaceful world, and

Creating a serious understanding that the mobilization of forces does not present a useful solution, and

Creating conditions, which serve the fulfillment and prosperity of life for mankind.

***In the frame of the mentioned purposes, obliged to acquiesce the over values possess by the nation of Papua in West Papua:***

Immediately after gaining Independence and Sovereignty of the Papua Nation and State as on process declared 1 December 1961, we are determined to build ourselves as a Nation and State by establishing The State of West Papua Constitution as follows:

# **The 1999 Constitution of Papua**

## **CHAPTER I**

### **GENERAL REGULATIONS**

#### **Section 1**

##### **The Status of Constitution**

All Legislative Authorities in this Constitution are to be established by decree from The Federal Assembly or Congress and get stipulating by The Parliament or House of Representative.

#### **Section 2**

##### **Goal**

The goal of The State of West Papua is to give protection to every Nation of Papua and the whole Fatherland of Papua in an intact bond and to secure the interest of the world and mankind, comprising:

- (1) To be involved in maintaining peace and safety on earth by establishing friendship among nations based on an equal sharing of values in a balanced way.
- (2) To be involved in creating internal Federal Corporation as an effort to solve economic, socio-cultural and security problems by focusing on human rights and sustainable environment without any tendencies of discrimination, and
- (3) To demonstrate willingness as mediator among nations for peaceful discussions and efforts without any limits.

#### **Section 3**

##### **Essence**

The essence of The State of West Papua is a state based on *mercy, allegiance and honesty* by raising the principle of *one nation, one soul* and *one solidarity* which is emptying into:

- (1) Equality in Sovereignty,
- (2) Togetherness of mutual benefit, and
- (3) Life in peace and safety, among mankind.

#### **Section 4**

##### **State Zones**

- (1) The territory of West Papua State stretches at 129 degrees East bordering the State of Indonesia (Moluccas) to 141 degrees East bordering the State of Papua New Guinea, and 2 degrees North Latitude bordering the Philippines, Republic of Palau

and the Pacific Ocean to 10 degrees South Latitude bordering Australia.

(2) The zones of The of State of West Papua divisible for 7 Region of Territories with division of Residention and Municipalities or Communities (Later Development and Customary Communities).

(3) The zones of The State of West Papua that happened because of the later growth referred as The Later Development Territories, will regulated by Law.

(4) The State of West Papua is a Commonwealth State in the form of Federation (Federalistic State).

### **Section 5**

#### **Type of the State**

(1) The State of West Papuan comprises Federalist by a Mix-Cabinet of Parliamentary and Presidential;

(2) The Government of the State of West Papuan comprises 7 Traditional Territories of Papuan Folk according to the Manifest of The Papuan National Committee, ascribed as strips on the National Flag The Morning Star, 1 December 1961 which are Hollandia or Tabi, Geelvinkbai or Sarera, Vogelkop or Doberai, Onin-Bomberai, South Coast or Ha-Anim, Eastern Highland or Lani Paqo and Western Highland or Me Paqo and also of Afterwards Agglomeration Territories.

(3) The Afterwards Agglomeration Territories are basing on the division of Second Level Governance of Province of Irian Jaya or also to Governance of Special Autonomy (OTSUS) Province of Papua and or other condition and consideration and also the other support.

(4) The determination of Traditional Territories and Afterwards Agglomeration Territories will be further arranged in the Legislation.

### **Section 6**

#### **Sovereignty of the State**

(1) The Sovereignty of the State of West Papua is determined by the people, and will be completely arranged by The Federal Assembly or Congress and get stipulating by The Parliament or House of Representative.

(2) The Sovereignty of Territory is not limited by the Constitution as far as guaranteed by the authority of Federal Governance.

(3) Every citizen of West Papua is equal for the law without exception.

(4) The State of West Papua guarantees sovereignty of every Territory to legislate, regulation and Civil Rights inclusively Rights of Prerogative to The Government Body through existing legislative hierarchy with condition:

- a. Conform to the Constitution of West Papua;
- b. Guaranteeing the persistence of democracy and liberalism;
- c. Accepted and amended however desired by the majority.

### **Section 7**

#### **Alliances and Bonds**

(1) Alliances or bonds among Territories, Regencies and Communities may not be allowed, except for economic and social-cultural Corporation, as this is against the Principle of Triplefold Logic of Papua-Melanesia.

(2) Economic and socio-cultural bonds may be established among Territory Governments with any foreign state requiring recommendation from The Federal Government as far as do not have the character of political and military affairs.

(3) Agreements among Territories regarding matters of Federal Legislation and Policies may be made, if the intended product is in contradiction with principles of the State of West Papua in Principality of Triplefold Logic of Papua-Melanesia.

### **Section 8**

#### **State Defense**

(1) The State of West Papua is obliged to own Military Forces of a certain standard capability.

(2) Defence Force composed by Land Defence Force, Sea Defence Force and Air Defence Force.

(3) Only the Federal Government is allowed to have Military Forces.

(4) Military service is compulsory for every citizen at the age of 18 to 22 years.



(5) The Highest Authority on Defense of the State of West Papua is under The President (The Head of State).

(6) If the State is exposed to external threat, The Federal Government with approval by the Senate may be entitled to hire foreign services or to establish military bonds with foreign states.

(7) Only the Federal Government is entitled to declare hostility or establish peace with foreign states.

(8) Only the Federal Government is entitled to declare a state of emergency which its requisites and consequences will be determined by the Legislation.

### **Section 9**

#### **Private Defense and Explosive Weapons**

(1) Only the State has the right to have Armed Forces and Police.

(2) Private Armed Forces and civilian armed forces are not permitted within the state zones of West Papua.

(3) Activities of producing, trading and private ownership as well as any ever individualness of explosive weapons are not permitted within the state zones of West Papua.

(4) Creating panic, robbery, and acts of civilians' armed resistance may not be permitted in the state zones of West Papua.

(5) Matters of Private Defense and Explosive Weapons will be determined by Legislation.

### **Section 10**

#### **State Security**

(1) The State of West Papua is obliged to have a Police Force of a certain standard capability.

(2) Each Territory is entitled to organize its own Police Force under the supervision of The Federal Police.

### **Section 11**

#### **State Défense**

(1) Every citizen has the right and is obliged to participate in defending the state.

(2) Requisites regarding state defense may be arranged by Legislation.

### **Section 12**

### **Vétéranes and Ex-Combattants**

- (1) Veteran and Ex-Combatants are proper to be respected and treated to the manner born utilize to avoid innatural of power which is negating the growth of nation.
- (2) Veteran and Ex-Combatants are proper to be arranged by Legislation.

## **CHAPTER II CUSTOMARY COUNCIL**

### **Section 13**

- (1) The Customary Council represents the pillars in the order of life of The Nation and The State of West Papua.
- (2) The Customary Council appoints and ratifies The State Institutions during the period of The Transitional Government and further functions as advisor and supervisor to The Executive whether being asked or not.
- (3) The Customary Council is organized at different levels, Community Customary Council at Community level, Regency Customary Council at Regency Level, Territory Customary Council at Territory Level, and The Federal Assembly of Customary Councils.
- (4) The Federal Assembly of Customary Councils establishes a General Secretary as Executive Board.
- (5) The Assembly of Customary Council is gathering twice, once within a governance period (midterm) and at the end of the outgoing cabinet.
- (6) The Assembly of Customary Council lifting the President which innings according to arrangement of tradition 7 Custom Regions guaranteed in State of West Papua proportionally and continually.

## **CHAPTER III PAPUA INDEPENDENT/NATIONAL COMMITTEE**

### **Section 14**

- (1) Papua Independent/National Committee comprises alliances and components of the nation by function to comment on the political conditions as the successor of The *Komite*

*Nasional Papua* (Papua National Committee) notching by New Guinea Council (NGR) in the year 1961.

(2) Papua Independent/National Committee domiciles at The Federal Level with a working area at each Territory and even where ever as far as required.

(3) Papua Independent/Nasional Committee the period of Transitional Government is accountable for the arrangement and transfer of assets, and the process of repatriation and restoration of the nation, therefore entitled and obliged to conduct assertion and providing legal clarification.

(4) Papuan Independent/Nasional Committee in the early state restoration is in charge for the formulations of basic guidelines of the state peripheral hereinafter gives guard for the Constitution of the Nation and the State of West Papua.

(5) Papuan Independent/Nasional Committee in its duties by the nature balancing and mediating, especially in the observing of general elections, orderliness of political parties, protection of environment, and caring about human rights and providing various other services on state affairs will help to maintain the principles of justice and truth according to customary law and order, Triplefold Logic of Papua Melanesia 1999, The Universal Declaration of Human Rights 1948 and The Declaration of the United Nations 1945.

(6) Papuan Independent/Nasional Committee is in need to establish working units as National Commissions (KOMNAS).

(7) Papuan Independent/Nasional Committee in carrying out its duties is obliged to properly consult with The Customary Council.

## **CHAPTER IV LEGISLATIVE**

### **Section 15**

#### **Federal Assembly**

(1) The Federal Assembly or Congress (House of Assembly) is The Legislative Institution, which have stages from the Representative Council or Senate (House of Representative) together with delegates from components and nation potentials arranged by Legislation.

(2) The Federal Assembly or Congress is gathering once every 2 years at the center of the Federal Governance, Port Numbay-Hollandia.

(3) All Federal decisions of The Federal Assembly or Congress specified by pursuant to logic and by ear a lot of or voting.

### **Section 16**

#### **General Elections and Political Parties**

(1) General Elections will be regularly conducted every four years, except for the occurrence of a particular situation.

(2) General Elections will put forward two fortifications of alliances through the district system, which will be in opposition to each other, namely the Democratic Alliances and the Liberal Alliances.

(3) General Elections and Political Parties Affairs may be further arranged by Legislation as in two citadels of executor and opposition.

(4) Parties Alliances in the State of West Papua do not know and do not agree for Middle Axis and grey domicile.

### **Section 17**

#### **The Outline of State Directions**

(1) The Federal Assembly or Congress decides Outline of the State Directions.

(2) The materials for the Outline of the State Directions is based on particularities of the Territories and the prospectives of Federal, in a short term and long term for duration of 4 year and long-range of idealism of the Nation and the State of West Papua.

(3) The short-term period of state development lasts for four years, whereas the long-term period depends on the idealism of The Nation and State of West Papua.

(4) The annual budget will be based on The Outline of State Directions and determined by The Federal Representative Council or Senate.

### **Section 18**

#### **Legislation**

(1) The Prime Minister as The Head of Governance on mandate power of the President run for Federal Law by considered the items of Law of Territories for the same topic product on

approval of The Federal Representative Council or Senate (House of Representative).

(2) The Prime Minister determines Regulations of the Federal Government to execute The Federal Legislation.

(3) The Territory Legislation determined by The Governor by considering proposed materials from Regency and Community or Municipality level according to real conditions.

(4) The Territory Governor determines The Territory Regulations Government to execute Legislation Territory.

(5) Legislation, Regulations and other products of law at any government level must be conforming to the State Constitution of West Papua.

## **CHAPTER V STATE AUTHORITIES**

### **Section 19a**

#### **The President**

The President as The Head of the States of West Papua is lifted and specified from elements of Customary Council in having the innings to deputized by all existing elements in 7 Cultural Regions of The State of West Papua.

### **Section 19b**

#### **Prime Minister – The Head of Governance**

(1) The Prime Minister of the State of West Papua run the power of Law pursuant to mandate of the President and also have command of the Governance according to Constitution and chosen through General Election.

(2) In conducting obligation Prime Minister assisted by Coordinator Secretaries of Affairs which further to show Cabinet Ministers.

(3) The Prime Minister must have West Papuan Citizenship and obey the dictates of The Authority Zone in the State of West Papua.

(4) The Prime Minister is selected by the Citizen of West Papua through General Election by ear a lot of.

(5) The Prime Minister holds its position during 4 year added by period of 1 year recess.

(6) The Coordinator Secretaries of Affairs and The Departement Miniter and other High Functionaries of the State hold its position during 5 year without a period of recess.

(7) If the Prime Minister pass away, desisting or in remain to cannot execute obligation in its tenure, will temporarily changed by the State Secretary during at the latest 1 year and responsibility to execute the preparation of Election of the New Lead Governance by the guide of the President and in the affirmative of the Federal Representative.

## Section 20

### **The Inauguration of the President, Prime Minister and The Coordinating Secretaries of Affairs**

Prior to their posting, The President, Prime Minister and The Secretaries of Coordinating Affairs during a congregation in The House of Lord (Church, Mosque, and else) before the Federal Assembly or Congress Members will pronounce a declaration of intent as follows:

*Declaration of intent by the President and Prime Minister.*

(Christians only: "In The Name of Lord Father, The Creator of Universe, Lord Jesus The King of The Nation of Papua and by the mediator The Holy Spirit")

(For other confessions: .....)

"I pledge the obligations as The President/ The Prime Minister etc. of West Papua, based on The Papuan Luster: mercy – allegiance - justice and The Melanesian Principle of Brotherhood: one people –one soul – one solodarity by virtue of The Constitution and yet Decrees, Legislations ancillary though My Nation and Fatherland Papua".

*Declaration of intent by The State Secretary and Coordinating Secretaries of Affairs:*

(Christians only: "In The Name of Lord Father the Escaping of Universe, Lord Jesus the King of The Nation of Papua and by the mediator of Holy Spirit")

(For other confessions: .....)

I pledge as regards as Secretary of Coordinating Affairs will riding as assistance to The Prime Minister of West Papua confidently to The Papuan Luster and The Melanesian Principle by virtue of The Constitution and yet Decrees, and

Legislations ancillary though My Nation and Fatherland Papua".

### **Section 21**

#### **Ambassadors and Consuls**

- (1) The Prime Minister appoints Ambassadors and Consuls.
- (2) The Prime Minister receives diplomats from other Countries.

### **Section 22**

#### **Conferrals and Honors**

- (1) The Prime Minister provides clemency, amnesty, abolition and rehabilitation.
- (2) The Prime Minister grants titles, rewards and honours.
- (3) State employees and military personnel, already retired or still active, or any West Papuan citizen are strictly not allowed to obtain a double honour, rights or any other kind of bestowal. This may cause consequences of an automatically stopping of the rights of possessing financial from the state. This may due again after a formal statement being made to declare of the stopping from the mentioning.

### **Section 23**

#### **Supreme Advisory Council**

- (1) The structure of the Supreme Advisory Council will be determined by Legislation.
- (2) The Supreme Advisory Council has the obligation to give answers on questions raised by The Prime Minister and entitled to submit suggestions to the authorities.
- (3) The Supreme Advisory Council is obliged to develop a permanent working coordination and consolidation with The Customary Council of Papua and The Papua Independent/National Committee.

### **Section 24**

#### **State Ministers**

- (1) The Prime Minister assisted by the Secretaries for Coordinating Affairs appoints and dismisses The State Ministers.
- (2) The State Ministers are The Assistants of the Secretaries for Coordinating Affairs.
- (3) The State Ministers are heading the Departments.

- (4) The State Ministers are responsible to the Secretaries for Coordinating Affairs.

## **CHAPTER VI ADMINISTRATIVE ZONES**

### **Section 25**

#### **Division of Administrative Zones**

- (1) The Administrative zones consist of the Federal Administration and the Territory Administrations or States.
- (2) The Territory Administrations or States are divided into Regencies.
- (3) Each of the Regency consisting of District Communities or Municipalities.
- (4) For the certain Territory Administrations or Regencies, it may be suitable to appoint Regency Deputies and District Community or District Municipality Coordinators.

### **Section 26**

#### **Administrative Zones**

- (1) Administrative Zones consist of the Territory Zone and the Residence Zone.
- (2) The Governor of the Territory Zone and The Resident Zone is elected by The Local Representative Council and ratified by The Head of the State.
- (3) Regulations and process of elections are arranged by Legislation.

### **Section 27**

#### **Representative Council**

- (1) The structure of the Representative Council (House of Representatives) or Senate is determined by Legislation.
- (2) The Representative Council or Senate is gathering at least once a year..
- (3) Every Legislation needs approval by The Senate.
- (4) If a Draft of Legislation does not gain approval from The Senate, then, the draft can not be proposed to the conference of The Senate at that period.
- (5) Each Member of the Senate or the Senators is entitled to propose Drafts of Legislation.



(6) If the Draft of Legislation, although being approved in The Senate, but still not ratified by The Head of Government, then the draft can not be proposed again in The Senate gathering at that period.

(7) In case of prime urgency, The Head of State is entitled to decide on Government Regulations as replacement of current Legislation.

(8) Every Government Regulations requires approval by The Senate at Federal Level or Territory Level in the following gathering.

(9) If not gaining any approval, Government Regulations must be withdrawn then.

## **CHAPTER VII FINANCE AND MONETARY**

### **Section 28**

#### **Currency**

(1) The Currency of The State of West Papua is The West Papuan Guilder (Gulden) marked in WPf which beforehand The Netherlands-Nieuw-Guinea Gulden marked as NGf, posting back to 1 December 1961 before the then dissimilar stipulating.

(2) The standard exchange rate of The West Papuan Gulden to the Netherlands Gulden (N/) will be 1:3, or to The United States of American Dollar (US \$) 1:1,5; during the period of Transitional Government of UN-UNTEA with the Indonesian Rupiah = IDR equal 1: 20.000.

(3) The Federal Government has the exclusive right to print money and to decide on change to be of validity.

(4) Citizens are entitled to obtain benefit from state's finance in the form of social costs and State subsidies arranged by Legislation.

### **Section 29**

#### **State Budget**

(1) The State Budget is determined annually by Legislation. If there is no approval from The Senate (House of Representative) for the proposed draft of budget by The Government, then the previous annual budget will be effective.

- (2) Tax affairs in the interest of the state will be determined by Legislation.
- (3) Kind and value of the currency are to be determined by Legislation.
- (4) The matter of State Finance is to be determined by Legislation.
- (5) For accountability reasons concerning State Finance, the establishment of an Audit Institution will be required, with procedures to be determined by Legislation. Results of the audit is obliged to be justified to and accepted by the Senate (House of Representative).

## **CHAPTER VIII JUDICATURE**

### **Section 30**

#### **Authority of Judicature**

- (1) The Authority of Judicature is to be executed by a Supreme Court and other Judicial Institutions, as stated in the Legislation.
- (2) The structure and authority of Judicial Institutions are arranged by Legislation.
- (3) Judicature is only exercised by The State, whereas Customary Institutions, Churches, Religions and others may only provide testimony, advocacy or advice, and or the other claims and witnesses.
- (4) Requisites concerning appointment and dismissal of Judges are to be arranged by Legislation.

### **Section 31**

#### **Kind of Punishment**

- (1) Death penalty may be exercised by hanging, electrical chair, shoot and stoning, for:
  - a. State Criminals involved in, during the struggle for independence, corruption, murder and other activities with negative impacts on the honesty and justice of the humanity, environment, nations and the states.
  - b. Dealers of narcotics and other nerves harming drugs as stated by Legislation.

(2) Physical punishment comprises imprisonment, exhortation and others according to the criminal offense as stated by Legislation.

## **CHAPTER IX CITIZENSHIP**

### **Section 32**

#### **Citizens**

(1) Those, who may become Citizens, are The Papuan and Melanesia Ethnic by origin and other Ethnic as stated by Legislation.

(2) The State of West Papua acknowledges and respects double citizenship as far as being conform to societal order in The State of West Papua.

(3) Requisites regarding citizenship of the State of West Papua are stated by Legislation.

(4) The citizens are entitled for social costs and State subsidies arranged by Legislation.

### **Section 33**

#### **Rights and Obligations of Citizens**

(1) Every citizen is equal to Law and Governance without exception.

(2) Every citizen has the right for employment and suitable living conditions.

(3) Every citizen has the right for freedom of assembly, freedom of organization, and freedom of expression of opinion orally as well as written and others which for that required to be specified with Legislation.

## **CHAPTER X RELIGION, EVANGELIST AND MORAL ETHICS**

### **Section 34**

#### **Religion**

(1) Every West Papuan citizen is a religious human being.

(2) The freedom of religion is guaranteed as far as being conform to the principles The Triplefold Logic of Papua-Melanesian Foundation.

(3) The State guarantees for the provision of personnel, worship facilities and persistence of religious life by separating the tenth out of funds bearing by every citizen.

### **Section 35**

#### **Evangelist**

(1) Every Citizen of West Papuan is chosen and given the burden for The Evangelist.

(2) The State of West Papua guarantees for the persistence of The Evangelist in the whole world.

### **Section 36**

#### **Moral Ethics**

(1) The freedom of expressing faith is guaranteed as far as not causing adverse impacts on public interest.

(2) There is no force to enter into and participate in any religion or being punished and treated unfair because of religious persuasion.

(3) Religious and ethical Education is compulsory for every citizen until the age of 16 years.

(4) Every citizen of any confession is obliged to possess basic knowledge on ethics and morals of Papua-Melanesia.

(5) Conflict among confessions is prohibited in The State of West Papua.

(6) Every citizen has the right to receive proper facilities and services for birth, life and death.

(7) The arrangement of proper burial is under the State Affairs Section.

### **Section 37**

#### **Council of Religion**

(1) Every Religion being practiced in The State of West Papua has the right to form a Council at the Community or Municipality Level, Regency Level, Territory Level up to Federal Level.

(2) The Council of Religion has the function to provide considerations to the state authorities and to build networks with The Customary Council.

(3) The Council of Religion is allowed to build corporations with Religious Institutions outside of The State of West Papua

Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999  
as far as conformity with The Triplefold Logic of Papua-Melanesian Foundation exists.

## **CHAPTER XI**

### **SOCIAL PROSPERITY**

#### **Section 38**

##### **Education**

- (1) Every Citizen has the right for education. Education is compulsory.
- (2) The State guarantees the organization and implementation of the educational system as stated by Legislation.
- (3) The State guarantees education for every citizenship in all sectors and levels.
- (4) Elementary educations and basic skills are compulsory for every citizen.

#### **Section 39**

##### **Intellectual Right**

- (1) Every Citizen is obliged and has the right to obtain intellectual rights.
- (2) Every Citizen is obliged and has the right to obtain sufficient freedom for intellectual development.
- (3) The State guarantees intellectual rights in all sectors and levels as stated by Legislation.

#### **Section 40**

##### **Culture**

- (1) The State guarantees and promotes Culture Diversities of Papua-Melanesia in the Region of the State of West Papua as world heritage of civilization.
- (2) The State guarantees and promotes cultural development as far as conform to The Triplefold Logic of Papua-Melanesian.
- (3) The State guarantees and promotes the cultural system as arranged by Legislation.

#### **Section 41**

##### **Health**

- (1) Every Citizen is obliged and entitled to obtain health services.

(2) The State Guarantees the implementation of health service system as arranged by Legislation.

#### **Section 42**

##### **Housing**

(1) Every Citizen is obliged and entitled to obtain proper housing.

(2) The State guarantees the implementation of a housing service system as arranged by Legislation.

#### **Section 43**

##### **Social Services**

(1) Every Citizen is obliged and entitled to obtain proper social services.

(2) The State guarantees every social sufferer.

(3) The State guarantees the implementation of a social service system as arranged by Legislation.

#### **Section 44**

##### **Distribution of Works**

(1) Every citizen is obliged and entitled to gain proper employment.

(2) Every citizen is obliged to possess basic working skills.

(3) The State guarantees the implementation of a system distribution of work as arranged by Legislation.

### **CHAPTER XII**

#### **WEALTH**

#### **Section 45**

##### **Economy**

(1) The economy is structured as a state effort aiming at ensuring common prosperity and wealth.

(2) Important production sectors impacting the interest of many people is controlled and arranged by the state.

(3) Inbound natural resources of land and water is controlled and regulated by the state for common welfare and prosperity by respecting and appreciating ownership rights.

(4) State guarantee and arrange a competent economics system of Transportation, Telecommunications, Industrial and Tourism in supporting and moving forward the prosperity, arranged in Legislation.

## **Section 46**

### **Unilateral Corporation**

(1) Unilateral Corporation of trilateral character amongst Papua-Nugini and Indonesia and nations of neighbors is implemented on a priority scale at The Territory Level as well as Federal Level by respecting the principle of equality of position and status of every nation.

(2) The state may establish a Broad Corporation with foreign countries, however, by adhering to principles of the Constitution and Legislation of the State of West Papua.

## **CHAPTER XIII**

### **ATTRIBUTES OF THE STATE**

## **Section 47**

### **Flag the State**

(1) Flag of the State of West Papua is The Morning Star marked as Five Sided Star in white color, with red basic color on the left part, and with 7 blue and 6 white horizontal strips on the right part.

(2) Size measure of the flag and arrange star situation, level off red and the white lines are permanent according to Papua Political Manifesto of 19 October 1961 and Gouvernment Regulation Number: 48, Year 1961.

(3) The usage of flags in State of West Papua arranged in Legislation and Regulation of State of West Papua.

## **Section 48**

### **Arm of the State**

(1) Arm of the State of West Papua the Crown Pigeon or Mambruk (Goura Victoria Regia Papuana) shownly at chest of triangle loading six principles "recycle" of the Thriplefold Logics of Papua-Melanesia.

(2) Arm of the State of West Papua the Crown Pigeon or Mambruk (Goura Victoria Regia Papuana) is respected and protected to be specified with Legislation.

## **Section 49**

### **Languages of the State**

(1) The State Languages comprise human logic utterances used in community life, administration produces, social services, inner state relationships, and international relationships, while encouraging cultural identity of the Papua-Melanesians.

(2) The Federal Language is English.

(3) The Common Language is Papuan-Malay.

(4) The Melanesian Association Language is Tok Pidzin-English-France-Dutch.

(5) The Local Language of each ethnic, tribe and community group (*vernaculars*).

### **Section 50**

#### **National Anthem**

(1) The National Anthem of The State of West Papua is "Hai Tanah-ku Papua/O, My Land Papua" as arrangement made by I.S. Kijne and actualizing by the Papuan National Committee 19 October 1961 and warbled publically on the West Papua Declaration day of 1<sup>st</sup> December 1961.

(2) The National Anthem of The State of West Papua, "Hai Tanah-ku Papua/O, My Land Papua" is respected and protected to be specified with Legislation.

## **CHAPTER XV**

### **UNIVERSE AND THE HUMAN RIGHTS**

#### **Section 51**

##### **Curvature of the Sky**

(1) The Curvature of the Sky above the Territories of the State of West Papua spreads from 129 degree Longitude East to 141 degree Longitude East and from 2 degree Parallel North to 10 degree Parallel South, is the legal property of The State of West Papua.

(2) Protection, benefit and use of the air Curvature of the Sky above the State of West Papua Territories arranged by Legislation.

#### **Section 52**

##### **Natural Environment**

(1) Natural environment is realized as the gift of God for the existence of mankind.



(2) Water and earth uterus at The Territories of the State of West Papua is legal property of The State of West Papua.

(3) Protection, benefit and use of water and earth uterus at The Territories of the State of West Papua is arranged by Legislation.

(4) The State of West Papua guarantees and promotes bio diversity of the Land of Papua to be part of world heritage of civilization.

### **Section 53**

#### **Human Right**

(1) The State of West Papua struggles for and protects Human Rights, especially for minorities, wherever they are.

(2) The support and criteria of Human Rights are stated by Legislation.

## **CHAPTER XVI**

### **CHANGES OF CONSTITUTION**

#### **Section 54**

##### **Changes of Constitution**

(1) Changes of the Constitution require the approval of at least 2/3 of the members of The Federal Assembly, or Congress being present.

(2) Decisions are met with the approval of at least 2/3 of the members of The Federal Assembly or Congress being present in the gathering.

## **INTERIM REGULATIONS**

### **Section 1**

The West Papua Independent Committee for the commendation of Customary Council, or agreedly also dissimilar strengths or movements as Ad Hock Body regulates and implements the transfer of the government to The Definitive Authority of the State of West Papua.

### **Section 2**

Every existing State Institutions and Regulations remains valid, until replacement occurs due to this Constitution.

### **Section 3**

Prior to the election of The President and The Prime Minister and The Coordinator Secretaries of Affairs, The Papuan Independent/National Committee under the supervision of the Customary Council Assembly or agreedly also dissimilar strengths or movements as Ad Hock Body initiates the establishment and declares The Presidium of Transitional Government of The States of West Papua.

#### **Section 4**

Prior to the formation of The Federal Assembly or Congress and The Supreme Advisory Council, the Presidium of Transitional Government of The States of West Papua, supervised by The Alliances of Customary Council Assembly cooperate with The Papua Independent/ National Committee, exercises full authority.

#### **Section 5**

- (1) The Customary Council Assembly is implementing Legislative Functions.
- (2) The Presidium of the Transitional Government is implementing ad Executive.
- (3) The West Papuan Independent/National Committee is responsible for implementing duties related to the secretariat, transfer of authorities, transfer of assets, repatriation, and reconciliation.

#### **Section 6**

- (1) The Papua Independent/National Committee carrying out Papua National Congress;
- (2) The Papua Independent/National Committee follow-up the result of decision of The Papua National Congress I, II and further on.

#### **Section 7**

- (1) The Customary Council Assembly chosen and determining The President.
- (2) The Customary Council Assembly may choose and take possession on Duties and Function of The State Management.
- (3) The Presidium of the Transitional Government and The Customary Council Assembly in cooperation with The Papua

Independent/National Committee drawing up and carrying out  
General Election of Nation and State of West Papua.

## **SPECIAL ORDER ON THE STATE ATTRIBUTIONS**

### **Section 1**

The National Flag of The State of West Papua, The Morning Star hold high and respected as self-regard and identity prestige of The Nation and State of West Papua proven from its history remain to represent device defended and fought for hence the respect and special treatment have to be specified to later arranged in Legislation:

- (1) In fluttering is obliged to avoid from decorating and or the frieze function, hence do not allowed flown in any promiscuously place inclusive at home omit.
- (2) The Fluttering may only allow at certain pillar and certain vehicle.
- (3) For any frieze, decoration and other performance may only of its strips lines of blue-white or red and white plain not the star mark.
- (4) The colour of the flag which is faded because time or if on boat incurred by smokes etcetera may not accepted in consequence have to be flown an other flag in a state of good and fresh condition.
- (5) The bunting valid for during six workdays and taken a rest on Sunday as observance day.
- (6) The flag resides in pillar start 06.00 o'clock and degraded by 17.30 o'clock and at the time of will be flown and or degraded all vehicles or people who elapse to pass have to desist in place and give attitude respect with grasp of right hand at left chest on wards the pillar.
- (7) The size measure of the flag and arrange situation of star, level off red and the white and blue lines are permanently according to Manifesto 19 October 1961 and Governments-Regulation Number: 48 Year 1961, hence for that make proper obeyed.

### **Section 2**

The National Anthem of the Nation and State of West Papua "Hai Tanah-Koe Papoea", involved as nation prayer which for that make proper arranged in Legislation:

- (1) Intoned or warbled only when at special moment and place so that if needed it is therefore both for to be warbled song of "Dari Ombak Besar" instead.
- (2) Idyl and peep and also metrum of the song is very not allowed to be changed, replaced or rearrangement more or less of under the cloak and reason of any.
- (3) Song warbled and or sounded off in a state of wisdom and respect hence entire attendant in building or anywhere is obliged to stand up or posture respect with grasp of right hand at left chest.

### Section 3

Highness Device of The Nation and The Federation State of West Papua "Mambruk" with Section Unus Populi-Una Anima-Solo Solidarita: Caritatis, Fedelitas, Justitatis (Triple Fold Logic of Papua-Melanesia), involved as head, eye and liver of the nation which for that make proper arranged in Legislation.

### SUMMARY

The State Constitution of West Papua consisted of 15 Chapter by 54 Sections and 2 Orders: 1). Interim Regulation with 7 Sections and 2). Special Order on State Attributions with 3 Sections.

### ***Review on the State Attributes***

The State Attributes of West Papua intended here are The National Flag, The National Anthem and The National Device, re-commented as follows:

#### *National Flag the "Morning Star"*

##### **1)General**

The Morning Star, is the National Flag of The Nation and The State of West Papua, flown in the whole Nederlands Nieuw Guinea since 1 December 1961 to 1 Oktober 1962 before this region administrated by The UNO (UNTEA).



**Figure 15.** *The Flag of West Papua*

The Flag which is generally used by the West Papuan population inclusive of the OPM (Papua Independence Organization) and all dissimilar supporter as a means of resistance and struggle for human right utilize to self determine. Almost every year on the same day that is every 1 December considered to be National Day of the Nation of Papua in West Papua, whereas at others considered to be an insubordination against domestic law of Indonesia.

The Flag dimension is elaborated as consisted of a red plain unfold left long vertical beside shownly at its center a white star five elbow while at right side there are 6 white lines alternating 7 blue lines symbolised 6 governance regions in 7 cultural or custom regions. In the Ordinance on the Flag of Morning Star it is not mentioned any size measure number, only the long and high comparison with the following ratio:

The Ratio of the Flag refering to that is A:B:C:D or 2:3:7:8, which is A: flag height; B: flag length; C: width of the red stripe; D: size of the star. All horizontal stripes are equal (so 1/3th of the flag height); The red stripe is 3/11th of the flag length; of the width of

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the red stripe; The star approx. 2/3th - 7/8th of the width of the red stripe<sup>25</sup>.

## 2) Brief History

The story was started, after a national election took place in January 1961 a Council of Papua or New Guinea Council (NGR) consisted of 28 members being cursed officially by The Governor Dr. P.J. Platteel in 1st April 1961 and formal constituted in 5<sup>th</sup> April 1961 attended and witnessed by Governmental representatives and the State of Australian, United Kingdom, French, Dutch, New Sealand and dissimilar Nations from Pacific Forum with exception The United States of America.



*Mr. Nicolaas Jouwe,  
Designer of The "Morning Star" Flag*

An emergency session insist on this Council at date of 19 October 1961 in response to news from Den Hague Holland that US was allowing to launch perforcedly commercialize for its benefit Nederlands New Guinea to The United Nations to then delivered to Indonesian administration. The Council of Papua form Papua National Committee utilize to compile draft of Selfrule and Independence Manifesto, designed National Flag (Morning Star) and specify the nation hymn "Hai Tanah-Koe Papoea" The Council Papua act fully, hence in 30 October 1961 the first Morning Star flag have been introduced to the Governor Platteel which is at 31 October 1961 announcement that "Have never been happened previously in world a Council own similar intention seriously".

<sup>25</sup> See Gouvernements-blad 1961/68 and Gouvernements-blad 1961/70 attached.

Officially this flag was flown in one ceremony at 1 December 1961 with Mr. Willem Inury as The Chief of National Committee in his greeting, said "People of my fellow nation, you are now witnessing our union device and the desire of our union device and our desire to take place among world nations. As long as we do not really firmed up, we will not independence. To coalesce to mean to strive for the sake of our country, now, until the day which we will be selfsupporting and that furthermore date from."

The chosen device of Flag is from the version of Nicolaas Jouwe (rather than 2 dissimilar versions according to Nicolaas Tanggahma and Markus Kasiepo). The version Morning Star Flag according to its designer who is Mr. Nicolaas Jouwe, is real inspiration by two device of Korero Messianic Movement allied that are Cross flag (Star) and flag of octopus fingers and also the tricolor dark/blue-white-red (inspired by the flag the Kingdom of the Netherlands: red-white-blue)<sup>26</sup> which was carried by all combatant under command of Papua Woman Warrior, Angganeta Menufandu in fighting the amber nation (incomers) before, during and thereafter the World War Two. The Royal Dutch Government then adopted this device become National Flag of Papua on 20 November 1961, hereinafter recognized by the name of "Morning Star Flag" that is " Flag of Dawn Star" flown opening commencing from 1 December 1961.

### 3) Meaning

As have been mentioned above at Brief History that the Flag of Morning Star is a mixup between devices of Cross that is the Star and radius of octopus, later poured as blue lines and turn white. In payload of the Papua National Committee 19 October 1961, dawn star or morning star (the "sampari") is symbolized the Island of Papua in red field of political turbulence and development of the world. Else, the white line is of the six Governmental Divisions in seven cultural regions in Papua West.

<sup>26</sup> C. Budiarjo & L.S. Liong, (1988). "West Papua: The Obliteration of a People"; Veur, Paul van der, 1963, Political Awakening in West New Guinea, Pacific Affairs 36 (1), pp 54-73.

The color of red, white and blue/dark according to interpretation of universal symbolism as also on the Dutch Flag 'Three Colors' and of the Indonesia Flag 'Red and White Flag'. That is red for dare, white for holy, blue for classy, and so on. The mixed-up is representing of elements in the culture and cosmos of Papua-Melanesia and those of Christianity.

#### **4) Regulation on the Morning Star Flag.**

Besides loaded in this shadow Constitution, regulation about the Morning Star Flag is also loaded in Papua Political Manifesto 19 October 1961 and the Governments-Regulation 48 Year 1961 and Governments-Regulation 70 Year 1961, on ordinance of the country Flag.

#### **5) Resemblance looks of the Morning Star Flag Morning Star Flag.**

The equality of this flag is with the US Federal of stars and stripes and flag of Cuba which is incidentally true followed the example of the US Federal star and stripes, and also of the flag of Great Britain/United Kingdom.



#### ***National Anthem of West Papua the “Hai Tanah-ku Papua”***

The title of song “Hai Tanah-ku Papua (originally: Hai Tanah-koe Papoea) is a volkslied (people song) written in the year 1930s by Izaak Samuel Kijne, a Dutch missionary who also compile the spiritual song book “Njanjian Rohani”. The lyric at this song is written in the language of Malay/Indonesia and Dutch, presented in 7 couplets. If carefully studied, idyls of this song containing worship of properties and natural beauty of Papua and terminated feltly thank goodness to God of Creature of sky and earth.

This title have been electroplated by Dr. Thomas Wapai Wanggai changed to become “Hai Tanah-ku Melanesia”, but seemingly not accepted off hand by the majority of Papuan because it is very known that this song have been specified as National Anthem of Papua with the like title in Political Manifesto



Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999 of the Papua National Committee 19 October 1961 (Gouvernement-Regulation Number 69/1961)<sup>27</sup> re-peeped out as preparation before The Papua National Congress Two year 2000 (this constitution). Story about the natural beauty of the Land of Papua terminated with Thanks to Cheap God, The Creator for the natural beauty which has been created for the Nation of Papua. That way, couplet by couplet may presented as follows:



*I.S. Kijne,  
Composer of National Anthem:  
"Hai Tanah-ku Papua".*

### **Hai Tanah-ku Papua**

4 Kukasih gunung-gunung Besar mulialah Dan awan yang melayang Keliling puncaknya 5 Kukasih hutan-hutan Selimut tanahku Ku suka mengembara Di bawah naungmu 6 Kukasih engkau tanah Yang dengan buahmu Membayar kerajinan Dan pekerjaanku 7 Syukur bagimu Tuhan Kau berikan tanahku B'ri aku rajin juga Sampaikan maksud Mu	4 Ik hou van de bergen Groot en verheven En de wolken die zweven Om hun toppen 5 Ik hou van de bossen Het dekkleed van mijn land Ik mag zo graag zwerven Onder je schaduw 6 Ik hou van je grond Die met je vruchten Mijn ijver betaalt En mijn werk 7 Dank zij u Heer Gij hebt mij het land gegeven Laat mij ook ijverig zijn Om het laten beantwoorden aan Uw doel	4. I love the mountains Great and exalted And the clouds that float Above their peaks 5 I love the woods That cover my country I love to roam Under your shadow 6 I love the land That your people Pay my zeal And my work 7 Thank you Lord You've given me the country. Let me be diligent. In order to meet your goal
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<sup>27</sup> See Gouvernements-blad (1961/70).

Though there are 7 couplets, in formal ceremony for example in accompanying the bunting of Morning Star Flag, only the first couplet and to seventh is warbled.

### *Coat of arms of West Papua 'The Mambruk'*

The Mambruk or crown pigeon is a species of bird referred to in Latin term by Gaura Regia Victoria Papuana that is an endemic species which is only found in the Land of (PNG and West Papua). So far not yet there any consensus comes up with the picture of this bird which is looked like Garuda Panca Sila and Hawk of the United States with its payload.

The concept of initiated by Papua National Committee as rearranged by Papua Independent Committee drawn hereunder is at the chest shown Triplefold Logic of Papua Melanesia in the form of clasp of cybernetics relating flag of Morning Star attached by a frontage (red field and the white star) from the top and the backside (blue and white lines) downwards as described at above semicircle *Caritatis-Fedelitas-Justitatis* (Mercy-Allagience-Justice) and below this described *Unus Populus-Una Anima-Solus Solidarita* (One People-One Soul-One Solidarity).

Where as the bow and drum flanked at the feet are unclear but bold of that appliance both are applicable for two intentions which each other complimenteray that is fight for the peace or on the contrary also make peace to battle<sup>28</sup>.

Why chosen the Bird of Mambruk, this is according to utterance of Mr. Nicolaas Jouwe who is the designer of that Attribute of the State of Papua "... [taken away from a Biak language *mam* 'bird' and *bruk* 'reminding', blazed abroad it is true represent totem in life of various tribe in the Land of Papua; that this beautiful bird striving without a lot of voice to differ from other birds; the voice of bird which is almost life above on land and flight low is very rare heard; masculine bird in every day only twice release its voice that is at the morning in when descend on land to start life one day and in dusk when fetch night before sleep. Because of its high philosophic value, by the Papua National Committee notching of Nieuw Guinea Raad in its conference of First Papua National

<sup>28</sup> Comparing to Japan by its Meji Restoration and Decision to groan Pearl Harbor and fight with USA in creating peace later.

Congress 19 October 1961, specified to become Attribute of the State of Papua which have principality: *Unus Pupuli-Una Anima* (One Nation-One Soul), which then by Papua Independent Committee in 1999 developed addedly the *Solo Solidarita* (One Solidarity) principally adding with Devoted, Amicable and Downright analogue with that of Papua Independent Committee of 1999 becoming Love/Mercy (*Caritatis*), Devoted (*Fidelitas*), Justice (*Justitatis*) as have been studied at Elementary Guidance (see Triplefold Logic of Papua- Melanesia) .<sup>29</sup>



Figure 16. Coat of Arm "the Mambruk"

In this bearing with existence of RI Law number 21 Year 2001 about Special Autonomy for the Province of Papua/Otsus, almost always the elite Papuan especially the Papua Customary Council (DAP), Papua People Assembly (MRP) and some of Parliament members of the Province of Papua want those Attributes of the State of West Papua made to be Area Device of Papua Provinsi according to such commendation of the OTSUS. But seemingly the God do not want that way because to the proffering of *Perdasi/Perdasus* on this aspiration had slapped down by the President of RI as an Allah Slave to save National and Political Devices of West Papua inclusive that of *Atjeh* and *Moluccas* from insult to become Area Device launchedly of the Governmental Regulation Number 77 Year 2007, hence remain to be endless intended as Device of a State and Nation, non merely highness device of an area in The State of Republic of Indonesia. Blessed on

<sup>29</sup> This State Device is by the time not getting authentication yet because representing product to end later before the Independence of The State of Papua which is made a promise will be existed by the year 1970.

all struggles which are for the shake of truth spirit of the Nation of Papua warshipping God all the most Big.

*Observing Overview by Researchers of Legal Institute Van  
Vollenhoven State University of Leiden*

To explore the knowledge available more let the author presenting here a review that is submitted by a Researchers from Van Vollenhoven Institute for Law, Governance and Development, Faculty of Law, Universiteit Leiden on what the author is referring to as Code of the State of Papua in the script of titled *Basic Guidelines, State of West Papua*, which is none other than the material in this paper also include a description of *Triple Fold Logics of Melanesian-Papua*.

**1). Preface**

This section is getting guidelines of the State of West Papua, a state constitution that is intended for the eastern provinces in Indonesia in 1999. A 61-page manuscript produced by Mr. Don A.L. Flassy, (this author), a Papuan bureaucrats, intellectuals and simultaneously also a seer (futurist). Basic guidelines in question is a constitution for Papua contains a mixture of strong material derived from the Bible and modern lectures about the State and the holistic concept of sovereignty and moral based unification of customs rules Triple Fold Logic Melanesian-Papua. The manuscript is leading to a universality and is an ambitious effort to synthesize the entire (Land and People of) Papua in fact present and past. This is a style of writing that magical combination of marginal line (outline) of Indonesian society.

The involvement of cultural creativity is in the frame in relation to the State of Indonesia, Papua customs and certain universalism. The resulting script is very insightful and readable as hyper-rationalize with charisma, creativity with the structure, originally-proposed foundationalism, and inspire unrest inspired by the principle of life.

Not the same as the case with the constitutional tradition in the West is that the constitution of moving beyond the stage of charismatic self-constitution and become routine as the legal basis which is *bedrock of law* (unshakeable), the constitution produced by

this author still warm and can be disturbed. Therefore be read as an astute reflection on the current condition and use of the potential for the state to use a reference mixture of lectures, ideas and political systems are different.

Leading is a response to the instability of government in Papua, which was introduced by an ever-widening gap (distance immortality span) between legal certainty and achievement.

The following is an analysis of the constitution as providing an overview of the state in connection with the justification that into consideration of this author fundamentally the future of Papua. Against these observations, the researcher will provide an overview of the resources used symbolic that an author is to defeat the principal obstacles in bringing a country (ed. Lowercase) Papua. Hurdles include the diversity of the Papuans, inequality in development (ed. Intelligence) and access to resources in Papua, problems in establishing a sense of togetherness between regions (ed. Culture) and the incorporation of sentiment localized as food and / or food will of sovereignty. With a picture of the different sources and the interplay pieces of it into a whole-slightly much describes singularity - the constitutional question is to seek to break the barriers intended to realize the conceptualization of a state of Papua.

Papua centralized constitution about the essence of a country, the whole style as well as the notion of State understood to be constituted and organized state. Then it is surprising that the writing of the constitution of the State outskirts of the line is not included in the latest volume of anthropology countries (Hansen & Stepputat, 2001; Das & Poole, 2004, and Sharma & Gupta 2006). At the same time, the phenomenon of writing the constitution of the periphery countries is very small so only gained attention in anthropology science in general.

The researcher in the reading of the constitution is based on the fact that writing a constitution is a signature on the state, a certain interpretation of the essence of the State of Indonesia and certainly at least partial confirmation regarding that particular state (cf. Das 2004). The author designed a constitution that this is one way in which a country is present in the lives of Papua. As indicated Das (Das 2004: 230) in connection with the signing (quoting Derrida)

about the country, and the presence of the state in the periphery as a seclusion line between a rational bureaucracy and a unity unseen:

“As a rational unity, the presence of these present rules and regulatory structure; customs of the community in this regard revealed overshadow legitimate rules and regulations. But the real present magical quality in occultation achieved in people's lives, even when people challenged the State - as if society reaches its own existence of certain readings will state '(ibid.).

The analysis will be intent occult constitution drafted. This researcher is concerned with the cultural construction state researchers have largely relied on the material collected in personal research on society of Imyan (tribes of Tehit) in southwest Bird's Head mid-90 (See [Timmer, 2000](#)). The more general social and political issues under discussion by asking things like who tried to power over, and who is served by the willingness, the procedure will be organized in the country of Papua.

Furthermore, it is an event of how countries are expected to line the outskirts of the Indonesian State (cf. [Das, 2004](#)), not only as an abstract equation with the State of Indonesia and the Papuan people dreamed something about the possibility of a country to be claimed status (cf. [Asad, 2004](#)) but also to acknowledge one of the strong aspects of the technology that the government in writing. In that sense, ironically, the more incomprehensible Papua and Indonesia are different from one another, growing techniques and technologies incorporated lectures (cf. [Herzfeld, 2002](#): 192). To highlight the latter, the researcher will put the constitution in a bid into the field of publications by Papuans (ed. about oneself).

The picture of the Papuans of the concept of Jakarta on a failed states halfway between anthropological techniques on how people (agents of) the country ([Gupta, 1995](#), [Kapferer, 1988](#), [Taussig, 1997](#), Gupta, and cites [Das & Poole 2004](#)) and for the 'state' in the context of globalization, regional and world-wide inequality and social justice.

In the latter field, the shadow of a global or "Global Shadows" from Ferguson ([2007](#)) is an anthropological approach that carefully contrast compared with a blunt analysis of the failure and the failure of the state (see [Nelson, 2007](#)).

Knowledge of Ferguson will emphasize nature dim constitution Writer as equation formulation is not any copying but something that haunts the concept of Indonesian state a declaration that compares, an aspiration leads to membership and becomes Indonesia and the wider world is just at the same time there a statement of responsibility (cf. [Ferguson, 2007](#): 17).

The Researcher concluded that some change in the thought that writing a constitution in the context of a sovereign state is an act of resistance (liberation) of constitution compiled by this author, while reiterating a number of the absolute truth about the differences between the people of Papua and Indonesia, are also capacity confirming and strengthening Indonesia as a country. This understanding can occur in a number of ways. Above all, by imitating a lesson on anti-colonial nationalism of Indonesia and highlighted the potential of the rationality of the state as well as one of the aspects that stands out from the government that the technology of writing. By understanding ironically Papua and Indonesia is increasingly understood as different from each other, (on the other) is getting a lecture techniques and technologies are combined between the two.

What do you want highlighted in this chapter is that there is no moral space apart for the victims of Papua and Jakarta victory. As researcher have been denied in a writing ([Timmer, 2007](#)), the fact that it is happening in Papua Indonesia is more than that taken into account and would like to believe by activists. Nevertheless relied on the logic of difference Papuan-cum-Melanesian, this author in its constitution, underlining the possibility of increasing the transparency of the reform-minded policy makers in Jakarta combined with creativity in Papua, located on the outskirts of the line.

## **2). Image of a "state" from the side line of the State.**

Production of the shadow of the line periphery countries seem sometimes increases the political transition. In this section, researcher's sketch the context in which this author in addition to producing the Basic Guidelines else discusses a few moments earlier transitions that accompany the article about the country, including the writing of the constitution. The moment of transition

after the fall of Suharto in May 1998 gave a wave of literary production by the Papuans. Below here the researcher is returned noticed that the author is contrary to the article (literature) referred to in the background writing. The role of the text is also associated with other observations about certain force that moves the written documents in Papua. It is thus is an important factor for understanding the media that a description of a country was formed.

When producing the manuscript in question, this author is at the forefront of Jayapura basis in an effort to organize and design a novel Papua period when -reform dawn broke according to the downfall of the Suharto regime).<sup>30</sup> The author's role in the pro-independence movement scientifically but above all is a futuristic in forming a vision of a nation of Papua. The movement and the intellectual output of as this writer became prosperous at all times throne Bacharuddin President Habibie and Abdurrahman Wahid, who both showed openness in response to regional sentiment. Paradoxically this author is also listed among the political prisoners during the ongoing first phase of transition.

On the days that the relevance of a constitution is for a separate state of Indonesia is increasing, so this author in his statement on the occasion of the interview with the researcher during his visit to the Netherlands in 2007. The author felt that it should first prepare people for the future after integration of Papua into Indonesia (not continuous), which has led to human rights violations and vast inequality in access to education and employment.<sup>31</sup>

This fact is so touching and as soon as I find the keypad to load these ideals in the computer. I would like to explain fully that the state constitution on the basis *Triganda Logika Papua* (Triple Fold Logics) Melanesia-Papua with the principle: one nation, one people, one solidarity. Friendship (solidarity) in this case it is not clear at the provincial level but more advanced strongly in the separation of administrative today [pemekaran = division] area. Redistricting is a local model and it is a level of Papuans

<sup>30</sup>) See Van den Broek & Szalay (2001), and Timmer (2007).

<sup>31</sup>) See Timmer (forth coming) to a common view will be social and economic development in Papua from the early 1960s until 2004.



Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999 showed their strength. During the waiting period, one will see that Papua will return to the situation of Seven Afdelingen ['sub-divisions'] during under the Government of the Netherlands. Then Papuans can do a variety of things to follow *Triganda Logika* (Triple Fold Logic) intended for the expansion significantly (literally: mekar = open petals bloom to bloom/ 'blossoming'). The interview with the researcher was in May 2, 2007.

To allow Tri Fold Logic improved in Papua, this author produces constitution. The authors feel that the time is right to officially present the constitution throughout the Second National Congress of Papua in May-June 2000. The Congress was following what had been organized by the Papua National Committee announced on October 18, 1961 or also known as the First National Congress of Papua this area is still the Kingdom of the Netherlands overseas territories.

During the First Congress, four national wishes have been formulated in the Manifesto include the Morning Star as the National flag, the national anthem *Hai Tanah-ku Papua* (O my land of Papua), West Papua became the name of the State when it became an independent country, and name of Papua for people. Two months later, December 1, 1961, the Morning Star flag was raised alongside the flag of the Kingdom of the Netherlands and *Hai Tanahku Papua* as National Anthem was sung after the Dutch "Wilhelmus" in front of the Papua Council (Nieuw Guinea Raad) which was recently opened by Governor Dr. P.J. Platteel at the beginning of the same year.

So it is not a surprise that for matters related to the establishment of Independent State of Papua, 1961 is an important year.

The Dutch government formally was accepted and ratifies the name and emblem for a State of Papua since then and described by many as the initial action for the State of the Papuans. To the researcher, this author adds:

But freedom for a State is not proclaimed on the first congress of the way, so be realized as a logical next step in the second congress. After President Suharto [lowered], I see that we need to prepare ourselves for an independent state. Throughout the Second Congress of me had thought that this was an opportunity to proclaim independence and

Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999 proposed a constitution. President Abdurrahman Wahid would not be sponsoring congress and there are a number of foreigners who were present. Committee and congressional leaders want independence for Papua but they do not take the right steps. They do not secede because they fear there will be bloodshed because of the presence of armed forces outside the events (Interview with the author, July 30, 2007).

Because of the steps correctly, this author initiates back The Independent Committee of Papua with Pastor Augustine Ansanai, Barnabas Yufuwai, Laurence Mehuwe, and Sem Yaru (here the researcher is wrong, because Sem Yaru was not a member of KIP).

Chapter III Article 13 (1) and (2) the Constitution say:

Papua Independent Committee includes nation's communions and components function to interpret the political conditions as the successor to Papua National Committee in 1961.... This committee will help to preserve the truth and legal principle under customary law and existing regulations in Tri Fold Logic of Melanesia-Papua, the UN Universal Declaration of Human Rights 1948 and the Charter of the United Nations 1945 (p. 33).

Achievement of the Committee has so far produced the establishment of such a document, namely Papua Basic Guidelines to maintain justice and truth. This author is the principal author but also receive advice or views of the other Committee members and acknowledge receiving input (direct or indirect) of the perpetrators of the history Herman Wayoi, Protestant Church leaders like Herman Saud and Herman Awom, the Catholic Church Pastor Moninghof, Pastor Lao Labalajar, Theo v/d Broek, the leader of the Amungme (who is also Vice Papua Presidium Council) Tom Beanal, activists of human rights Yohanis Bonay, religious leaders and intellectuals Benny Giay, and the late Indigenous Chief and Chairman of the Papuan Presidium Theys Hio Eluay, leader of Papuan nationalists Niclaas Youwe and other related parties in Indonesia just mentioned Dr. Soedarsono Chairman SPAMEN-LAN-RI (p.v). Mentioning various names and party like it's, Basic Guidelines Papua how seriously it has been positioned as legitimate.

In addition, to strengthen the authority of the Constitution intended, the author uses emblems of Pantheon which is the temple of the gods at the top of each sheet. The emblem is not too

well known in Papua than in Europe and America as the circumference of the temple in Rome, founded the 27th century BC and dedicated to the gods (Acts 17:23). In the Western World design of temple to all the gods into a model of city hall, the university and state library signifies the good of the written laws and regulations of the law.<sup>32</sup> The shape of the temple submitted by this author is to all the gods follow the design of the Panthéon in Paris supported by seven pillars (in contrast to the pantheon or the original temple has eight pillars) at the front (entrance). Panthéon with seven pillars which delivered by this author relates to the seven characteristics of culture that is a region of seven counties in West Papua government (as shown in seven blue line of Morning Star flag).

Even a strong contribution will be its status as an authoritative manuscript fact that the constitution is a written document. A historical reasons why people in Papua are required to produce a written script for communicating authority of the message and the statement is that the written text has gained a lot of sense since the Dutch colonial administration produces ordinance for New Guinea and the various forms of the written decision by Her Majesty the Queen to the people of Papua. But according to popular belief as well as those in the past, it is known that the Gospel is very influential texts of all the others.

To refute imbalance, which is so handsome in the colonial period, many Papuans confess that their oral tradition did have a past article (just can not shown correctly).

Some of them, such as (Tehit) Imian in the Bird's Head region, admitted to having a book before the arrival of Europeans. Indeed, the Imyan consider the Gospel as their early (see [Timmer, 2000](#): Chapters 5 and 6). Most people believe that the Bible is Imyan yore taken and brought to the West together with the essential elements of the body of secret knowledge (wuon) emitted during male initiation. This kind of belief is widespread in Melanesia. Laba (1996) have reported that the Trans-Fly Papua New Guinea also

<sup>32</sup>) This design was also used for building a such *Panthéon* in Paris dedicated to the heroes (heroes and heroines) of the nation.

holds the same claim. Swadling (1996: 158-60) argues that the question could be described as the practice of Indonesia gave the document referred to the prince in the village where they trade. Also referred to the possibility of the book is a copy of the Quran that can also be considered as such (Wagner, 1996: 294). This author-written constitution as written script tries to reach as far as possible in general people at the level of high value with attachment script in question.

Issue a written constitution is also attributed to the fact that the cultural values that are normal and according to oral histories is spoken in Papua has become the base (foundation) for a constitution and thus formatted is not unchangeable. Uninstalling leveling problems are involved in delineating the ethos of the Papuans to an area with a great cultural variation; the question is how the constitution will accommodate the faster elimination of radical change and reinterpretation ethos and related changes in attitudes, beliefs and behaviors in Papua. This author does not present an answer even to this dilemma as it has moved from the assumption of a stable, ethos Melanesia pre-Christian universally valid, as discussed below, shows (not coincidentally) parallels with Christian values and then considered both the foundation for a State of Papua.

As a script, though not widely distributed as well as sold in bookstores, Basic Guidelines should also be seen in the context of other writings about Papua. Since the fall of Suharto and increased freedom of expression in Indonesia, field studies are mostly personal and reflect the socio-political situation in Papua in Indonesia emerged. A mass growth of a number of books written by the Papuans are also the result of improved education since the 1960s, especially for people on the north coast which Cendrawasih Bay Area, the Bird's Head and shaft classic activities for intellectual Papua in Jayapura. The constitution which written by this author includes communicating with these particular literature.

The form and format of this literature is the same relatively inexpensive paperback books as produced and published by most NGOs in Yogyakarta or Jakarta. Some of them are a collection of newspaper articles or records before it was published, while others again from the beginning were written in book form. Most of the

presenting issues of human rights violations and injustices against the Papuan since the transition of power in the region to Indonesia.

The wording is often debated but also poetic at the same time. In regard to the factual history there is an important number of copying and restatement of previous reports and little details plus new things.

Analysis of the social and political circumstances in general are understated reflect the critical situation that plagued both nationally and internationally against West New Guinea happens and diversity of opinion among policy makers in Jakarta and are based on facts but often are of potential is not realized by Indonesia in managing that area.

An obvious example of this is the Reverend Socratez Sofyan Yoman 2000 with his, *Pintu Menuju Papua Merdeka: Perjanjian New York 15 Agustus 1962 dan Pepera 1969 Hanya Sandiwara Politik Amerika, Indonesia, Belanda dan PBB* (Door to the Free Papua: New York Agreement of August 15, 1962 and the Act of 1969 only Political Theatre of American, Indonesia, the Netherlands and the United Nations),. Moreover, as with writings of this author, we differentiate with a tendency to portray Papua as innocent victims with a very small and hardly any defence at all responsibility for the future of their country. Their future is usually justified, as something that will come with increased autonomy or even independence. However once the control is made tight, the rest of the aim of achieving the purpose remains to be considered. Indeed, most of the text is informed by the idea of people who believe there will be times of plenty but most also made indecisive.

A recent example of another book with a heavy concentration on the injustices suffered by Papuans with withdrawal as a last solution is written by James Hunting Dumupa under the title *Berburu Keadilan di Papua: Mengungkap Dosa-dosa Politik Indonesia di Papua Barat*, 2000 (Justice in Papua: Uncovering the Politics sins of Indonesia in West Papua), 2000. This is a personal accusation against the State of Indonesia and the Indonesian people in general with the religious reference.

Faced with the important question of why Papuans want independence is no longer a booklet of Raweyai, entitled *Mengapa Papua Ingin Merdeka* (Why Want Papua Merdeka), 2002. Raweyai

previously was a member of the Pemuda Pancasila and also a member of the Presidium Council of Papua which is civilian wing of the independence movement, as well as Chairman of the Papuan Customary Council in Jakarta. In addition to a promotion title, the book is also pushing the argument for independence because of violations of human rights, social and economic marginalization and the failure of Jakarta to conduct well plebiscite in 1969. The book is intended as a means for the Papua Presidium Council to make a public statement and to communicate the terms views on Jakarta. So, there are so many other books and written materials in this regarded.

In fact, in view of the culture of Papua highly varied "ideals of freedom" can have multiple meanings. Markedly, the meaning of independence for Papua People is moving in between the two poles of a continuum. At one end accentuate the versatile but effective knowledge many Papuans trust between strangers moving in a very considered its existence to enhance personal change can be controlled (Rutherford, 2003).

Belief is expressed in relation to a perceived need for relative autonomy from state control when the administration of the State contrary to local realities and ideals of society (Timmer, 2004b: 121–124).

On the other hand there are aspirations for an independent state by a limited number of groups in Papua and those that react radically gray against the policy of the central government with its response to the current variety of Papua as disadvantaged areas and are widely populated as not nationalists.<sup>33</sup> For those (Ardenner, 1989: 223) there is '*experiential density* (condensed experiences)' stigma OPM combined with the term *tertinggal* (left behind, lagged) is so high because it is unthinkable definitive process of Jakarta. OPM and *tertinggal* are because it was "crucial for the formation of an identity" (ibid.), in connection with the state of Indonesia.

<sup>33</sup>) This kind of thinking emit a situation that Jakarta as the center of the country used to think outside areas such as Papua, the Papuan People have to understand the workings of government and the Indonesian people, and not the policy makers in Jakarta to understand the socio-cultural and economic environment of the Papuans (cf. Duncan 2004).

The Constitution written by this author for an independent Papua is positioned facing the pause end of a continuum is not the last because as bureaucrats the author is indeed aware of how understanding of Jakarta on Papua and its population.

Although, it is also an example of the vast diversity of the sense of freedom can be found in people of Papua (see [Timmer, 2007: 463-467](#)). If monitored in a more symbolic sense put forward in the document that appears in the author's thinking, reminiscent of various localization of *merdeka* (independence) in Papua, which relate more to differences in treatment and firm conviction rather than the development of a plan for an independent state.

In most ontology of Papuans idea of *kedaulatan* (sovereignty) and *merdeka* (independence) is a major response for decades in the form of denial of human ability to learn and enforce the context of modern colonialism and post-colonialism. This partly explains the relentless quest for understanding the suffering of Papuans.

Just an idea to have their own country, now and forever, rarely found in Papua Nation mind in general, because it was built to move further and further away from most individuals are disruptive and communal concern with sovereignty and respect. The presence of the *Basic Guidelines* is an exception in relation to constitutionally a base (foundation) to influence the idea of a state and the related need to cope with the attention individually and communally.

### 3). Triple Fold Logics of Melanesian-Papua

*Basic Guidelines* composed of five chapters. Chapter 1 with the following sub-headings: *The Melanesian-Papua Triple Fold Logic, Basic Ideology, General Governance*. Chapter 2 is of *Papua Nation and the West Papua State Constitution*. The latter is mostly referred to the contents of this booklet and shared this chapter and the previous one form the basis for elaborating the constitution in anticipation of greater autonomy or self-determination of Papua as a region.

The Constitution is commensurate with the Indonesian legal system and according to this author is based on various existing constitution such as the United Nations, Indonesia and the United States as a number of original ideas deserve consideration.

Triple Fold Logic of Melanesian-Papua preceded by a section titled Genesis (pp. 1-4). Following the Bible, this section contains the creation of the universe and the time of arrival of the Papuans. Referring to the book of Genesis, the text begins: 'God, the Creator Yahweh had created the universe and its contents as written in the Bible, reflecting the fact divinity, as is believed by every human being' (p.1).

Yahweh used here deliberately follow the reading in English will be the name of the God of Israel in the Hebrew language, as preserved in the text of the Hebrew Bible. This section continues with a brief overview of the history of archaeological crust Sahul a chronological list of seven periods (incidence earth of Papua) from the Jurassic to the Pleistocene.

Furthermore, 'Nova Guinea' positioned geographically and statements 'sky' (p. 2). Metaphorically said, entrails covers 26 kinds of minerals together with 'other resources on the Earth' Papuans are 'heirs' (p. 3). This 'God's blessing' owned by ethnics Melanesian-Papuans 'very much necessary to formulate regulations on the use of public resources that exist' (p.3). The Constitution is provided as an autonomy law for Papua.

The final paragraph Genesis outlines of Papuans that the Dutch terminology called *Papua Volken* (Papua Ethnics). The authors stressed that *Papua Volken* classified into two sub-races (assumed Melanesians), in the sense of race Austronesian and Papuan races by following the classification of racial and linguistic sciences.

Further to West Papua second sub-race was distinguished on seven areas, namely culture area of Tabi, Sairera, Bomberai, Do(m)berai, Ha-Anim, Lani Paqo and Me Paqo (p. 4).

Can be summed up in the sense that Triple Fold Logic of Melanesian-Papua in Genesis was then followed along the next two chapters, that are Ideology Basis and Public Governance. Papua Nation's Charter is statements in accordance with its title, sovereignty and rights of Papuans. Contains a statement on the history of national struggle of Papua against 'colonialism of Indonesia' thus recite the Indonesian version of the national struggle against the colonial state (see below).

Here also the basic set of Papuan society and express their ideals. According to the author, the underlying principle of this



constitution is that Papua: 'with glory and gratitude, recognizing that, the Nation of Papua, is under the authority and brilliance of the truth of God Almighty-Yahweh, Jesus Christ .... "Next, in capital letter the text continues:

**AS COSMOPOLITANS,  
WE THE PEOPLE OF THE PAPUAN NATION  
DECLARE:**

*that based on the experience we have been undergoing, that colonialism of any kind and name being exercised by any nation is not suitable at all with humanity and justice, and contradict with principles of freedom and human rights, therefore, colonialism must be continuously combated and disappearing from the world's surface, so, for this reason,*

*involved in bearing real responsibility for the sake of freedom and human rights*

.....

**HENCE UTILIZE ITS MATERIALIZATION:**

Endeavors are required in full responsibility to The Papua-Melanesian Triplefold Logic, that is The Papuan Principle of Triple Luster of *Caritatis, Fidelitas, Justitatis* (Mercy, Allegiance and Honesty) with full respect to The Triple Spirit of Melanesian Brotherhood principles of *Unus Populi, Una Anima, Solus Solidarita* (one people, one soul and one solidarity), that is,

.....

We see here a creative combination of Christian principles, OPM popular slogan 'one nation, one soul' (see Ondawame 2001), and the principles of international human rights (and the anti-colonial substitutions). To a high degree it resembles the national development in Indonesia in 1950-1960 with typical anti-colonial slogan. 'One nation, one soul' as pronounced by the motto in five Irian speech by President Sukarno and a booklet ideologues Indonesian National Party (PNI) and the then Minister of Information H. Ruslan Abdulgani in the period around the struggle for the liberation of West Irian. Sukarno's speech on West Irian (see [[Retrieved from](#)]; last consultation on 30 Juni 2007)

most of the anti-colonial and Indonesian speech about the rights to re-establish the unity of the nation when allegedly throughout the struggle against colonial rule. So that it covers as well Papua unity and therefore the Netherlands must first leave the West New Guinea.

Furthermore Abdulgani develop this opinion to '*From Sabang to Merauke: One Country, One People*' 1964, a guide for Indonesia (now includes West Irian) ideas that connect one soul to Unitary State of Indonesia. At the same time in the so-called West Irian, OPM has created the terminology of struggle to become a separate nation called Papuans in West Papua. Indonesian propaganda effort inspired the people for national development: 'one people, one soul'.<sup>34</sup> The author connects the soul with the principle of honesty which he identifies as the main mode of disposition of the principal of respect customs that are part of the traditional powers. It is known that the Papuans have four traditional political system formats: (1) male mighty or 'big men' or the leadership of the mighty men on the basis of goodness and an ideology of domination; (2) a king or leadership ascribed relations with foreign countries such as the empire of power Moluccan; (3) Ondoafi leadership on the north coast which is similar to the mighty or 'Bigman' but can not extend beyond the or settlements (villages); and (4) a mixture of three previously said format of combines the inheritance of the leadership achieved or captured (p.13). This prototype adapted Mansoben in 1994 PhD dissertation on the political system in Papua, which is summarized in general so far the best of the format of traditional leadership and social organization (see the review by [Ploeg, 2006](#)).

This author freely translates Mansoben analysis referred to in the pre-socialism, pre-capitalist, pre-imperialism and, fourth system, a mixture of all three. As explained in the Basic ideology, ideological foundation Papuans are 'based on the principal

<sup>34</sup>) Details history on OPM still not well documented at large (but see [Vlasblom, 2004](#): 469, 486-636, [Ondawame, 2001](#) and [Djopari, 1993](#)) merely recites the motto of Indonesian nationalists as well as the governance structure and style of dress that mimicked the Indonesian military, must form an interesting aspect to explain power and paradoxical.

characteristics of the customs and traditional power systems were still valid and lived in the life of Papuans' (p.13). Papuans liberal democracy is an integration of elements complementary of the four traditional political systems in question. Basically characterized by the principles and practice of 'consensus-finding Deliberation (deliberation-consensus)' (p.13). Liberalism is tolerant and transparent, does not recognize the hypocrisy and pretense (p. 13).

Furthermore, it is recognized that differences in 'livelihood' can be divided into seven and coloring the cultural area. As said, the order of the seven areas of government is a plan empire by this author inserted in the constitution as part of a deployment justice for Papuans. Furthermore, it is recognized that differences in 'livelihood' can be divided into seven and coloring the cultural area. As said, the order of the seven areas of government is a plan empire by this author inserted in the constitution as part of a deployment justice for Papuans.<sup>35)</sup>

Papuan nation is not only entitled to justice but that their cultural background and Triple Fold Logic reinforce this truth. Cultural background here all foreign governments that preceded the later systems pollute the original system here by bringing things like hypocrisy and pretense, including KKN (corruption, collusion, and nepotism).

It is common among Papuans for too concerned about rampant corruption among bureaucrats in this regard as a pollution of Indonesia. This theory follows the same logic as this author stated that traditionally preserve Papuan culture of honesty and democracy only since the arrival of Indonesia models, Papua Nation grows into selfish and corrupt.

<sup>35)</sup> This is not the place to evaluate the development in period of the Netherlands (see [Schoorl, 1996](#)) but need to be shown that the administrative division of Netherlands New Guinea is not so much based on social-cultural in the sense region of local customs (socio-cultural characteristics include customary rights; The author of this 2004: vii) but rather on geographical distance required to reach the concentration necessary for the development community, which initially follows the determination by the church and then subsequent follow government policy that gradually evolved only in the 1950s.

The writing of a constitution implies imagination of a State and Nation, is that it will become essential. As it is said, to structure this author states adopt bureaucratic division of Netherlands New Guinea, with reverence so great that the Netherlands has a broad knowledge (on Papua) are collected on the culture and language in this area. This is an exceptional case among Papuans to reminisce about the Dutch era to highlight the disappointment within the State of Indonesia since 1963.

The other main source of knowledge for the country and the human imagination is the Christian knowledge. For example, the late Theys Eluay, generating of interest and openly support independence in 1998, wrote the preface to this constitution strong impression is strongly influenced Christian faith against the constitution. In the 'Foreword' he wrote that the Papuans are:

... Absolute desired by the absolute truth, which is God, the Creator of heaven and earth. Actions which surprisingly have managed to unite Papuans out of their isolation, darkness and hostility. They have [sic.] To obtain the Light of the Gospel of Christ which has formed a large number of ethnic groups it became Nation Land Lottery of God [sic., Eluay meant sweepstakes to land as it was placed for the sake of Allah tribes of Israel; see below since February 5, 1855. On the mercy and His love then on December 1, 1961 it is possible declarations to be self as the Nation and the State of West Papua (p. ii).

Furthermore, Eluay briefly but describes the constitution as the foundation for cumulus of thirty-six years of suffering ('acts wonder' above) under the New Order (starting from 1962, when Indonesia assumed administrative control over the territory until 1998) and 'norms universal norms and the modern world. "This is probably the Structure of Legislation or the Word for Papuans ... (p. iii)." Indeed, the Word that Eluay mentioned constitution that connects Old Testament narrative tells of Israel as a nation before God since birth. If the Word in the Old Testament is to apply when the system of governance for the proposed state constitution will be based on the logic of moral systems and teachings of customs regulations contained in the first five books of the Old Testament. This author does not explicitly mention it, but, as he was about to be discussed below, he plucked Christian natural law with natural

law of traditions to build Triple Fold Logic of Melanesia-Papua. This intelligence makes this constitution particularly preferentially be strong once challenged Christian Papua if many people diligently reference to their customs (which is often a heavy resemblance to the stories or Christian knowledge) to give another picture.

The Constitution does not establish a Christian state is simply to provide for people of other faiths to play a role in the executive branch. For example, Article 19 of the Pledge of the President and the Prime Minister:

(Christians only: "In The Name of Lord Father, The Creator of Universe, Lord Jesus The King of The Nation of Papua and by the mediator The Holy Spirit")

(For other confessions: .....)

"I pledge the obligations as The Prime Minister of West Papua, based on The Papuan Luster: mercy-allegance-justice and The Melanesian Principle Brethernhood: one people-one soul-one solodarity by virtue of The Constitution and yet Decrees, Legislations ancillary though My Nation and Fatherland Papua".(p. 38).

Another thing clearly Christian influence occurred since the influx of Christian missionaries in 1855 which proved to many Papuans that God has given the land to them and sealing the Papuans as one of the 'lost tribes' of the children of Israel in the past. Outside mistake Eluay preface closes with the greeting "Shalom", as will be discussed below.

The *Basic Guidelines* built into the base of the key principles on the understanding that the Lord has divided his land with stone sweepstakes for every nation, including Papuan (and Christianity as the main stream) was confirmed in 1855:

The Gospel of Christ to work with a vengeance after a shake of the part of the Head of this Bird Island, the entire Body to the Tail illuminated by love of Jesus Christ, from Sorong to Samarai. ["sic." [Basic Guideline 1999: 7](#)].<sup>36</sup>

<sup>36)</sup> Samarai is an island occupied the eastern part of Papua New Guinea, before the Port Moresby and was once the administrative center of Milne Bay Province until 1968 (see [Oram, 1972](#)). Especially in the case of paradise lost (lost paradise) and literature of the past unknown to New Guinea, a shape that resembles a bird tends to be read as a sign that

The love of Jesus unites Papuan and illuminated ..., it appears this author in his attempt to give essence to Papua's. As highlighted above, this main point others to describe to Papua's is a classification Mansoben which the author used to establish certainty the identity of the group, seriously at odds with the reality and the sensitivity alone tell people that not only have changed and that the true essence of identity exists only in relation to the mythology of the time. This author realizes wide variety mythological origin in Papua and the role they play in shaping human identity, the relationship between each other and to the non-Papuan. For example, with regard to ethnic groups of himself, namely, Tehit in the Bird's Head Peninsula, he told researcher that understanding the origin of the local was so varies and that many people were involved in the action target or the objectification of local knowledge to recognize access to claim land or occupation (now occupied by immigrants or taken by the government for state facilities).

In interviews with researcher in July 2007, the author explains that the story of the origin in Tehit are most familiar with and a tribe or clan belongs, pattern among a large variation of the narrative is not regionally but also covers Papua widely. He did not find it as shocking to realize the immeasurable variety of places for people of Papua in a different way authority is respected as a place of origin and the growing familiarity between the Papuan human one group with another group in Papua. It said that in view of these feature shades of distinction culture people are

indicates the country and primordial characteristics of its ancient prehistoric communities. For example, in describing on its journey toward the mountains west 'Wildest' New Guinea, explorers and nationality famous Australian scientist, Tim Flannery (2000: 2) states that such a wake New Guinea is '*sprawls like a vast prehistoric bird across the sea north of Australia*'. Variations of these parables are found among people in the Bird's Head or Vogelkop partially named in the Dutch language which inspires the powers of the keys to the bird's head. The author of this comes from Teminabuan on the south coast of the Bird's Head. In addition to being the head of New Guinea in the Basic Guidelines, another example is Reverend Jenbise reflect a cooperation program in the Netherlands and Irian Jaya year 1990s centralized Bird's Head that, 'heads must be lifted before the bird can fly' (Miedema et al., 1998: xi).

driven to pursue and learn about it and trying to find a union to support the origin of the entire nation of Papua.

The most popular throughout Papua is a variation of the celebration as the first contact in 1855 with regard to events of the Christianize. Commemoration referred to pioneer missionary has become a local hero Christian mythology as widespread in Melanesia (see, eg, [Young, 1997](#)). In Papua, the landing of the first missionaries took place in Mansinam Island of Cendrawasih Bay in 1855 (see [Kamma, 1976](#): 53) with widely celebrated in this country like national event. People pointed out that both the German missionary, Carl Wilhelm Ottow and Johan Gottlob Geissler Zending Gossner of Germany, bless the Land of the Papuans become God's chosen land, past reaffirms the sanctity of the land on which are Papuan culture. *'Im Gottes Namen betraten wir das land'* (In the Name of God we set foot on this land), as recorded Ottow and Geissler in their diary on the day of their landing in Mansinam on 5 February 1855 ([Ottow & Ottow, 2004](#)). As this author writes:

The existence of Papuans should occur only by the love of the Lord Jesus Christ by His name, Ottow and Geissler, two German apostles to the sea, then set foot in Mansinam-bay Dorei, Manokwari. "The land allotted to the Lord" (Psalm 125: 3) that as unspoken in the baptism (p. 6-7).

This author refers to Psalm 125 shows that only in combination with the knowledge on first contact with Christian missionaries' narrative can unite Papua. Psalm 125: 3 says that 'Sticks kingdom of the wicked will not remain over the land allotted to the righteous, so that people do not put his hand to crime'. Land given literally "sweepstakes justice". The agreement land, that had been divided among the tribes of Israel by lot (Numbers 26: 55; Joshua 18). In other words, Tanah Papua has been given to justice (all humans Papua) by Allah through the German missionary action.

In the same way, forming a perfectly mainland belong to Papuans as a group is a local interpretation of such events the Gospels, as well as the construction of the Tower of Babel as the events that allegedly took place in Papua. Through the story of the Tower of Babel allowance for diversity of language (and culture) wide in Papua completes the story of the origins of that before there already exists a unity of diversity. Unity in this case also

relates to the twelve tribes (ed. Israel) which, according to popular belief in Papua, some of which have been lost since the Babylonians to end up in Papua.

Connected with the fate of the tribes of Israel as an imagined community is a theme often grows according to its importance to the uncertainty about the future, social disruption, and economic hardship.<sup>37</sup> In such events, the adoption of the Old Testament with the completeness of local prophecy is 'inspired' by the prophecies in the Bible that proclaims redemption yourself, a group or even a State in order to reunite the lost tribes with descendants of the southern kingdom. Particularly is a prophecy in Ezekiel (37:16), Isaiah (11: 11-12) and Jeremiah (31: 7). In this construction, the people in the State unimaginable become the chosen people with a sacred source of national identity (Smith, 2003).

Combining story like it is part of an effort to claim the truth behind the power to Christianity as documented by Giay (1986, 1995), Giay & Godschalk (1993), Kamma (1972), Rutherford (2000, 2005) and Timmer (2000a, 2000b). But it is not only to Christianity was arrested as a potential power of source, also the State of Indonesia is seen as a source of strength. As mentioned in the first speech of the republic, Sukarno and written by Abdulgani.

According to this narrative, Sukarno took the Garuda emblem of Papua and the banyan tree, which both posted on the shield of the Republic of Indonesia, indicates Pancasila as the state ideology. After that he (Sukarno. ed) back to Java to proclaim Independent States. Powers needed to enhance the independence of Indonesia thus, it is said, comes from Papua (Timmer, 2007: 300-301).

The Gospels and the stories associated with the Republic of Indonesia is indicative view of the most cosmopolitan orientation group of Papuans, especially the beach (ref. ) Understanding to Christianity, Islam, and Indonesia emerged as a cosmopolitan state in population here (human Papua). Is an indication of the dynamics of world citizens in the State of Indonesia's marginal limit, reminiscent of the outer limits of the Mekong Delta transnational community citizens who by the Government of

<sup>37)</sup> See, for example, Timer (forthcoming) discussing the notion of the lost tribes of Israel among people Malaitan in the Solomon Islands.



Vietnam is accepted as a minority group as described by Taylor (2007).

Many of the dynamics described by Taylor are similar to those in Papua (and of course many others and elsewhere), but above all the declaring of universalism as an idiom for elaborating a regional complex in the delta intended to inspire researchers will detail nature cosmopolitan constitution written in Papua.

Researcher sees cosmopolitanism here as a broad identification with events and powerful things and events in the world beyond the horizon immediacy in row by traders, teachers, missionaries, government people, tourists and so on of the world as it is. At its height concerns, Papua Nation speculated throughout the ages in a wider world and the distances they have increased steadily upward in a small part last decade (since the late 1990s). Especially to Christianity (and Islam for Islam Papua) is a function of the interaction between human culture is thick with neighboring groups near and farthest. 'The Indonesian people' in this case classified as a group of adjacent neighbors though often not covered by the narrative aware of the outside world that are considered important.

Label of 'Indonesia' for Indonesian people who are non-Papuan does enforce a nation against Papuans suggestively not be a part. This indicates a need to declare another similarity with another group of Papuans and the difference with non-Papuan group and thus build an economically integrated community and regional culture explosively (cf. Taylor, 2007: 13).

Disclosure of identification that the above examples indicate the characterization of the constitution is discussed in this article. The constitution showed a remarkable openness of cultural and political identification, as intent, originated in a part of the world is not local but has now become an important element in the constitution of the community. The form of the state, colonial, rule, archeology, culture, and faith is all of them are put in place in a document that directs Papua and Papua Nations as categories that are no longer reveal and reinforce the tone of squabbles between humans. In other words, the awareness that connect and associate with other world religions and modern secular (West) has brought

Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999  
scientific achievements that support the document concerned (the constitution).

#### **4). Between a Nation State of Papua and the State of Jakarta**

The above sentiment with respect to the State (in this case) Jakarta that can be widely explained in relation to underdevelopment and the imbalance of development in Papua (see Timmer forthcoming). Wide variation in human development between rural areas and peri-urban, and between Papuans and non-Papuan clearly reveal the influence of the weak education and health services to rural communities, immigrant spontaneously in filling in manual labor, and the marginalization of Papuans business and speculate in every scale. Thirty-three years of the New Order government highly centralized (1965-1998) has led to the lifting of extensive and spread a feeling of ownership, making natural resources by big projects, a lower level of educational achievement, which is so limited opportunities for Papuans in trade, and limited medical services and efforts related to the prevention of HIV / Aids.

In relation to the government, this area is still classified as underdeveloped area under construction in Indonesia and concerned with limited access in terms of blame sharpening services between local people and migrants in Papua through transmigration program or big waves of spontaneous migration.

Immigrants of Buton, Bugis, Makassar, and Java already fill manual labor and small business opportunities and as a result, economic, ethnic, and religious differences to be important and sometimes alarming impact on the ground and political resources.

Most of what people get from the government of Papua in relation to aid for economic development, infrastructure has been designed by Jakarta and appears not appropriate to local circumstances when applied or implemented in Papua. Most government policies that are intended for Papua is forced to indigenous culture should be adapted to the cultural and administrative unity in Indonesia. They see themselves as responsible in relation to the new structure, goals, and values of a centralized state against Papuan culture (indeed) are different.

At the same time, the attitude of both Papuans and non-Papuan officials are often characterized by an uncertainty of how to build that area, and, in some cases, there is lethargy and apathy.

Lack of knowledge and capacity, and negative ideas about the potential of the Papuan people took part in the construction of modern remains in effect until now. This format is one of the main considerations why Papua poorest among the less developed regions in Indonesia.

It only happens when people in Papua have been allowed to formulate and plan for enhanced sovereignty within the framework of the Regional and Special Autonomy, which for the leaders and the local community has approved a functional placements in local government (see [Sumule, 2003a, 2003b](#)). The need for connecting Indonesia and regulatory institutions broadly constructed as the national centralized New Order as the guiding principles of democracy, became a central concern throughout the draft of the Law on Special Autonomy or 'Autonomy' ([Timmer, 2007: 467-470](#)).

In Papua recent times one can characterize the two levels of the country controlled by the State as 'nation of Indonesia' of Jakarta and Papua Special Autonomy countries largely governed by Papuans though only continue to experience interference important policies of Jakarta. The latter country was seen by many as threatening, one is, non-Papuans, non-Melanesian, and non-Christians because theoretically, it is corruption and not favored only some circles while sharing resources with those who most need it. Many people explain this by borrowing confounding medical terminology.

They say that the Papuans corruption is no longer the Melanesians and not the Christian way because they were infected 'virus Indonesia'; Papuans have become fraudulent when Indonesia contracted a disease that makes them prone to corruption.

Other countries are related to the secret room in Jakarta, the threat of military dynamics (deployment, retaliation, the security of dealing with a company making resources and an emblem flow ranges from uniforms, buildings, banners and wall paintings) and the states of network intelligence. In the perception of many

Papuans, the State as it is a disturbing threat of terror, while countries with more local are one of exclusion and elitism. For this writer Indonesian state is not evil but rather a system that fickle with regard to its policies towards Papua while actually a system that has the capacity to open in demand to fully takes part in the economic and social development by the people of Papua.

This author mentions that a transition after the fall of President Suharto in Introductory statement of the constitution. That the struggle of people of Papua have come at a more forward step in terms of modern diplomatic relations and geopolitical negotiations:

We pay attention more closely on Prof. Dr. B.J. Habibie that time was President of the Republic of Indonesia, as the approach is the willingness of Papuans demand for the recognition of independence of West Papua, 1st Dec. 1961 on the occasion of national dialogue to include people of Irian Jaya (Papua at that time). The fact is that this historical event took place at the Presidential Palace in Jakarta on February 26, 1999 [and] deserves to be called 'A Sweet Rebellion' (p. iv).

Soon after the fall of Suharto, the national aspirations of the reform is a test of how far the readiness to let the ongoing demonstrations, meetings and discussions, prayer sessions and flag when the broad support given to the leader Theys Eluay ago was arrested in October 1998. The previous week, five members of the Independent Committee Papua has been arrested starting from this author ([Human Rights Watch 2000](#): Chapter VIII).

All have been charged under the Code of Criminal conspiracy to commit crimes against national security (treason).

By affirming the vision of a government that is true, this writer, while facilitating the Independent Committee is also satisfied with the functional position of the Regional Development Planning Agency. End of October 1998, under pressure from the public against the imprisonment galling Papuans, the detainees were then released.

About a year and a half later, this writer became one of the active members in the Papua Presidium Council recently established, to lead by nationality in the broad sense 'nation-wide' of the independence movement, together with Theys Eluay, Taha

Al-Hamid, Reverend Herman Awom, and John Simon Mambor. On November 30, 2000, when it was under the presidency of Abdurrahman Wahid, this writer along with John Simon Mambor, was again arrested and again charged with treason. Two days earlier than that, the Secretary General of the Presidium Taha Al-Hamid had also taken into custody and a day later the Presidium leader Theys Eluay was also arrested, both charged with the same chapter. The Rev. Herman Awom formally arrested on December 4, 2000 ([Human Rights Watch 2001](#): Chapter VI)<sup>38</sup>. Then, this writer and three other PDP members immediately released from custody to be forwarded to the Court before being cleared.

Some time after that Eluay was brutally killed and then Mambor died of natural causes. Then, in June 2001, the author was arrested again for a short period, once on its own initiative to save himself in to prison (Abepura Prison) facilitated by five lawyers shortly after a visit to Papua New Guinea (for a scientific necessity at the University of Papua New Guinea/UPNG). Some time after that Eluay was brutally killed and then Mambor died of natural causes. Then, in June 2001, the author was arrested again for a short period, once on its own initiative to save himself in to prison (Abepura Prison) facilitated by five lawyers shortly after a visit to Papua New Guinea (for a scientific necessity at the University of Papua New Guinea/UPNG).

As the constitution for an independent Papua, the author is actually not opposed constructive dialogue with Jakarta. Evidently, through the mastering of the government legislation of Indonesia, for Papua can arrange for a suitable administration format, then this author in 2004, draw up a plan entitled *Sinkronisasi UU RI No. 21/2001 versus UU RI No. 45/1999 Tegakkan [sic.] Wibawa dan Wujudkan Kedamaian di 7 Wilayah Satuan Adat Papua (Synchronization Law 21/2001 versus Law 45/1999 Upholding the Authority of and the Realization of Peace in the 7 One-Custom Regions of Papua)*.

<sup>38</sup>) Accusations against PDP leaders centered around their involvement in three events, namely the Morning Star flag raising ceremonies throughout Papua on December 1, 1999; Extraordinary Council (MUBES) Papua 26 to 29 February 2000 and the Second Papua National Congress in May 26 to June 3, 2000.

Synchronization has been produced at the same time when the disillusionment with the progress of implementation of the Law 21/2001 on Special Autonomy or OTSUS (see [Sumule, 2003a, 2003b](#)) is high and the establishment of the new province of West Irian Jaya and similar plans to other regions in the spirit of debate and pushed toward the tension (see ICG 2003 and [Timmer, 2004, 2007](#)).

Special Autonomy is intended for a Papua intact and the Law for the separation of the territory into three provinces (West Irian Jaya, Central Irian Jaya and East Irian Jaya) has initiated by President Megawati Sukarnoputri in early 2003 to allow the elite set their provinces after frustrated above the budget allocation by Governor Jaap Solossa ([Timmer, 2007](#)).

Synchronization proposed by this author skillfully second integrating the Acts (Law No. 45/1999 and Law 21/2001) by encouraging the breakdown into divisions according to the division of administrative provinces in the colonial period into seven *Afdelingen* (see Report on Netherlands New Guinea 1961: 14-15, [Schoorl, 1996](#)).

Interestingly, this work piece supports the integration of Papua into the Republic of Indonesia on the basis of the Special Autonomy Law, the establishment of seven provinces and the Special Minister of Papua for the special care of the problems of Papua ([Flassy, 2004](#): vi).

Further empowering policies for Papua in general but not always consistently supported by Jakarta, the authors also support a recent plan for the establishment of a new province around resources of Bintuni Bay. The proposed name for the province is Papua Southwestern (referring to the area of Sorong Afdeling 1955-1961). The main achievement is going to pinch Bintuni Bay area of the province of West Papua (formerly Irian Jaya Barat). In the documentation surrounding this plan, there are two main arguments formulated for the Bird's Head region:

1. Papua Province Southwestern formed according to the Special Autonomy Law (unlike the formation of West Irian Jaya province, see [Timmer, 2007](#): 468-469); and
2. The area of the new province followed the border department of the colonial period.

The latter argument actually less amplified. It is interesting that it is not a reason to be access to natural gas resources abound converge in Bintuni Bay which is currently developed by British Petroleum and Pertamina through the Tangguh project. The reason for setting Irian Jaya Barat allegedly also inspired promises riches to be gained from Tangguh.

In an interview in July 2007, this author suggests to researchers of basic documents of "Community Development" at the Tangguh project by title Strategy of Diversified Growth Centers which this author as the executor of the project under the Regional Development Planning Agency Papua Province) which in this case himself is the lead author. In addition in the same bag were also tucked defense plea in court on trial on charges of treason in 2000. When the researcher asked whether the document should see, replied with a joke by the author in motion that should not because he could be killed because of it. Clearly indicating the importance of others that is by making this author as an ambassador in writing the document as a seal not only for the future of his homeland but also his personal life, and a concomitant increase in personal fame.

The Researcher rush to add that, for this article, is not the key concern for fame but a certainty this writer felt that he was a key player in politics from and about Papua and does not shy away from the potential introduction concerning the role in question.

The Researcher suggested saying that to be able to write a script like *Basic Guidelines*, one does not only have to consciously scrutinize themselves and society as a member in a particular category, but also feel pride in the representation of collective membership in an *authoritative document*.

Appeal of the Author of the Special Autonomy primarily associated with opportunities that Act presents the basic construction of cultural backgrounds Papuan and thus focuses on the constitution calls on a path back to a condition *edenic*, as known in the Tehit community as "toror "namely the first period or the beginning of a very unpleasant situation.

The condition was originally referred to the situation before the social strife and confusion of culture and feelings when the infection is endemic. Although it is only a mere possibility of rediscovering the past was greeted by this author partly to cover

aspects of the country envisioned by him as the return to a nostalgic view will be the Dutch policy in the political development of widespread after the manner of West New Guinea when considering how to do something against Papuans with *particular Christian foundation* (the specific basics of Christianity).

This author conceptually involvement in forming a new province within the framework of Indonesia in this case the Special Autonomy for Papua, also showed that *the futuristic constitutionalism is not just a form of resistance* (futuristic constitutionalism not just simply a form of retaliation). This is also a kind of make accommodations with forces beyond the Nation State of Indonesia. As well as other post-Suharto Papua writers regardless of Giay which indicates the State of Indonesia as strong outsiders against so the Papuans should try to adjust as change.

Since opportunities for independence was passed (Papua National Congress 2nd, 2000) and with changes in the direction of special autonomy as well as the possibility of creating formed part of the State would benefit a wide range of products produced by this author in the form of new texts.

However remains the foundation for the structure of a new State nuanced customs to Christianity Papua-Melanesia as the delineation core Papuan nationalism.

By accommodating the power state of Indonesia, inclined with to put the Indonesian State 'out' rather than in Papua. It is ironic signifies that the author is himself a bureaucrat.

Protrusion category strength customs and to Christianity in the politics of this period in Papua may be compared with the European tradition that marked by Michael Herzfeld (2005) as "structural nostalgia". The marking of structural nostalgia both officers and citizens to the lower class.

Herzfeld describe the structural nostalgia as a collective presentation of a time (garden of) Eden (edenic) - a time-before-time-, in which there is a perfect balance of social relationships occur before the pain of the fall that affect humans and everything.

Herzfeld denied the idea that a time when state intervention is not required to conduct a social life appropriateness provide state and law-abiding citizens are not against the common ground of mutual continuous engagement.



Herzfeld took the majority of cases in the study of Western Countries in which the nationalist project has a long history. As highlighted above, Papuan nationalism is more problematic than uniformity narrative to Papua's the opposite of 'Indonesia' is unstable and, as the author of this constitution, in the making.

In the context of the conversation, especially in the form of a written constitution for the State of Papua create a sense of community. Communities then tries to tame this author is deflected and take aside but as the constitution related to an understanding of the basic rules of Christian concepts and Melanesian-Papua (inclusive Islam-Papua) at the same time to be racially and culturally different from the Indonesia Islam, so potentially powerful. As with all nationalism, nationalism of Papua and hence the constitution of Papua challenging disharmony but instead lays claim to a country perfectly. The researcher had shown above that the state envisioned by the constitution it is this age image of the purity of the culture of Papua. Here, the researcher suggest, follow Herzfeld (1997: 22), becoming 'structural nostalgia Papua'.

As indicated by Herzfeld structural nostalgia is the other side of the cultural familiarity: 'not made room for the introduction of genuine reciprocity between the human shortcomings ... but space-now an imperfection with perfection edenic' (2002: 191). State of Papua based on Triple Fold Logic as a charter for a return to perfection edenic form is familiarity culture envisioned by this author. At the other extreme is the situation under Indonesian control in which the author of this mark as colonialism comprehensible underlines the difference between being a Christian and Melanesian (Islamic Papua) contrary to Islam and Indonesia.

There are two shades of complexity to the definition of structural nostalgia (2002. 149). The first replicated on any next generation while the second focused rhetoric object of longing. The first style is that of widely documented, for the Melanesian community. For example, community Iqwaye in Papua New Guinea 'traditionally' believe in the possibility of a total holocaust (a total disaster) expressed in a kind of notions like the sky fell to

the earth, or the sun and moon close and thus destroy the earth (Mimica, 1988: 92, see Jorgensen, 1981).

As is on traditional ontology of Melanesia each end are also updates the universe (Mimica, 1988: 93, Ballard, 1998: 80) then it is not a surprise with the arrival of Christianity to a conception of a major extinction is Christian apocalyptic teachings among the Melanesians (see, Kocher Schmid, 1999, Stewart & Strathern, 2000, Jebens, 2004). Generally, both the pre-Christian and era Christian of Melanesian conception of destruction around the world is returning to the primordial state or country edenic.

Papua in Indonesia is for the contemporary era, a style that is both most about the destruction of morals and related disorders reciprocity. Hence, structural nostalgia among Papuans take back to the state edenic format and can reveal a new universe, which reflects the period of disbelief in the historical, social and spiritual entropy since the arrival of the Indonesian administration, and a general decay of morals as observed. The latter are also often, but not exclusively, associated with the adverse effects of Indonesia to Papua, especially infections of the bureaucrats Papuans as mentioned above the Indonesian corruption or as Giay standing to challenge the ethos of the Indonesia-nizing of the Papuans.

It is important also to realize that the alarming damage morals much linked to the frustration of the greed of the national politicians Indonesia, cruel exploits security device state, as well as weak governance held in the region by the Papuans themselves, services weakened by state institutions in the area and the absence of good leadership within the community itself. What is discussed with passion though is young people no longer farther listen older, the girls dressed sexy, wives against husbands stand, and people take over language-foreign NGOs on human rights and so on. It is also likely in the context of this author's writing Basic Guidelines as the foundation for a principled life.

## 5). Assertions

To explain the charge specifically Basic Guidelines is possible in showing how the current oposant mandate encompasses the idea of a new nation and its constitution is built on an understanding of the Indonesian state, by borrowing from Christianity's local and

legality heritage of faith Papuans revitalized continued to increase in light of the shock political conditions. Certain contextual influences on the constitution also includes knowledge of the Dutch government and the ownership of this author will *idiosyncratic knowledge* (knowledge of idiosyncratic sources) stored in the collection of Netherlands New Guinea and intimacy with the Netherlands and elsewhere.

From a more regional level, there is also the influence of *eschatology* of Melanesia to generalize and idealize the notion of culture and customs (environment) of Papuans. Should be appreciated the environment of this author includes the *audience-in-mind* (his attention-in-thought) to understand what he did.

The most striking, is that the *Triple Fold Logics* voiced a feeling of sovereignty that organizes understanding 'to Melanesian (and) Christian'. This author refers to the Indonesian constitution (also in conjunction with other international constitution) and as Romanizing the colonial rules which clearly serve and provide the density of the contents of this manuscript (of the constitution). At the same time, though, as a balancing act or an autonomous constitution, a constitution of Papuans should avoid stiffness may occurred any particular style of regime power. This author understands this. Therefore, most references to God and Christian values are in a single breath or his good relationship with Melanesia or Melanesianess.

In analyzing the author's manuscript, the researcher identified different mishap science that has influenced the style of minded. Many of the knowledge *mobile and mobilizes across regions and localities* (move nimbly and exert crossing region and place), among those who are also agile and exert on each other.

Different interpretations of knowledge that may seem universal rallying to the cultural differences that indicate that the conditions and concerns are different. The knowledge gained from education, for studies abroad, from books, from the stories (folklore) and so on, to be part of the tools for a person to produce the full structure sense, to mobilize people, to gain strength (power), in increasing charisma. The writing of a constitution is one thing that this author feels himself to be first to do but this is also a possibility to blame. According to researcher, this author as a witch who can create a

*hotchpotch* (hotspots) are being very characteristic in the early part of the constitution as well as the 'United States'. The above analysis has shown that a person's job may be taken as an *insightful instance* (internal events) many micro events in Papua, which often form the impetus for greater movement. Medium is the macro level analysis of historical events are often not enough on understanding what has happened because *ignore the possibilities of chance and individual idiosyncrasies that drive the pivotal events* (ignoring various possibilities for the opportunity and privilege of individuals who guides the events which are very important).

The only work of Papuans to the rules (laws) which aims to regulate the life and land management as a clever move to carve out a better future for the whole of Papua will probably get support from different constituencies and spread. Moreover, the constitution of this author relates to the propriety of cultural variations and political reasons which partially clocked together and some individuals that of course they never separated.

Indeed there is a '*shared social and cultural world of Papua* ' (significant overlap between the personal and social togetherness and cultural world of Papua) against which an overview and analysis of unresolved and are still outside the scope of this text. As a result, the withdrawal is still in process, as rulemaking (legislation), such as constitute the rule (law), the constitution by the author is *indeterminate and polyvalent* (indeterminate and capable dual or plural). Therefore, this researcher noted is as important patterns of cultural and political activity in modern Papua.

What is evident is according to the researcher is that the author has the *capacity to blow his audience's mind* (the capacity to express the depth of power meditation), to produce a vision of reality more related ideas and human attention but also includes them and stated that the author is the *grand master* (main chief). This constitution is so strong thus giving an understanding of the State of Indonesia and be present as an alternative form of a country on ignorance on the remains of the missing edenic that in this case the Christian principle of centralized shared customs rules. Customs rules and missions to Christianity each other approvals and

together are *tantamount to justice* (face justice), *dignity* (identity), and *sovereignty* (liberation).

The presence of the *Basic Guidelines* is a product of the *cosmopolitan periphery* (the outer limits of cosmopolitan) of Indonesia so is a sign of the local tradition of engagement with global powers put Papua in a vast world.

The Constitution was written by using various sources of the neighborhood near Jerusalem and the Netherlands so is a cosmopolitan engagement format. The engagement took place in the imbalance of power (strength) between the central state and the outer boundary (its periphery). Writing a constitution is among the most powerful practice to lay it *bare* (whatever they are), *deconstruct* (un tight) and *redefine* the boundaries of race and culture in the State Indonesia.

No constitutionalism that matches the constitution drafted in the top line of marginal or edge lines of the country. Field as it will be seen on the conditions by which this base and the foundations of the sacred (taboo and secret) for an alternative state laid. What may be concluded from the analysis of the constitution of this author is that the producer of this manuscript is remarkable creative, sophisticated and has a clear vision.

The source or basis of inspiration or *holy grails* (innuendo holy) a variety of methods and compositions are very knowledgeable while the goal is obviously to generate a structure that would bring down from their thrones that have too much power and inherited rights for all included (should) protect the rights of those, they are marginalized.

Dependence on the dissemination and response, social processes may lead to coverage of the mobilization of Papuans for or against independence but also a kind of interaction that the author is present with people in Jakarta. This latter possibility as mentioned always be around the corner but it is often not recorded by Jakarta, (the book of) *Synchronization* written by this author intended above is an event that will clear a creative foundation for mutual agreement between the center and periphery of state and government of the region often leading to very rigid and terrifying reactions from Jakarta. However, as the gap between Jakarta and Papua are not narrowed (see Timmer, 2004, 2005) it is not possible

central and boundary periphery most east of the country to each other are involved when *educable entities* (unity of learning) so that the two are closely related to each other in terms of balance of mutual appreciate the value of cosmopolitan connections of cultural traditions and knowledge.

## Referral Reflexive

To get an understanding of both Constitutions and the related supporting materials (Garuda Pancasila, the Flag of Dwi Color, Anthem Indonesia Raya, vis-à-vis the Basic Guidelines Papua-Melanesia, Triple Fold Logic of Melanesian-Papua, The Charter of Papua Nation, the Flag of Morning Star, and Mambruk-Goura Victoria papuana regia), then the comparison step is indeed not very appropriate in used. This is because both have complementary side and the reference in this case the interests of the Nation of Papua for sake of the nobility names of the Nation of Indonesia. While on the other hand the greatness of Indonesian name for the glory of God's name for the nation of Papua and universal humanity.

Only people allowed (by God) to think in that direction and that may gain the ability to digest and crucial in the face of both these texts as "from one mark to wonder and to mark another wonder". So this study should only be approached descriptively normative correlation to uncover each in the following narrative:

### 1) Materials

To understand reference of this Reflexive is directly to the Constitution as the main materials. Thus of the Triple Fold Logic of Melanesian-Papua starting when include the Foreword of Papua Leader, Chief Theys Eluay Hiyio, Genesis contains the formation of the island of Papua in seven epic, Exodus contains among others Papua Volken as discussed by researcher from the Van Vollenhoven Institute in Sub-Chapter 3. The materials referred to it can be used as background knowledge as Soekarno Write Pancasila and the Constitution of 1945 with dogmas which among other things contained in Tan Malaka, 1925, Mohammad Hatta 1928 and Sukarno himself 1933, namely Islam and Nationalism or

also serial writing of Sukarno in 1954 titled " *Di Bawah Bendera Revolusi* (Under the Revolution Flag)".

In this particular, there is connection among Islam and Nationalism in Pancasila and the Constitution of 1945, while Triple Fold Logic is rooted in customs and to Christianity of Melanesia-Papua as basis for departure.

Correlation is the strength of adhesion of the understanding is no action to build a pyramid of Unitary Indonesian Nationalism tolerance that is displayed in the "Unity in Diversity" (Diversity in one) while others in Papua meant is gluing the mosaic that is From Unity maintained differences that occurs and takes One Solidarity to glue One Nation and One Soul raised with Mercy, Allegiance, and Honest.

## **2). Item Contemplation**

In the content of Pancasila, each item stand separated and alone though indeed co-exist, while for the correlation of the items in Triple Fold Logic of Melanesian- Papua, each cybernetic cyllindred uncontrolled manner (circulating or shaft continues spinning in recycling). The divinity or Godhead in the First Precept of Pancasila is denoted with a star in the middle of the chest of Shield Garuda Pancasila correlated with Triple Fold Logic the divinity or Godhead that is the power of cyber moving six horizons toward and moving by the star.

Belief in God Almighty is in Pancasila for the Triple Fold Logic seen as the Creator of Heaven and Earth the Yahweh therefore providing Loving and Long-Forbearance.

Mercy, Allegiance and Honest are divine commands that humans lived in One Nation, One Soul and The One Solidarity. The elements in the Pancasila radiated in the four precepts, namely Humanity Just and Civilized, Unity of Indonesia, Democracy Led by Wisdom in the Consultative/Representative, and, Social Justice for all Indonesian people to perform independently represented symbols of Banyan Tree, Head of Bull, Rice Grains and Cotton Boulders along Chain strands, correlated with grains of Triple Fold Logic not represented by emblem in the sense of a straightforward and does not require interpretation.

### 3). Constitution charges

About the load on the Constitution of Indonesia 1945 comprises 16 Chapters plus 37 Articles and the Transitional Provisions 4 Articles, while the Constitution of Papua 1999 contains 18 Chapters with 54 Articles and Additional Rules with 7 Articles of the Transitional Provisions as well as the Special Rules 3 Article. Existing composition impressed balanced in the sense of not much to unravel as the Constitution generally allows can happen poly-interpretable so that it takes so much tightening through the Act and Regulations as law enforcement tool.

Apparently the experience during the integration and knowledge of the Indonesian Constitution of 1945 (P4) inspires the Papua Constitution of 1999 so that it may avoid and even away of or at least reduce problematic poly-interpretable intended above. Impressed corrective action has been perceived conditions, although further idealism to build an edenic circumstances or an ancient of Melanesian-Papua as alleged by Researcher from the Van Vollenhoven Institute of Legal intended above.

One example is in Indonesian Constitution 1945 Chapter X, CITIZENS, Article 26 (1) The citizens are the indigenous people of Indonesia and the people of other nations who passed the law as a citizen; (2) The requirements regarding citizenship established by law. While the Papua Constitution 1999 this subject reads CHAPTER XI CITIZENSHIP, Article 32, Citizenship (1) The citizens are ethnic Melanesian-Papuans and the Ethnic of others duly authorized under the Act, (2) the State of West Papua recognize and respect the dual citizenship extent not inconsistent with the order of life adopted in the country; (3) The terms of citizenship of the State of West Papua stipulated by the Law. In a more straightforward meaning for ethnic and citizens of other nations who wanted to recognize the existence of Papuans. This correlation is returned to the plight of the ethnic Chinese in Indonesia's New Order era are barely respected the rights of the essence in this case concerns the name and surname of its ancestors.

Ten years after the RTC (Round Table Conference) and before integration into the Republic of Indonesia although short but has formed *einheid Papua Völken* (Unity of Tribal Nation of Papua) that



still implies impression and awareness of Papuan identity is another in a correlated outside the United of Indonesia (an effort into Indonesia and necessarily requires various forms of reward or appreciation as fellow citizens in equality of dignity).

### **5). Bounder and the Form of State**

The Border of the State is not the same according to both constitution stated evenly. Is nil in the Indonesia Constitution 1945 while the Papua Constitution 1999 mentioned in Article 4:

(1) The territory of the West Papua stretches on 129 EL degrees bordered by the State of Indonesia (Maluku) to 141 degrees EL is bordered by the State of Papua New Guinea, and 1 degree of NL is bordered by the Philippines, the Republic of Palau and the Pacific Ocean to 10 degrees SL bordered by Australia.

(2) The Territory of West Papua is divided into 7 Regional Territory with the distribution of residency and *Gemeente* (Municipality or Community).

(3) The Territory of West Papua happened because the development was then called Afterwards Agglomeration Territories or the Then Development Territory, regulated by Law.

(4) The State of West Papua is shaped Commonwealth in form of Federation (Federalists State).

Forms of the State according to both constitutions is stated equally; according to the Constitution 1999 (of Papua) mentioned in Article 5:

(1) The State of West Papuan comprises Federalist by a Mix-Cabinet of Parliamentary and Presidential;

(2) The Government of the State of West Papuan comprises 7 Traditional Territories of Papuan Folk according to the Manifest of The Papuan National Committee, ascribed as strips on the National Flag The Morning Star, 1 December 1961 which are Hollandia or Tabi, Geelvinkbai or Sarera, Vogelkop or Doberai, Onin-Bomberai, South Coast or Ha-Anim, Eastern Highland or Lani Paqo and Western Highland or Me Paqo and also of Afterwards Agglomeration Territories.

(3) The Afterwards Agglomeration Territories are basing on the division of Second Level Governance of Province of Irian Jaya or also to Governance of Special Autonomy (OTSUS) Province of

Papua and or other condition and consideration and also the other support.

(4) The determination of Traditional Territories and Afterwards Agglomeration Territories will be further arranged in the Legislation

Meanwhile Form and Sovereignty in the Constitution (Indonesia) in 1945 declared Article 1:

(1) State of Indonesia is a unitary state with a Republican form.

(2) Sovereignty is in the people and done entirely by the Assembly.

There are a variety of other matters concerning Health, Environment, Citizens Rights and others, but in order to avoid a comparative understanding (comparing), the performance is not forwarded. Subsequently it is forwarded by tracing the correlation between the symbols and the attributes on each.

## 6). About the National Flag

About the National Flag, the Two Color Flag appears in a period of political and the physical struggle against Dutch colonialism ended after World War 2. Red and white colors imply a peaceable but for that, war could even happen. Colors are animated on the flags in the Middle East that Islam breath. Correlation with the Morning Star Flag, is, a delivery back or a reincarnation of the symbol of resistance against Amber by fighters of Koreri before, during and end of World War II with inspiration Morning Star in myth of Manarmakeri which is the forerunner of *Koreri beweging* (Koreri movement) as illustrated by Kama (1972). If echoes and dogma at the end of World War 2 is "going to create peace, true comradeship and liberty for the all Nations", so the Papuans are included in the Dutch East Indies Colonies Countries that were released in 1943 two years before the proclamation of Indonesia announced by Soekarno and Hatta. Thus Morning Star flag is the symbol of intimacy (mosaics') customs and to Christianity of Melanesia-Papua in terms of struggles (*resistance* or *movement*) of Koreri anti amber in question is at the same time anti-colonial.

Correlated that, both flags are equally emblem of struggle, despite different shades. Events in Orange Hotel Surabaya showed

Dwi color occurs because the blue stripped of Tricolor on part of underneath, while the Morning Star occur because of the completeness distributed by tricolor complement local knowledge and ideology of Papua. Then releasing the Tricolor the Morning Star just joined Dwi color were not able to accommodate the image. Morning Star hostility thus no space and hindered other efforts to realize the dream of a prolonged in Papua of time continues to take its toll as both Dwi colors flag and the Morning Star. Chief Theys Hio Eluay ever take the initiative to raise the two flags together on December 1, 1999 events as the beginning of true comradeship Indonesia-Papua, but instead blame. This event because it is the reason for this man arrested and prosecuted along with 4 other figures is The First Jayapura 5 December 2000. There Autonomy was not a decent place to position of the Morning Star became a local or area symbol. Thank Thy God, as so the flag remain national symbol of West Papua Nation.

### **7). About the National Emblem**

About the National Emblem of the two peoples is naturally appearance of a form of bird. A philosophical correlation looks at compliance birds of "mambruk" (crown pigeon) do not talk much but put forward the hard work, and the "garuda" (eagle) that also does not talk much, but claws and beaks capable counting in seconds. Strong and powerful in savage breast correlated with the toughness of a peaceful life in crown pigeon or dove elegant crown in blue sheen. Indeed, so much correlation data but not yet realized both parties, especially the Indonesian defense that is in control and know better "what freedom is the right of all nations ....." then it may be able to defend the position of both nation.

### **8). George Junus Aditjondro on Factual and Contextual of Melanesian-Papua within Indonesia**

This section is an adaptation and reviews of George Junus Aditjondro (1993), according to Clifford Geertz *cultural duality theory* on the facts among others the correlation shown above, by borrowing the experiences and statements of Otto Syamsuddin Ishak, senior researcher at Imparsial, Jakarta (2012, [Retrieved from] in Aang Ananda Suherman, <http://bahanamahasiswa.com>),

that, herein lies the difference between Aceh (when categorized as Indonesia) and Papua in relation to the cultural duality theory. Because, Clifford Geertz once visited Aceh so logically, when he charted Indonesia Outer, Aceh included in here. When he describes how the Java possess religion, has been unimaginable at the end of the world there is Morocco (North Africa) and in the end of Sumatra there is Aceh, which is bearing Islam in different ways with Java.

Geertz's view is a lot of writing and articles and books among them (1) *Interpretation of Cultures: Selected Essays* 1973; (2) *Works and Lives: The Anthropologist as Author* 1988; (3) *Local Knowledge: Further Essays in Interpretive Anthropology* 1983; (4) *After the Fact: Two Countries, Four Decades, One Anthropologist* 1995 and (5) *Available Light; Anthropological Reflections on Philosophical Topics* 2000.

The books are mostly based on field studies in Indonesia and Morocco. He focused on two main topics, namely economic and religious. On the economic element, comes with what is called *involution concept* (concept of involvement or hassle concepts). Syamsuddin Otto said to Isaac, according to the concept, *a tiny plot in Java is forced to absorb unlimited supply of labor and cultivates the land until the soil is exhausted*.

In correlation above shows how the collision of environmental concept according to Article 33 of the UUD'45 and Article 51 of the Constitution 1999 which led to the using of "Lingkungan Hidup" (*Life Environment*) in Indonesia versus respect for the "Lingkungan Alam" (*Natural Environment*) in Papua (Melanesia).

In economics, said Otto Syamsuddin Ishak again that, there is an interesting fact that the theory presented by Nobel prize winner Arthur Lewis, namely *"the economy of unlimited supply of labor"* which essentially outlines the possibility of a transition based economy from *agriculture to industrialization*.

It said, *"The industrialization continues to happen because the change of labor from agricultural sector to industry will not affect the productivity of agricultural sector since the labors' marginal productivity of labor/MPL) drawn as:  $MPL = 0$  or not at all mean. This theory has destroyed views of economists such as Ranis & Fei (2010), Theory of Economic Growth; [Retrieved from]<sup>39</sup>.*

What is interesting is the theory that Lewis could not be presented here as a new theory when confronted with cases set by

<sup>39</sup> Theory of Economic Development:

- John Fei and Gustav Ranis in "A Theory of Economic Development" examine the transition process which is expected to pass an underdeveloped country to move from a state of stagnation towards self growth.
- It is a refinement of the Lewis theory of the unlimited supply of labour.
- Theory Fei-Ranis: A country that excess labour and resource poor economies, most of the population engaged in the agricultural sector in the midst of great unemployment and a high rate of population growth. Agricultural economy stagnates. There are industrial sectors active and dynamic. Development consists of reallocation of labour surplus agricultural contribution to output zero, to the industry where they become productive with equal pay.
- Assumptions used:
  - (1) Economic two-face divided into traditional agricultural sector stagnant and active industrial sector,
  - (2) The output of the agricultural sector is a function of land and labour only,
  - (3) in the agricultural sector there is no accumulation of capital, unless reclaimed,
  - (4) supply of land is fixed,
  - (5) agricultural activities characterized by results (returns to scale), which remains with the labours as variable factors,
  - (6) the marginal productivity of labour is zero,
  - (7) output of the industrial sector is a function of capital and labour only,
  - (8) the population growth as exogenous phenomenon,
  - (9) real wages in the agricultural sector is considered to be fixed and is equal to the level of real income of the agricultural sector,
  - (10) workers in each sector only to consume agricultural products.

Geertz of what be the so-called concept of "*shared poverty*" as part of the theory of the agriculture involvement.<sup>40</sup>

While in Papua Melanesia as stated by J.G. Held (1951) as "*kultuur improvisator* (culture improvisator)" is the opposite of the horizon is very contradictory. An example that, to trade as catering for Papua not departing from the bear, carts, bicycles, motorcycles, cars, hawkers and home stores and trade, but the right is the result of the field to the home store or even to commerce and industry. Or roughly said "illiterate can be controlled from the tractor and needs of the times (using a mobile phone in a state bearing penis cocker "*koteka*")". Held's statement may be mentioned having seen a decade (1949/1950-1960/1961) the development of the community in the Netherlands New Guinea (including the Melanesian society in general).

<sup>40</sup> In (2014, Imam's Blog, [\[Retrieved from\]](#) Theory Arthur Lewis, its discussion is in the process of development between urban and rural areas, followed by the process of urbanization between both places. In addition to this theory also review the investment model and the system of wage determination in the modern system also affects the existing urbanization. Lewis assumes that the economy of a country is basically divided into two. (1) Traditional economy, it is assumed that rural areas with traditional economy experiencing labour surplus. The surplus is closely related to the main base of the traditional economy. The condition of society in a state of subsistence as a result of the subsistence of economy also marked the value of the marginal product of labour is zero. This indicates that the addition of labour would reduce total production there, contrary to reduce the workforce it does not reduce the total existing production. Thus, real wages are determined by the average value of the marginal product, and not the marginal product of labour itself. (2) The economy of the industry, the industrial sector plays an important role in this sector and also located in urban areas. In this sector shows that the very high level of productivity, including inputs and labour used. Especially the marginal value of labour is positive thus the urban area is a destination for job seekers from rural areas. If this happens then labour in industrial sectors will be followed by an increase of output produced. Thus, the urban industry still provides jobs for villagers. In addition to employment opportunities available no less attractive wage levels in the city reached 30%, and this then becomes of interest to the villagers in doing urbanization.

Methodologically, there is difficulty to read Papua. Is when outlining Indonesia into two cultural systems Geertz have imagined that Papua became part of Indonesia Outside? Or do as researcher from Van Vollenhoven Instituut above, Papua positioned as marginal line cosmopolitan lies in Indonesia.

Papua was not added in culture duality map of Geertz. According to George Junus Aditjondro, fortunately Papuans themselves have a different definition of the citizens of Indonesia, namely Papua (haired) curly where Indonesia is (haired) straight. This is what can be used as a basis for reading Papua from the perspective of cultural duality. In this context, it is used for things relating to the history and expansion (or separatism) in Papua internally as revealed Otto Syamsuddin Ishak. Which in this case must be experts such as Geertz did not even imagine that the "culture of Papua was not part of Indonesian culture" in the sense of not included in the different but one or tolerance of "Unity in Diversity" as the basic characteristics of Papua is solidarity of "Together in Diversity".

Papuans tend to be resistant to the writing of the history of historiography Indonesia-centrist Papua perspective. For them, all the political circumstances which reconstructed "it is not straight, but very, very curly", continuing Aditjondro. Uniquely, they are constantly fighting for what they call "historical rectification of Papua". This is a political pamphlet that is congruent with the book title Subandrio (2000) on the political history of Papua in relation to Indonesia, namely Straightening History of the Struggle of West Irian. Should not it be "consistent with the attitude of dualistic culture". The Papuans actually are struggling to crimp the history of Papua that has been straightened by the ruling elite in Indonesia? Although it is not easy to imagine as described by Demmy Antoh (2007: 177) that is on the implementation of the mandate of Article 46 of Law-Decree No. 21 of 2001 on Special Autonomy for Papua Province, concerning the Truth and Reconciliation Commission that is certainly inhibited Jakarta by all means.

The second thing is about the political division of Papua (2003). How can Indonesia held internal separatism in Papua? Is the Indonesian elite solely consider the geopolitical Indonesia and

Papua geo-culture ignore? Aditjondro again mentioned, “geo-politics defined unilaterally by *kaum serdadu* (the defense perspective) of *everlasting invasion* (immortality occupation). While on the other hand is also to address the development of stagnant because of the wide range of services and governance if they are only in one province and it is possible in accordance with Article 76 of the Law-Decree No. 21 of 2001 on Special Autonomy for Papua Province.

Indonesia-centrist historiography which, according to Indonesian experts, just mentioned Bambang Purwanto in Ibrahim Isa Alias Bramijn, (2007, [Retrieved from]), Bambang Purwanto had failed. However, perhaps not entirely failed or unsuccessful. Therefore, in relation to the history of Indonesia versus colonial party, perhaps the time of writing still holds the principle of decolonization, although his form is still dominated by stories of the movement in the area around the center of the colony, the Batavia. However, history in relation to the relationship between Jakarta and the regions may actually still colored by the spirit of colonization that is strong, with the exception of Papua in certain respects be seen as a process of integration that can only assumption was turned into a feeling occupied by foreign parties when acts of vandalism, brutality, mistreatment, harassment against the identity of Papua continuously waged.

According to Aditjondro, in fact, when seen at a glance at the history of Papua, the writing is a continuation of colonial-centrist alone. Papua is in the Dutch-Indies historiography-centrist and continued into Papua is in the historiography Indonesia-centrist. The problem, for the Indonesian side, there is a strong interest to maintain the image of political morality if it's history as told by Bambang Purwanto is a ratio that reflects the events, emotions, and black-and-white subjects from Indonesia or Papua.

In terms Indonesia-centrism, Papua acquired through the chaotic struggle between the invasion of troops and diplomatic action. As if, with both actions said, the colonial subdued before the rooster crows, as the story of establishing of Prambanan temple or the famous lake and mount Takuban Prah in Javanese and Sundanese communities.



In fact not the case, because there are processes the political negotiations of bilateral political treaty between Indonesia and the Netherlands on August 15, 1962 in New York, and the subsequent negotiations. There are provisions in the Declaration of the United Nations and international laws which were ignored, the time will demand to return as a deliberate offense violation of truth. New York Agreement consists of 29 chapters, which among other things regulates the transfer of government of the Netherlands to the United Nations and the Secretary-General formed UNTEA government until May 1, 1963. Then UNTEA handed Papua to Indonesia until the act of self-determination freely implemented.

Although only 1 (One) voice which was Eduard Hegemur of Election Pool of Fakfak, another voice requires independent and separated from the Indonesian nation and the Netherlands contrary to the choir orchestrated by Indonesia. Although only one voice, it is an eternal truth that should come out of the mouth of 1020 members of the DMP (since 1 vote resign) compiled by Indonesia for deliberation-consensus-mutual help respond to international law "one man-one vote" New York Agreement in 1962.

From the side of Papua-centrism, the Papuans have the desire to break away from the Netherlands, but it is not automatically submit itself to Indonesia. Because, Papua is not a Dutch East Indies, as is Indonesia's political conclusion. Papua nor is a colony of the kingdom of Tidore, which is then captured by the Dutch, then seized by Indonesia from the Dutch.

On the matter of self-determination, Indonesia got the political gap of the absence of a system setting and self-determination in the New York Agreement. UNTEA did not prepare for it during its rule in Papua. Indonesia then made a model of its own, namely the Act of Pepera, which corresponds to the political and ethical culture of Indonesia "gotong royong (mutual assistance)", as well as negotiate its own time (1969). The act became a series of actions of the determination of 63 chiefs, 89 deputy group, and 88 representatives of youth who mobilized at 3 to May 6, 1964. Apparently, the political practice of the determination made in areas of conflict such as East Timor and Aceh is a continuation of Papua political practice in the post-Treaty of New York in 1962.

Political policies and the behavior of Indonesian politics so curly that self-determination does not reflect the existence of freedom of choice on the one hand, which had actually been straightened (eliminated) by the Indonesian side in the history of Indonesia-centrist. And on the other hand, things are curling history that relating to fraudulent acts, terror and human rights violations are prosecuted by the Papua to remain listed as part of the history of Papua.<sup>41</sup> Spiral historiography of Indonesia-centrist repeated. Irian was seized at the time of the President Soekarno; and Papua broken by President Megawati. While Soekarno-willed upon unity Sabang Merauke, Megawati act in the context of preserving the integrity of Papuan political struggle.

Political regional expansion or it could be called internal separatism, become a major policy versus politics in solving the self-liberation struggle in conflict zones vertically. There is also a political hidden soldiery to strengthen its dominance of the local political dynamics through the territorial commands and folding number of soldiers and weaponry. Politics wich are constantly being developed, although it is also recognized, has failed to deliver prosperity.

Internal separatism has also been practiced in Aceh based on racism, namely disintegration and ethnic provokes, raising militias, and continues to the formation of new provinces. In the context of Papua who are struggling, internal separatism as a political policy is a necessity when viewed from the side of Indonesia. For Indonesia, beyond the considerations is of political considerations geo-culture of Papua. Even granting the status of special autonomy for Papua, also on the basis of political considerations, without considering the locus privilege Papua as customary land.

As a result, the political division was not in accordance with the cultural picture of Papua. If viewed from the side of conflict resolution, internal separatist conflict only transform vertical to horizontal, or of manifest into latent. Conversely, when the

<sup>41</sup>)That history gives the power of intuition and inspiration to philosophy, while philosophy offers the power of logic to history. By doing so, a historian will be able to obtain valid results relative history of the research process, the basic logic of critical.

awareness to Papua's actually increased with the implementation of the policy of internal separatism, will be the addition of new energy into the spirit vertical conflict.

History is extremely important, said Ibn Khaldun (1332 AD-1406 AD), because, history invited to understand the origin of the creature (the Papuans), how the situation and the conditions that make them switch from one hand of power to the power of another, or from being a colony into a new colony to another. However, if the history of Papua reconstructed just a straight, in the sense of eliminating the policy and political action kinky-curly from the colonial, of course, it would be misleading for generations in defining what and who they were. Moreover, politically, the writing of historiography Indonesia-centrist in dealing with Papua has been absolutized.

Then the remaining effort is on the political courage of Papua historians to rewrite so it curls into a large book of historiography Papua-centrist. The nature of Papua-centrist explains the conditions and situations based on geo-culture in Papua. This is very useful as a resource for formulating identity of Papua's, in addition to strengthening the privilege locus of Papua. Next is the political demography of Papua can be reconstructed, "The Papuans are indigenous children, or who have baptized customarily. The rest are citizens of Papua alone. "Finally, the division of Papua politically was not an issue when it becomes seven provinces, because it is according to the geo-cultural hemisphere of Papua alone.

In that regard Otto Syamsuddin Ishak wrote: 1) From the sorry to panic about Political Conditions in Aceh during DOM (Political conditions in Aceh Province during military operations), 1989-1998; 2) Bung Karno: a mouthpiece for the people of Indonesia (Sukarno's set of Speech); 3) Knitting peace in Maluku; examines religious conflicts from 1999 to 2000 on the political situation (Political conditions in Maluku Province since 1999-2000) and so on.

A key issue is that the Papua not appear physically alone (eg. Melanesian curly -vis Malay not curly) but a habit (custom) cultural, ideological and philosophical, are different. The Malays know the pattern of kinship "bilateral" or "non-unilineal" within

the meaning of the origin of both biological parents get recognition in the affiliate while in Papua applicable is the dominant system of "unilineal" as in Melanesia in general a very adrift in the paternal line or patrilineal. In that regard for example an attempt to apply the concept of "equal distribution of poverty" which is now known as the "Raskin" (rice to the poor), and various subsidies poverty line with, among others, the cultural line up groceries and the other is completely against the nature of identity and humanity of Papua-Melanesia were varied in four distribution patterns of economics, has been described above.

Again, the view of Papua as occupied apparently not included in the category of peripheral or marginal line in Indonesia because the system does not Indonesian. Papua- Indonesia not otherwise Papua because both of them can only be united in a process called "integration". Thus it should fall also what is called or autopia as "separatism" and even "treason" after humiliation term "Irian" which has now replaced by the glorification term of "Papua".

For us both are different sides virtually upstream and estuaries despite a fertilizer and herbs from the same sources. Papua in Indonesia means integration or Papua outside Indonesia means independent. Indonesia and Papua not otherwise remained an eternal futurity within range of each other in the immortality never knitted and that no doubt denied anyway.

### 9). King in Morning Star Rising?

King in the article entitled *Morning Star Rising?*, had started with words: "*Indonesia Raya* and The New Papuan Nationalism" about the author and the Constitution of 1999 stated:

The official bureaucracy has long been home to secret or not-so-secret OPM supporters and other patriotic "secessionists," including the author (Don Flassy), one of the Presidium leaders destined to be arrested in November 2000.

Again according to King:

8/96-24 As a senior civil servant on the provincial development planning board, the author was able to help "validate" the occupation of the Irian Jaya Arts Center building in Jayapura by the Presidium's militia (Satgas Papua: Satuan Tugas Papua, Papua Taskforce) and its

officially sponsored ex-OPM veterans, until a police crackdown in December 2000 ended that occupation.

[(15/103-41 Some have suggested that civil servants take on a greater role in the movement, but that proposal is complicated by the taint of collaboration attaching to anyone in straightforward government service. At the same time, the Dewan Papua platform recommends that the proportion of Papuans in senior civil service positions be drastically increased, and indeed by 2001 all bupati (regency heads) save one were ethnic Papuans. There is a good deal of informal coordination and mutual support between the Presidium leadership and established Papuan bureaucratic statesmen with ties to Jakarta, such as Bas Sueba, currently (at that time) Indonesia's Ambassador to Mexico. These contacts are tolerated by the central government. On the other hand, a top-secret strategy document originating in the military-dominated Ministry of Internal Affairs and dated June 8, 2000 (that is, only days after Kongres Papua concluded) called for Papuan officialdom to be cleansed of pro-independence figures and actually named Don Flassy, then still serving at the provincial development agency, Bappeda.

Further,

[(21/109-64 "The constitution of the 'State of Papua' as was envisaged in Jayapura" by the *Agence France Presse*, January 6, 2000. The document certainly originated with the prolific and proactive onstitutiondrafter and Presidium member, Don the autor, who was arrested in 1998 for setting up a Papuan Independence Committee which attracted Theys Eluay's endorsement. The author proceeded in 1999 and early 2000 to issue a stream of documents in both Indonesian and English under the auspices of this committee and Eluay's tribal council, including proposals about a "transitional" (sometimes "provisional") government for Papua, which implied some form of consent from Indonesia. These documents or their kin circulated at both Mubes and Kongres, but were never formally adopted, interviewing the autor, in Jayapura, August 16, 2001. See documents composed by the author, including "The Papuan Transitional Government," proposed by the Papuan Independent (sic) Committee and supervised by the Papuan Customary Council, Sentani (February 1999), and "Basic Guidelines for the State of Papua," Port Numbay (March

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2000). Flassy's proposed currency was a Papuan guildler, not  
the Dutch guildler"

A recognition of the supporters of Don Flassy to be realized transition Government on July 1, in preparation for the announcement of independence on December 1, 2000 but not taken (an interview of King with Franzalbert Joku, Sydney, June 8, 2000).

They the other members of the Presidium also arrested are General Secretary, Thaha Al-Hamid, moderator Pastor GKI Herman Awom, and Don Flassy from BAPPEDA, and the leader of tapol/napol John Mambor.

#### **10). Sinar Harapan: Morning Star Fluttering, Special Autonomy Held.**

On December 1, 1999 morning, Jayapura become a ghost town. School children, office workers even instructed entrance; still they took the afternoon off. Shops were closed and the streets were deserted. Looks were several cars and buses that transport the masses towards Taman Imbi. Since dawn, people of Papua have started walking toward the heart of the town.

At that time, the SP (Suara Pembaruan) down the street from Wamena to the Taman Imbi, see how they are clustered walk while singing into town with a distance of 30 kilometers, it seems they were not tired.

That day, the sun covered with clouds. Since dawn, the drizzle flushed the city of Jayapura. After all, the cold is not a barrier. In the city center, in front of Taman Imbi standing monument Yos Sudarso, about 5,000 people had gathered since the previous night. Filep Karma when it was just wearing a piece of cloth with decorative of Morning Star.

Although he seemed to shiver, spirit of independence figures beat the cold. In the stands, appear Theys Eluay, Don A.L Flassy, Rev. Herman Awom, Taha Alhamid, John Mambor, Melcky Mandosir, Bas Yufuway, and a number of other figures.

At 06.00 EIT, Don Flassy was screaming hysterically. His hands ware tookup. "Merdeka .....Medeka (Freedom ... freedom). Thank you Jesus, thank you Jesus," he repeated. At that time, the Morning Star flag is being flown by three youths Papua, Papua tune Hai Tanaku Papua (Hi my land Papua). The flag was hoisted on a pole

height of about seven meters alongside the Dwi Warna (Red White) flag first flown.

Suddenly, like a chorus, the sound of crying came from the mouths of thousands of people waving accompany the Morning Star. That day, indeed was solemn ceremony with full emotional.

Since waving Morning Star until now, the long journey to Papua to not be separated from the Unitary Republic of Indonesia (NKRI) is full of twists, like a drama play. Special Autonomy (Otsus), is the ending of all the demands of the word M (Merdeka). That is the letter which is often mentioned and heard to this day.

Otsus held in 2001 in response to the Morning Star fluttering December 1, 1999, has been assumed to be only limited money. Police too busy catching the people who fly the Morning Star flag. Law enforcement officials in Papua among police, prosecutors, the Financial Supervisory Agency (BPKP), the Supreme Audit Agency (BPK), the Corruption Eradication Commission (KPK) is very rare, never even want to bother with criminals who spend tens of billions of rupiah of Otsus funds.

In fact, corruption continues reigning, development is not on the road, the heart of the people injured and screaming. Can with voice, can read, can also with symbols of disagree. If honest, now there is special autonomy as for the Morning Star flag. "Do not lie. Special Autonomy is the biological child of the Morning Star flag. Because of the Morning Star flag fluttering, there is a new special autonomy," said Secretary General of the Papua Presidium Council (PDP) Taha Alhamid. That is the reality. "We wait for law enforcement want to make what with the corrupt that spend money of special autonomy in Papua. As long as there is no rule of law, meant to be expected of law enforcement officers participated maintains abuses within the framework of special autonomy devastating and crippling," he said.

Governor most responsible, because the governor is to know what should be done within the framework of special autonomy. Seven years is the people's view, there was no change. So, is it wrong when people shout, "Did the police busy to catch people's, because the flag and do not know what is behind the flag. This is essential. Who separatists and who want to destroy this country," he said. See the special autonomy that has been lying, should be

Ch 1. Constitution vis-a-vis constitution Indonesian 1945 versus Papuan 1999 autonomous cases. As if the government has no steps and no way out and do not see any other option how to save autonomy.

## Politiecs Negotiation

Do not forget, special autonomy status is a political negotiation. If it is defeated, it means that the political negotiations also failed. This people of Papua to build a political negotiation with the Government of the Republic of Indonesia and the government destroy.

According to Taha Alhamid Secretary General of the PDP, "Evaluation or renegotiation or revised is the authority of the government and the legislature. That's the record, according to the Special Autonomy Law any change must be consulted with the people of Papua."

He no longer wants to talk about the special autonomy, because of the past until today, same thing. "We do this as if talking to a wall, not by human conscience. President Susilo Bambang Yudhoyono (SBY) and Vice President Muhammad Jusuf Kalla should take responsibility and prove their commitment to the implementation of special autonomy in Papua,"he said.

Their promise to the people through the special autonomy that has been running for seven years, until now have not provided adequate changes. In fact, Otsus is a political solution.

Although the central government often claimed to have given such great authority, including the so great funds, remain nothing could happened. Indonesia is a unitary state so there is no central or regional. That is, governments in the region, is representative of the central government. That is, the Governor Barnabas Suebu it is SBY in Papua or Abraham Atururi is SBY in West Papua.

"So, do not talk about local or central government, but the government is because the name of the government that is one," he said.

Researchers from the Indonesian Institute of Sciences (LIPI) Muridan Widjojo revealed, it makes sense, to dampen the raising of the Morning Star flag, was given special autonomy as its answer.

"Autonomy is born because the demands for independence. Papuans demanded independence because of injustice. So, the long



flow indeed. When people say the birth of special autonomy as the Morning Star and the demand for independence, that's for sure," he said.

Chairman of the Papuan Customary Council, Forkorus Yaboisembut said the fundamental problem that has been animating for special autonomy and ingrained for Papuans. "So, if you want to be released in a short time, impossible. That there is a murder," he said.

Otsus not resolve the matter. "It is precisely this problem that must be solved. Otsus was granted, because of political problems," he said.

He likened the bird in a cage to be fed good, sleep good, no wet by rain. However, if flying, it will hit here and there. "That means there is something less wrong. The cause is there. Even though Indonesia gave money to billions of rupiah, but a bird in a cage is remain to move on. This matter should be resolved and should be addressed by special autonomy," he said. [SP/Roberth Isidorus Vanwi]

## End remark

Thus, if since in 2005 there was the dream state with the name Republic BBM in Indonesia, starting in 1999 there was a Constitution of a dream state at least once. State of West Papua which was dreamed would happen although exchanged with Special Autonomy. In the history of ethical effort embodied in the Constitution of Republic of Indonesia Year 2001 The tub is also a dream in a sense continues to be disturbed so that is also ending in a dream may not be delivered.

Prophet of Papua, Pastor I.S. Kijne on the first page of the book Kota Emas (Gold City), ITU DIA Volume IV, 1954 wrote: "Jang dimimpi walau tak akan djadi, pasti abadi (Though in a dream that not would be, certainly immortal)." Thus, definitely the Papuans with its brother/sister of the Indonesian nation are in the aroma and atmosphere of a dream presented by the system that calls itself, and we know also the name of that is the " Pemerintah Indonesia (Indoneian Government)".

There is a small number of people (politicians, bureaucrats, statesmen) who wishes, just and would not even know the

brothers/sisters of Papua and also not of brothers/sisters of Indonesia wanting this or not, does not matter them at all. As well as disaster of Lapindo Mud where people are forced to say "syukur (grateful)", the sale of gas and gold are not means at all stop in Papua and used to Papuan and Indonesian people, yes, "syukur (grateful)". And it is fragments of necessity borne, in dreams only.

Let's realize our dream to build a dream state. Indonesian nation and the nation of Papua, each have their own country, and there is also toward our common goal, bilateralism, if possible, although Indonesia in its Constitution does not specify about border from where to where.

And indeed the Constitution 1999 (of dream) on KRP-3 has gained the honor of becoming a real Papuan People's Constitution of Papua called the Constitution of 1999 preceded the UDI (Unilateral Declaration of Independence) of Papuan Nation and NRFPB October 19, 2011.

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# 2

## The threefold logic of Papua-Melanesia: Constitution-writing in the margins of the Indonesian Nation-State

Jaap **Timmer**

### Introduction

Accommodations to the Indonesian nation-state have been problematic for most Papuans. Papuans took no role in the Indonesian anti-colonial struggle and nationalist movement in the beginning of the twentieth century. A few decades later they became essentially passive subjects in the nation-building efforts of President Sukarno, Indonesia's first president (Timmer, 2007). In an attempt to deflect attention away from internal issues, Sukarno called for a *Tri Komando Rakyat* (*Trikora*) or 'People's Threefold Command' for the liberation of West New Guinea. For Sukarno, the liberation of this territory from the Dutch would complete the nation (Penders 2002). Papuans are aware of these 'heroic deeds' because they are narrated as part of the nation-building discourse in schoolbooks and are broadcasted extensively during independence commemorations and other nationalist events. Papuans are also aware that they were barely included in decisions, reached at national and international levels, made about the future status of their territory. In particular the Act of Free Choice, a plebiscite that was held in 1969 and by which

the Indonesian government asserts that the population of West New Guinea decided to relinquish their sovereignty in favour of Indonesian citizenship, features prominently as the epitome of the denial of sovereignty to Papuans (Saltford, 2002; Drooglever, 2005).

Now, after the fall of President Suharto's New Order regime and a long period during which dissident voices were forcefully suppressed Papuans are becoming increasingly vocal towards local and distant audiences communicating historical, racial and national arguments as part of their pursuit of freedom.<sup>2</sup> Most Papuan writings produced to date tend to focus on human rights violations and the injustices surrounding the transfer of Papua to Indonesia. Only a few began to imagine how a new state or nation might be constituted (see, for example, Maniagasi, 2001 and Pigay, 2000). One exception to this is *Basic Guidelines, State of West Papua: Papua-Melanesia Threefold Logic, Basic Ideology, General Governance, Constitution of West Papua* (Flassy, 1999), the founding document for an anticipated sovereign state of West Papua that was edited by Don A.L. Flassy, one of Papua's most prolific writers.<sup>3</sup> *Basic Guidelines* reflects Flassy's erudition and creativity, expressing a broad interest ranging from linguistics and anthropology to natural science and governance; it is a potent blend of biblical, customary, and modern discourses on the state and ideas of sovereignty and morality.

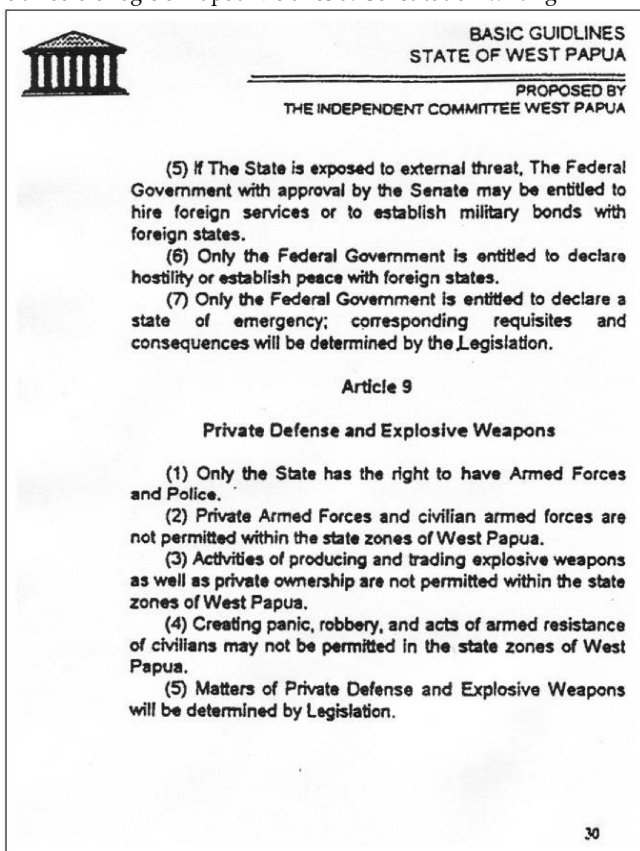
Beside *Basic Guidelines* there is Reverend Benny Giay's *Menuju Papua Baru* (Towards a New Papua) (2001a, and see 2001b), which provides a nuanced call for decolonizing of the minds of the Papuans (see Cookson, 2008: 28–44). Giay points out the limitations of historians and the church in addressing and responding to the needs of the Papuan people. Through a critical reflection on these shortcomings, Giay seeks to evoke emancipation of people's thinking about their identity not as victims of history. Yet Flassy's project, in addition to exploring how colonialism has damaged the minds of the colonised, puts greater emphasis on a popular Papuan quick cure-all: An independent state with its forms of governance rooted in Papuan traditions and Christianity. In many ways this Constitution confirms what other Papua watchers have noted in terms of the incorporation of Christian principles and Papuan cultural traditions in Papuan conceptions of sovereignty and

freedom (Chauvel, 2005; Farhadian, 2005; Kirksey, 2012; Rutherford, 2012).

In this essay I will discuss *Basic Guidelines* as an example of widespread Papuan fascination with the magic that is hidden in 'the state' and 'the nation.' This document should be understood as a sign of the imbrication of local traditions with regional and global forces, and I highlight the way this Constitution reflects an engagement with the state that employs the state's historically specific technologies, practices, and institutions in order to acquire its particular 'magic'. In terms of James Scott (2009), Flassy's Constitution is a product of the art of not being governed. The extent to which the Constitution mimics the state illustrates what Scott observes in highland Southeast Asia (or Zomia) as a fragmented region where state-formation produced 'marginal' highland societies that cannot be characterised as uncivilised but show cultural patterns that include the formation of, and life in, states. Flassy masters this art well.

Not only does Flassy's state-like discourse produce guidelines for governing the region, it also has the capacity to blow its audience's mind. In her recent book on Papua, Danilyn Rutherford (2012) develops the notion of audience in relation to Papuan ideas of sovereignty in complex cultural and social dynamics. She shows how imagined and imaginatively joined audiences elicit among Papuans a sense of response from a would-be sovereign engaging them in a conversation about freedom, rights, autochthony, and so on. These audiences come in different shapes. They may be people to whom one is talking in a speech, in a film and in texts on websites, or an activist group in Australia, the United Nations, ancestors, and God.

The main audience addressed by Flassy is the international community in particular the United Nations, in an attempt to seek recognition for the potential and feasibility of a West Papuan nation. For example, an image of the Pantheon appears in a header on every page (see Figure 1).



**Figure 1.** Page 30 of *Basic Guidelines, State of West Papua* (Flassy, 1999) illustrating the use of the Pantheon that appears on every single page of the document

This symbol is barely known among Papuans and its inclusion in the Constitution indicates that the audience Flassy has in mind is a Western one. From a circular temple in Rome, completed in 27 B.C. and dedicated to all the gods in the western world, the design of the Pantheon became the model for town halls, universities and public libraries, symbolizing the virtues of the written law and the rule of law. However Flassy's Pantheon follows the design of the Panthéon in Paris in that it has seven pillars (in contrast to the original Pantheon which has eight pillars) at the front. The seven pillars of Flassy's Pantheon relate to the seven governmental and cultural regions that he distinguishes for Papua on the basis of the

administrative divisions current during the final years of Dutch colonial government.

The system of governance that was applied in those days was often informed by studies of local communities, while the planning and development of infrastructure remained largely determined by geographical characteristics. The attempt to adapt development programs to local circumstances received significant impetus and support during the governorship of Jan van Baal (1953–1958) (Van Baal, 1989; Lagerberg, 1962: 91–140). Van Baal instituted the *Kantoor voor Bevolkingszaken*, the oft-praised Bureau of Native Affairs that aimed to guide, collect and apply studies of Papuan cultures. Amid a spate of wonderful insights produced by civil administrators, missionaries, and government anthropologists, Van Baal developed a clearer picture of societal and cultural changes in Papua. For example, in a published reflection he pointed at the counterproductive transformation in people's attitudes to life due to their confrontation with the Western world, or, more precisely, the process in which acculturation goes astray and 'development turns in a direction harmful to the realization of the intended aim' (Van Baal, 1960: 108). While Van Baal among others was critical of the changes brought about by the Dutch development efforts and Christianity, at present many Papuans tend to see the period of Dutch rule as an exemplary of the state to which they aspire. This is reflected in *Basic Guidelines*.

Flassy explained to me that, with the downfall of Suharto and the subsequent decentralization of central state power, the relevance of a Constitution for an independent Papuan state became very apparent. His comments express the sense of urgency to respond to the lull in the power of the Indonesian nation and state, the overwhelming sense of opportunity that comes with the realisation of a power vacuum. At the same time the magic of the state was in the air.

It was an overpowering feeling and right away I began to pound away my thoughts at the keyboard. I wanted to explicate the Constitution of a Papuan state on the basis of the Threefold Logic of Papuan or Melanesian principles: one people, one soul, one solidarity. This solidarity is not evident at the level of the provinces but it comes to the fore strongly in the current administrative fragmentation

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[*pemekaran* (lit. 'blossoming'), a key element in the process of decentralisation] of the region. *Pemekaran* is THE local model and it is at this level that the Papuan people show their strengths. Wait and one will see that Papua shall return to a situation of seven *Afdelingen* ['sub-divisions'] like it was under the Dutch. When Papuans embrace this Triple Fold Logic, 'that will be the real *pemekaran* (interview with Flassy, 2 May 2007).

One might be tempted to imagine that the art that Flassy masters is a product of 'the state' and 'the law,' one that has journeyed down to the local vernacular. Examples of this form of analysis abound in the field of applied social and political theory regarding foreign aid to unstable, fragile, disempowered and post-conflict states. Also at the local level the effects of the proliferation of 'human rights', increasing judicialisation of local conflicts, and the growth of an everyday 'culture of legality' (Comaroff & Comaroff, 2009; Comaroff, 2010; Timmer, 2010; Hermkens & Timmer, 2011) are discernable. The Constitution for Papua does fit into this evolving culture of legality, but this not only reveals the state's inroads into people's lifeworlds but also illuminates two other prominent normative systems in Papua: Christianity and Papuan traditions (custom and traditional political systems).

To see the culture of legality as solely the effect of a growing familiarity with 'the state' would underestimate people's creativity and render the idea of familiarisation here to mere copying. Hence my analysis of the Constitution for Papua departs from the kind of analyses that observe increasing juridification of social and political protest worldwide in terms of the activation and implementation of legal norms (for example Merry, 2006, and Levitt & Merry, 2009). Although many Papuans today have good knowledge of 'the state', the related evolving vernacular legality needs to be explored more carefully in order to fully understand what is happening in people's lifeworlds. This article advocates focussing on the way in which legal mobilisations articulate with other normative systems and practices and how they mutually allow for and invite particular forms of strategy.

According to *Basic Guidelines*, the principles behind the Constitution are that Papuans are: 'by full glory and warship [sic.], admitting that, The Nation and Country of Papua, is under the

authority and truth magnificence of God The Lord – Yahweh, Jesus Christ. . .’ Next, in capitals the text continues:

AS COSMOPOLITANS

WE, THE PEOPLE OF THE PAPUAN NATION DECLARE

Based on the experience we have been undergoing, that colonialism of any kind and name being exercised by any nation is not suitable at all with humanity and justice, and contradict with principles of freedom and human rights. Therefore colonialism must be continuously combated and disappear from the world’s surface. For this reason one must be involved in bearing real responsibility for the sake of freedom and human rights...

AND FOR IT’S REALIZATION

Endeavors are required in full responsibility to The Papua-Melanesian Triplefold Logic, that is The Papuan Principle of Triple Luster of mercy, allegiance and honesty with full respect to The Triple Spirit of Melanesian Brotherhood principles of one nation, one soul and one solidarity (Flassy, 1999: 21–22).

We see here a creative combination of Christian principles, the popular OPM or ‘Free Papua Movement’ slogan ‘one people, one soul’ (see Ondawame 2009), international human rights principles, anti-colonial discourse, and a fascination with numerical correspondence. Remarkably, ‘one nation, one soul and one solidarity’ resonates with catchphrases in the five Irian Barat (as the region was named back then) speeches by President Sukarno and in a booklet by the National Indonesian Party (PNI) ideologue and then Minister of Information, Roeslan Abdulgani, in the period around the struggle for the liberation of Irian Barat from Dutch rule.<sup>4</sup> For a variety of reasons ranging from Dutch nationalism, geopolitical considerations, and self-righteous moral convictions, to wanting to keep the territory for immigration (in particular for Eurasians from the Netherlands-Indies), the Netherlands Government resisted including West New Guinea in the negotiations for the independence of Indonesia in the late 1940s (Lijphart, 1966; Penders, 2002).

Sukarno’s speeches regarding Irian Barat are mainly anti-colonial and speak of Indone-sia’s right to re-establish the unity of the nation, as it allegedly existed during the struggle against the colonial



powers. This unity includes Irian Barat and therefore he asserted the Dutch had to leave West New Guinea. Abdulgani further developed this premise in *Dari Sabang Sampai Merauke: Satu Nusa, Satu Bangsa!* (From Sabang to Merauke: One Country, One People!) (1964), a guideline for the Indonesian nation (now including Irian Barat). Around the same time in Irian Barat, the OPM was shaped in terms of a struggle for a separate nation. The Indonesian propaganda expressed by these political figures inspired OPM's attempt at nation building: *Satu Bangsa, Satu Djiwa* (One People, One Soul).<sup>5</sup> Paradoxically, in spite of the anti-Indonesian bent of Flassy's initiative, his rhetoric actually resonates with the persuasive language surrounding Indonesia's liberation of Netherlands New Guinea in the late 1950s and early 1960s. As I discuss below, for all the racial and ethnic tension between Indonesians and Papuans, for all of its anti-colonial rhetoric, *Basic Guidelines* also emulates Indonesian state ideologies from the preceding decades.

By emulating the Indonesian state, Flassy powerfully unmasks that state and presents an alternative state, or a state within a state, a sovereignty within a sovereignty, to be built on the remnants of a lost Edenic order in which Christian principles converge with customary rules (*adat*). *Adat* and Christianity mutually complement each other, and together they are tantamount to justice, dignity, and sovereignty – or: 'one people, one soul, one solidarity'. Attempts at inclusion of Christianity as a source for the Constitution of a normative government order is widespread in West Papua. Many groups that generally define themselves as the leaders or representatives of a tribe (*suku*) produce 'constitutions' in the shape of regulations reflecting customary and Christian norms and values (see, for example, [Romli 2008](#), and below). A close look at this particularly vivid and compelling example by Flassy suggests some of the interpretive and poetic work that lies behind what makes a state valuable in West Papua.

Below I will read *Basic Guidelines* in two ways. Firstly, it is important to realize that Flassy's language is largely metaphorical and mechanically exuberant and full of self-perpetuating dialogues. In such instances the text does not make sense by logic but by appearing to draw on the magic of a logical treatise, producing a hyper reality signaling to its local Papuan audience

the efficacious seizure of state magic. Secondly, I take much of its content literally and trace the local and global streams that hide behind parts of the text. This reading will allow me to show that the Constitution reflects judicial empowerment through the constitutionalisation of what Flassy calls Papuan Liberal Democracy grounded in traditional Papuan political systems and Melanesian ontology, while also drawing in elements of the Christian concept of nation, ideas about *adat* (custom), and the Indonesian state to provide an alternative to the Indonesian governmental canon. As mentioned, besides influences of Christianity *Basic Guidelines* reflects a commitment to entrenched and self-binding protection of basic rights and civil liberties, ideas that are growing in popularity with increasing judicialisation of Papuan life worlds.

The Constitution for West Papua has obviously not been implemented so any reflection on the consequences of the judicial empowerment of this document would be speculative. Indeed, as Ronald Dworkin (1990) has pointed out for Britain, constitutional political events define a nation's character in symbolism that cannot be fully appreciated at the time.

## Preamble

*Basic Guidelines* is the outcome of a large-scale political mobilisation of a vast number of Papuans over a substantial period of time. As I suggested above the outbreak of expressions for sovereignty since the fall of Suharto can be seen to lead up to the Constitution. Ackerman (1992) sees similar constitutional moments in the history of the United States: the Civil War and the New Deal. Seemingly even stronger than in the case of the United States, the constitutional moment embodied in *Basic Guidelines* reflects the popular will of a vast number of Papuans. It is arguably the first constitutional moment for Papua, as the declaration of independence on 1 December 1962 when the Dutch government prepared a Papuan elite for self-rule over the territory, was not formulated on the basis of a reflection of the popular will of Papuans (Lijphart, 1966; Timmer, 2007: 1100–1102).

As mentioned above, Flassy took up his computer and drafted the Constitution at the moment he felt that the time was right to

officially present the Constitution. *Basic Guidelines* was presented during the Second Papuan National Congress in May-June 2000. This congress followed a first congress, organized by the so-called Independent Committee in October 1961 when the region was still a Dutch overseas territory and the Dutch were frenziedly preparing Papuans for self-determination to comply with demands of the United Nations. The first congress made four national declarations. They declared the Morning Star flag to be the national symbol, declared the national anthem to be *Hai Tanahku Papua* (Papua My Country), declared the name 'West Papua' for the independent state, and declared the name 'Papuans' for its people. Two months later, on 1 December 1961, the Morning Star flag was raised alongside the flag of the Kingdom of the Netherlands and *Hai Tanahku Papua* was sung after the Dutch Wilhelmus anthem in front of the building of the New Guinea Council that was inaugurated by Governor P.J. Platteel earlier that year.

The official recognition by the Netherlands government of these names and symbols for a Papuan state has since been explained by many as the initiation of the Papuan state. Flassy added his perception that the origins of the Papuan state were as yet incomplete:

Independence for a state was not proclaimed during the first congress so that ought to be the logical next step for the second congress. After President Suharto [stepped down], I saw that we needed to prepare ourselves for an independent state. During the Second Congress I was alone in the thought that this was the opportunity to proclaim independence and put forward a Constitution. President Abdurrachman Wahid sponsored the congress and there were a number of foreigners present. The organizers and leaders of the congress wanted independence for Papua but they did not take the right steps. They did not proclaim independence because they feared bloodshed because of the presence of armed forces outside the venue (Interview with Flassy, 30 July 2007).

To take the next logical step, Flassy re-instituted the Independent Committee (*Komite Independen*) together with Reverend Agustinus Ansanai, Barnabas Yufuwai, Laurence Mehuwe, and Sem Yaru. Chapter III Articles 13 (1) and (2) of the Constitution state that:

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The West Papuan Independent Committee comprises alliances and components of the nation: its function is to comment on the political conditions as the successor of the *Komite Nasional Papua* (Papuan National Committee) in the year 1961.... It [the Committee] will help to maintain the principles of justice and truth according to customary law and order, The Papua-Melanesia Foundation of Triplefold Logic, The Universal Declaration of Human Rights and The Declaration of the United Nations (p. 33).

The main achievement of the committee so far has been the production of the Constitution.

While *Basic Guidelines* does not include a Preamble like most other constitutions do, the first paragraph of the section titled The Papua-Melanesian Threefold Logic (Flassy, 1999: 5–11) could be read as such. The reason I draw attention to such a brief introductory remark is because such remarks tend to reveal a Constitution's fundamental purposes and guiding principles. For example, the Preamble to the United States Constitution states in general terms, and courts have referred to it as reliable evidence of, the Founding Fathers' intentions regarding the Constitution's meaning and what they hoped the document would achieve. The Constitution for West Papua aims to achieve the following:

As a nation, which possesses features of customary modesty and nobility, we are also very aware of the The Love of the Almighty God embodied by Jesus Christ as the Savior of Mankind. The corresponding implication for the life of The West Papuan Nation and State reflects itself in activities aiming to support integration as part of the world society. The reflection is part of The Papua-Melanesian Threefold Logic consisting of the The Triple Principle of Papuan Luster and The Spirit of Melanesian Brotherhood. The Triple Principles of Papuan Luster is based on *mercy, allegiance and honesty*, and furthermore on the Melanesian Brotherhood Principle of *one man-one soul – one solidarity* (Flassy, 1999: 6).

So the Constitution's meaning and what the framers of the Constitution hope to achieve must be seen through the lens of these two principles:

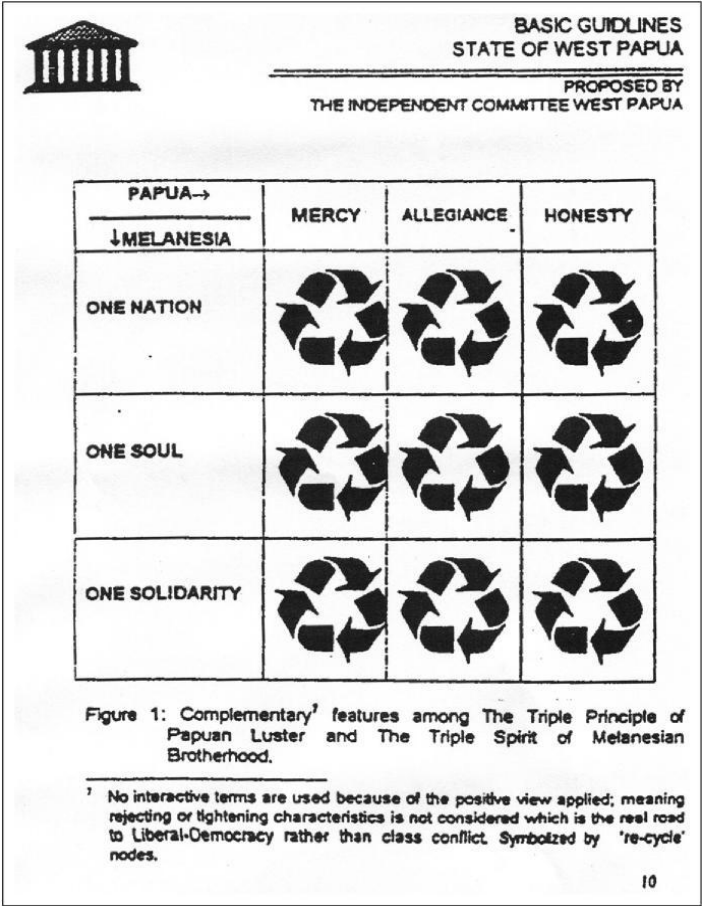
1. The Triple Principles of Papuan Luster. Glory and splendour have come to the West Papua Nation 'by the willingness of the Mercy or Love of Jesus Christ' (Flassy, 1999: 6), that is, through

- the Word of God brought by missionaries. It builds around a widespread idea among Papuans that divine sanction for Papuans is grounded in the belief that they dwell farthest from Jerusalem and are thus included in Act 1:8: 'But you will receive power when the Holy Spirit comes on you; and you will be my witnesses in Jerusalem, and in all Judea and Samaria, and to the ends of the earth.' The virtue of this is reflected in the constitution's Article 34 entitled 'Evangelist' which dictates that Papua and its citizens are committed to a mission strategy in their community as the providentially chosen (Flassy, 1999: 17). Furthermore, the fruit of this mercy is allegiance to the nation and that the state of West Papua, 'which may be regarded as the Grand Commandment of the Lord' brings about independence and sovereignty as 'a miracle, a gift of God'. Finally Papuan luster concerns honesty and modesty (Flassy, 1999: 8).
2. The Triple Spirit of Melanesian Brotherhood. This is the Papuan spirit of 'One Fellow Nation, One Fellow Soul, and one Fellow Solidarity' (Flassy, 1999: 8). It appeals to the need to unify Papua which is made possible by Flassy suggesting that it entails a reunification of Papuans after decades of dividing forces by colonial forces. Foul outside forces have affected Papuan souls (cf. Suryawan, 2012) creating imbalances that threaten the reunification that existed in the period of 'isolation and heathen power' (Flassy, 1999: 9). The means of reunification proposed by Flassy involve a return to 'God's miracle' – Papuans as chosen people – that would demand from Papuans dedication to their land's role in blessing the world (Flassy, 1999: 8). The final element of the Triple Spirit of Melanesian Brotherhood is the worship of Jesus Christ that takes away the need to return to the pre-Christian era and 'encourages the establishment of a constructive attitude and ability of communication to build One-Solidarity' (Flassy, 1999: 9).

Together these two principles constitute the Papua-Melanesian Threefold Logic (see Figure 2).

Flassy stresses that for the diagram in Figure 2 the interaction between the terms are never immediate or causal, hence his use of the recycle symbols. The recycle symbols also emphasize that there is no class-based conflict and that there is thus no need for a kind of

communist revolution to achieve what Flassy labels a Papuan Liberal Democracy (see below), that is, a democratic state that secures equality before the law (Flassy, 1999: 10, footnote 1). There is no social conflict because the circulations are ‘well understood by each supporting group’ which distinguishes the ‘synergetic equilibrium’ of Melanesia from the principles of other cultures (Flassy, 1999: 11). In contrast, Western culture, at its most perfect stage, is structured conically (symbolizing democracy) as it developed from savagery to civilization (Flassy, 1999: 11).



**Figure 2.** *The Threefold Logic of Papua-Melanesia, showing the ‘complementary features among The Triple Principle of Papuan Luster and The Triple Spirit of Melanesian Brotherhood’ (Flassy 1999: 10).*

Indonesian culture has a pyramid shape (symbolizing feudal) and is, according to Flassy, ultimately unstable. Flassy refers in this context to *madeg pandito* (1999: 11) a well-known phrase related to President Soeharto's stepping down in May 1998 and meaning dethronement. By contrast, in Melanesian culture all is in balance and decisively democratic but is threatened by influences from outside. In other words, sovereignty as advocated and founded by this Constitution is the only condition in which the Triple Principle of Papuan Luster and the Triple Spirit of Melanesian Brotherhood fulfil Papuan Liberal Democracy.

Papuan Liberal Democracy is explained in the chapter entitled Basic Ideology. Here Flassy states that this liberal democracy is an amalgam of elements and concepts of a variety of political systems in Papua. He sees this mixture as complementary in nature and able to reconcile the cultural differences in Papua that are taken from Johszua Mansoben's *Sistem politik tradisional di Irian Jaya, Indonesia* (Traditional political systems in Irian Jaya, Indonesia) (1995), a major comparative study of traditional political systems in Papua. Mansoben, who headed the department of anthropology at Cenderawasih University in Jayapura for a long time, did this study as a Leiden University doctoral thesis in anthropology. Mansoben's treatise identifies four types of political systems, each related to a distinct region (see Ploeg 2006 for a review).

The type with Big Man leadership is divided into two subtypes: one in which Big Men are essentially war leaders and another in which they excel in exchange and are found in the mountains of the Bird's Head and in the Central Highlands. The other three types include the *ondoafi* system that is prominent in the area near Jayapura, the *raja* system of the western and southwestern coastal regions (Bird's Head and Onin Peninsula), and a mixed type (*kepemimpinan campuran*) among the people living around the Cenderawasih Bay (Biak, Numfor, Waropen) and on the north coast of the Bird's Head. Mansoben understands a mixed system as diarchal – having two independent authorities, one inherited and one achieved.

*Basic Guidelines* seizes Mansoben's analyses to reconcile cultural variety in Papua in terms of four or alternatively five political systems that allow for integration in one system, namely liberal



democracy, because they are fundamentally grounded in the Melanesian principle and practice of '*musyawarah-mufakat*' or 'consensus finding-deliberation' (Flassy, 1999: 13). This liberalism is tolerant and transparent and does not know hypocrisy and pretense (Flassy, 1999: 13). Next Flassy claims that the differences in 'livelihood' can be divided into seven differently colored cultural regions. As indicated above, this scheme of seven districts is a Dutch imperial scheme that Flassy inserts in the Constitution as part of a mobilization for justice for the Papuans. Papuans not only deserve justice but their cultural background and the Triple Fold Logic enforce it. These cultural backgrounds all precede foreign governance systems that later contaminated them bringing such things as hypocrisy and pretense, including fraudulent behaviour known in Indonesia by the acronym KKN, or *Korupsi, Kolusi dan Nepotisme* ('Corruption, Collusion and Nepotism') (Flassy, 1999: 13–14). Indeed, it is common among Papuans to account for rampant corruption among Papuan bureaucrats in terms of disease and contamination from Indonesia.

Based on what Flassy calls 'cyclical cybernetics' of the Papuan-Melanesian Threefold Logic, the Constitution for West Papua hopes to achieve a Papuan cum Melanesian synergetic equilibrium grounded in original Papuan political systems for establishing Papuan Liberal Democracy. At the same time, the Preamble and all the sections that follow offer a testimony to widespread beliefs that suggest that Papua is in God's hands and that the people of Papua are a chosen people. In the following section I will discuss the Christian influences that shape the Constitution for the state of Papua.

## God's nation

With its great variety in languages and cultural traditions, Papua may rank amongst the most unlikely places in the world from which to determine what lies at the heart of a nation. Perhaps the closest it got to forging shared sentiments of belonging to one nation was when Theys H. Eluay was promoted by the media as the leader of all Papuans who, through his old connections with the Golkar Party and ongoing business friendship with people in the military could pave the way to independence (Giay, 2006). During the so-called Papuan



Spring that emerged after the fall of President Suharto, Eluay became the charismatic and controversial Chairman of the Papuan Council, the body that prepared the Constitution. Often sporting a variety of colourful items suggestively drawn from all customary bodily adornment traditions in Papua and alluding to traditional Papuan unity through custom (*adat*) Eluay represented 'Papua'.<sup>6</sup> During the Second Congress Eluay requested Flassy to underpin Papuan nationalism with a state constitution that would unite all varieties of *adat*. This request, mirroring his eclectic dress style, suggests the value to Eluay of the unity of divergent Papuan *adat*.

But while *adat* has great importance, Christianity is an even more pervasive force in the formation of culture and local, national and transnational identities and its scripture is a likely source of inspiration for constructing a state. Papua is overwhelmingly Christian in the sense that the majority of the population grows up with a basic acquaintance with the Bible, Christian hymns and Christian doctrine. The Bible provides some key discursive and expressive resources for Papuans from all walks of life. As a result, biblical vocabulary and narratives color people's life-worlds significantly. 'Chosen people' in relation to Flassy's statebuilding project is prominent and this is illustrated most clearly in the Constitution's Welcome Speech that is signed by Theys H. Eluay.

*Basic Guidelines's* Welcome Speech (Flassy, 1999: ii-iii) includes a long list of key elements that together underpin the idea that the Papuan Nation is unqualified, natural and divine. A closer look at these suggests a precedent for Flassy's constitution. The first two elements are the shared suffering of Papuans under the New Order government and the popular idea that God chose Papua as a holy land with the first arrival of white missionaries in 1855. God's plan for Papua and the arrival of Christianity needed, as Eluay writes, a longer journey in which God 'allowed' the colonization of West Papua:

[He] allowed the Papuan people to undergo colonization under the nation and government of infidel people, namely Indonesia, for 36 years, starting from 1962. Under these conditions, the Papuan Nation grew and discovered itself as no longer being tribal groups surrounded by darkness, but seeing clearly God's brilliance in blessing our nation and land (Flassy, 1999: ii).

The Papuan nation is the fruit of God's desire. In his words, it is 'absoluteness desired by the absolute truth, namely God, the Creator of sky and earth'.

The horrifying deeds have been successful in uniting the Papuan people out of their isolation, darkness and hostility. They were [sic.] earning the Bright of the Gospel of Christ which had formed these huge of tribe to be a Nation on a by God Lottery [sic., Eluay means the lot of land as allocated by God to the tribes of Israel] Land since 5<sup>th</sup> December 1855. Which His Wisdom and Mercy being then on The 1st December 1961 as bestowed declared its own as a Nation and State of West Papua (Flassy, 1999: ii).

The Welcome Speech succinctly summarizes the foundation of the Constitution as the culmination of thirty-six years of suffering (the 'horrifying deeds' above) under the New Order (as of 1962, when Indonesia assumed administrative control over the territory until 1998) and 'universal norms and modern world'. 'This may be the Structure of Legislation or Nation Priesthood of the Nation of Papua. . .' (Flassy, 1999: iii). Obviously, the priesthood that Eluay mentions relates the Constitution to the Old Testament narrative of Israel as a nation before God comprised of the firstborn.

The Papuan Nation with sacred origins has no enunciator like the Indonesian nation has in ancient mythology such as Majapahit, the last of the major Hindu empires of the Malay archipelago (from late thirteenth and early sixteenth century) as evoked in the Indonesian National Revival and the Communist Party of Indonesia as a symbol of power and legitimacy (Ricklefs, 1981). Inverting as it were familiar modern European history production which suggests that development moves from barbarism to civilization through secularization (see Ferguson, 2006: 177–182), Papua's eschatological journey is in God's hand and the Constitution, Eluay hopes, 'will fulfill our common desire and God's mission for this land Papua'. (Flassy, 1999: iii). Law here is the culmination of God's mission to Papua and it has a sacred origin.

Throughout Melanesia, the domains of the state and religion, as well as custom, are in most contexts hard to conceptually separate (Timmer, 2000). Also the kind of statebuilding that Flassy is engaged in shows that there are no complex or problematic relations between state and religion. On the contrary, the Papuan nation is seen as part

of God's plan for human kind and its people a chosen people destined to play a role in the fulfilment of the book. Through reading the scripture, many in Papua develop a particular notion of nation that is not in any way antagonistic to a secular variety. Such a secular variety is not part of the equation, if ever pondered. The Papuan notion of nation thus also differs from that documented for nation building in Europe by Benedict Anderson in *Imagined Communities* (1991) which, as noted by Smith 'turn[s] its back on religion and the sacred, in favour of print and vernacular language' (2003: 20). *Basic Guidelines* shows that people believe that they are not moving from a religious world to a secular world, nor do they think that they replace Christian notions of the origin of the community, morality and membership with those of the nation.

For many in Papua, Moses's constitution of Israel, which created people bound by the rule of law, is meaningful in relation to their futures and the idea of an independent nation of West Papua (cf. Hammill, 2012). Such emergence of biblical imagery and geography marks the ways in which what began as missionary experiments has been turned to radical social and theological ends. Throughout Melanesia people tend to situate themselves in a wider space and time that includes relations with Israel (Dundon, 2011; Timmer, 2008, 2012a). In Papua, amid an older tradition of anti-colonial movements built largely around Christian imagery (see, for example, Kamma, 1972, Timmer, 2000, and Rutherford, 2012), there is a growing number of Christian groups that actively develop connections with Israel. Leading pastors in this are Robert Isir and Jason Sentuf. Isir is a bureaucrat in Jayapura and Sentuf leads a parish of the Holy Way Church (*Gereja Jalan Suci*) in Banjarmasin, Kalimantan. Both travel regularly to Israel and a detailed report of Isir's first mission to Jerusalem by Isir can be found in his book entitled *Misi Perjalanan Kenabian dari Ujung Bumi Papua kembali ke Yerusalem* (A Prophetic Mission from Papua as the Ends of the Earth to Jerusalem) (2006). Both Sentuf and Isir come from the Sorong region of the Bird's Head Peninsula, which to many is metaphorically the upper part that may pull the whole island towards a new beginning. For example, in the preface to the proceedings of the 1997 Irian Jaya Studies conference in Leiden, Reverend Jenbise is quoted as commenting on the

importance of the Bird's Head Peninsula as follows: 'the head must be raised before the bird can fly' (Miedema *et al.*, 1998: xi).

Similarly but with biblical allusions, Flassy writes in *Basic Guidelines* that 'after chucking The Head of the Bird's Like Island, then the whole body on to the tail shined by the Love of Jesus Christ, from Sorong to Samarai' (Flassy, 1999: 7). The Bird's Head is also the first region that God chose for the dissemination of His word to the inhabitants of Papua. This particular nationalist narrative recounts the arrival of the German missionaries of Lutheran conviction, Carl W. Ottow and Johann G. Geissler, who landed on the island of Mansinam off the coast of Manokwari in the Cenderawasih Bay (Kamma 1976: 73). The significance of this event to the nation of West Papua is most clearly pronounced during the yearly commemoration on 5 February of the missionary heroes Carl W. Ottow and Johann Gottlob Geissler. During the festivities overtones of Papuan nationalism are played in the form of flags, hymns such as 'Onward, Christian Soldiers', prayers, and popular reflections in diaries, pamphlets and on internet sites. At a regional level, Manokwari is now known as the Gospel City and has recently seen a proposal for government regulations based on the Old Testament, to which I will return below. For now it is important to note that in the Constitution the sacred character of Mansinam and Manokwari buttresses the first principle of the Triple Principle of Papua Luster: Mercy (Flassy, 1999: 6–7):

The emergence of the West Papua Nation had only come true by the willingness of The Mercy or Love of Jesus Christ. In the name of The Lord, Ottow and Geissler, two disciples from Germany had crossed the sea and stepped feet on the island of Mansinam at Dorei Bay, Manokwari. This is The Lottery Land of God (Psalm 125:3), as stated for its baptism. *In Namen des Herren Jesus setzen wir unseren Fuss auf dieses Land Papua.*

*Im Namen Gottes betreten wir dieses Land*, according to the written historical records, is a common phrase among Papuans, in particular those in the Bird's Head and along the north shores of the territory. This is the region that is most significantly influenced by Protestant and Evangelical missions and movements. Flassy relates it to the meaning of Psalm 125 (Flassy, 1999: 7) which says that 'As the mountains *are* round about Jerusalem, so the Lord is round about his

people from henceforth even for ever', relating to the common understanding of the advent of Papua as a Holy Land with the arrival of God's Word.

Such statements are not rhetorical ploys to persuade those who would otherwise not be convinced of the foundational value of this attempt at West Papuan state building. Instead they show that the scripture plays an integral part in the emergence of concepts on state and nation in West Papua. In a sense, the Constitution for West Papua is part of the fulfillment of the book by Papuans as a covenanted people and thus illustrates the momentum gained by cultural experimentation with the scripture for political invention and state building.

Similar to the character of *Basic Guidelines* is the regulation for Manokwari, the 'Gospel City' which was proposed by church leaders about a decade ago. With the circulation of their second draft in 2008 of a regulation designed to protect Christian values and traditions heavy criticism emerged from all corners of society. The first draft was allegedly written in response to the plans for building a mosque and an Islamic Centre on the island of Mansinam and the 2008 tensions were feared to ignite violent clashes between Christians and Muslims. Rising anger from Christian Papuans in Manokwari was only subdued after security lobbied Muslim leaders among whom many were of the opinion that there was nothing wrong with acknowledging the early advent of Islam on Papua (ICG 2008: 4). Another reason for the church leaders was to seek protection against the widely felt threat of Islam by copying regional *sharia*-based regulations that ostensibly empower Muslim communities in other parts of Indonesia (Romli 2008: 156).

The resulting draft legislation is titled 'Regulation on Designating Villages for Mental Spiritual Guidance'. It contains a number of provisions that appear to immediately respond to fear of Islamisation. There is an article on banning the headscarf in public places and one that regulates the building of houses of worship through 150 tribal elders, effectively making it really hard for Muslims to build mosques. Nevertheless, the main intention of the legislation appears to be its 'Gospel Regulation', that is, to inculcate Christian values in Manokwari society (ICG 2008: 5). With its

emphasis on the inculcation of Christian norms – in popular discourse the regulation is said to be based on the laws of Moses – it is reminiscent of *Basic Guidelines*.

The controversy surrounding the Gospel Regulation also highlights *Basic Guidelines'* current key questions of who is a Papuan and who is a (real) Christian? Such questions may be justified on the effects of marginalisation (national Papuan healing after decades of suffering, for instance) but once legislated will raise concerns.<sup>7</sup> For example, while the Constitution aims to found a Christian state it provides for people of other faiths to play a role in the executive branches. Article 19 titled 'The Inauguration of the Prime Minister (and the Secretaries of Coordinating Affairs)' states that upon inauguration, the Prime Minister has to declare the following:

(Christians only:) 'In The Name of Lord Father, The Creator of Universe, Lord Jesus The King of The Nation of Papua and by the mediator The Holy Spirit'.

(For other confessions:) 'I pledge the obligations as The Prime Minister of West Papua, based on The Papuan Luster and The Melanesian Principle by virtue of The Constitution and yet Decree, Legislation ancillary though My Nation and Fatherland Papua' (Flassy 1999: 38).

This suggests that *Basic Guidelines* moves in the direction of citizen participation yet it does exclude migrants or non-Papuans who at present comprise about a third of the population in the region from meaningful opportunities to shape public policy and work out resolutions in issues that divide them. The 'Preamble' explicitly excludes non-Christians while the principle of the Threefold Logic as grounded in a particular understanding of Melanesian ontology makes participation of non-Melanesians uneasy at best. On the other hand, we should realize that the search for fundamental or enduring values is a problem for any state-building effort. In the case of Papua there seems to be little doubt that such values exist and that they invariably can be found in *adat* and Christianity.

## Conclusion

To the extent that *Basic Guidelines*, the Constitution for the state of West Papua, is typical of constitutions written on the margins of

the state and for minorities of the state, we may conclude from it that the producers of such texts are generally highly creative and sophisticated, and have a clear vision. Their sources of inspiration or holy grails are diverse and their methods of composition highly eclectic while their goals are clear: to produce a structure that would dethrone those with too much power and protect the rights of the marginalized in an attempt to reconstitute a society that is believed to have been an organic whole and can be so again with becoming like the state. *Basic Guidelines* is an expression of the art of not being governed (Scott, 2009) and illuminates how a combination of Christianity and local customs, and mimicry of elements of Indonesian nation building and symbols of the Indonesian nation-state are reshaped to oppose Indonesian nation-building agendas.

I have argued that this Constitution for West Papua shows that vernacular legality is playing a central role in Papua. 'The state' has journeyed down to Papua and forged faith in 'the law' and I have suggested that the Constitution is partly the effect of this growing vernacular legality. The analysis above has emphasised that it is not only important to recognise this but that it is essential to see how legal mobilisations articulate with other normative systems – in particular Christianity and *adat* – and practices and how they mutually allow for and invite strategies.

The strategy that *Basic Guidelines* expresses is an engagement with the Indonesian nation that assumes the existence of an alternative nation, a Papua Nation that was already constituted by 'absoluteness desired by the absolute truth, namely God, the Creator of sky and earth' (Flassy, 1999: ii). The idea of establishing a Christian nation is firmly rooted in the belief that Papuans are a chosen and covenanted people and thus should establish a state in which God rules as sovereign. The Constitution suggests that this is a natural state and an integral part of the authentic Papuan self. To the extent that state and nation are both fundamentally linked to the scripture, in anthropological analysis they should foremost be situated there, specifically in relation to the way people read themselves and their land in the Bible as this allows us to capture local understandings.

The authenticity of the resulting notions of nation and state determines people's sense of being different. They feel a chosen

people in a country that marginalises and traumatises them. Religion then means a system of governance based on *adat* as conflated with Moses's laws and other biblical regulations. If Old Testament priesthood is to prevail as the system of governance for the proposed state, its Constitution would logically be based on the system of moral and ceremonial precepts contained in the Pentateuch. Flassy does not explicitly follow this logic but, as I have shown, he combines Christian natural law with Papuan customary natural law to constitute the Papua-Melanesia Threefold Logic. This makes the Constitution particularly powerful in pervasively Christian Papua where many are keen to refer to their *adat* (which is often heavily informed by Christian lore) to define otherness.

Due to its politically and socially troubled status, Papua is a particularly fertile ground for such imaginations but this is an assumption that needs to be carefully qualified. In the case of the Constitution for West Papua, religion does not simply feature as compensatory for the wrongs and failures of the government of Indonesia. It concerns namely an alternative notion of nation as embedded in the Bible which allows people who consider themselves covenanted to acquire a new sense of self, a new framework of reference and agency in a plan for the future.



## Notes

1. This chapter is a revised version of one read during the panel on Becoming Like the State, organized by Daniel Fisher and me, at the annual meeting of the American Anthropological Association in Montreal, in December 2011. The initial thoughts for this paper were developed during a writing fellowship at the Royal Netherlands Institute of Southeast Asian and Caribbean Studies (KITLV) in Leiden within the framework of a project on the State of Authority in Indonesia, in 2006. For comments on these earlier versions I would like to thank Joshua Barker, Mike Cookson, Daniel Fisher, Henk Schulte Nordholt, and Gerry van Klinken.
2. This period has been described as the Papuan Spring and in the more socio-political accounts it is seen as marked by demonstrations, flag raisings and heightened expectations about radical changes in inequality and marginalisation amid a flurry of messianic dreams (see [Van den Broek & Szalay, 2001](#); [Chauvel, 2005](#)).
3. *Basic Guidelines* is so far the most developed constitution for Papua amid a wide variety of tribal constitutions that are written mostly in response to (threats of) marginalization, resource exploitation, deterioration of morals and questions of leadership.
4. Abdulgani (1964) and for Sukarno's speeches in Irian Barat see [\[Retrieved from\]](#) (last accessed, 7 June 2013).
5. The history of the OPM is not documented in any great detail yet (but see [Vlasblom, 2004](#): 469, 486–636, [Ondawame, 2009](#), and [Djopari, 1993](#)) but the mimicking of Indonesian nationalist slogans as well as its command structure and dress style resembling the Indonesian military, certainly form interesting aspects for explaining its powers and paradoxes.
6. Eluay was tragically assassinated by the Special Forces of Indonesian military in late 2001 ([Giay, 2006](#); [Vlasblom, 2004](#): 618–620; [Kirksey, 2012](#): 121–122).
7. For a discussion on the essentialisations of culture in Papua, see [Timmer 2012b](#).

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# 3

## Seeking for recovering their identity: The Melanesian-Papua treading returning roadmap

Don Augusthinus L. **Flassy**

### Introduction

**T**he Studies "People of Melanesian-Papua who residing in the Tanah Papua, Keep Seeking for Recovering Their Identity, by Treading Returning Roadmap"<sup>1</sup> refers to the

<sup>1</sup> Tanah Papua is Malay word for Land of Papua which is West Half of Island New Guinea or Papua, used to be a Dutch colony in 1828 to 1949, which in 1949 to 1962 became an Autonomous Region of the Kingdom of the Netherland in Overseas called the "Gouvernement van Nederlands Nieuw Guinea (The Government of Netherlands New Guinea)". In the penetration period of Indonesian administration 1963 to 1970 called Irian Barat (West Irian) and in 1970 to 2000 became Irian Jaya and then called Papua again according to Indonesian Law-Decree No. 21 Year 2001 on Special Autonomy for Papua Province which since 2003 divided into two provinces of Papua and West Papua. On the world map, located at 127 ° E to 141 ° E and 2 ° N to 10 ° S, all from West to East 1,300 km and width from North to South is 750 km or breadth of 420.540 km<sup>2</sup> (162.371 sq mi) bordering the west by Maluku of Indonesia, north to the State of Palau (Micronesia), the east with the State of PNG, and in the south with the State of Australia.

Ch.4. Hidden structure in the study of Papuanisties and Melanesianology events of Unilateral Declaration of Independence/UDI on October 19, 2011.<sup>2</sup> Based on this unilateral declaration then the main problem is: "Why are the Papuans Deciding to declare UDI?" The question is supported by holding two liaison questions of "hidden-structure" and assemblers correlation reflection (relationship), namely: 1). Why Indonesian-sizing of the Melanesian-Papua in Land Papua until today still questionable or even doubtful? 2). How is the real study on "Melanesian-Papua" in Land Papua? Based on the unilateral declaration meant that the main problem is: "Why are the Papuans decided to launch UDI?" The holding question is supported by two liaison questions "hidden-structure" and assemblers reflection of correlation (relationship), namely: 1). Is the Indonesian--sizing of the Papuan or Melanesian-Papuans in Land Papua until today still questionable or even doubtful? 2). How real is the study on "Melanesia-Papua" in Land Papua? Whether the existence of question or statement that seemed to still doubt of the Indonesian-sizing of Papuan people can be attributed to three extreme keys thoughts: *First*: The failure of the government of Indonesia receiving Papua become Indonesia, *Second*: as " Wise Advisor" to Indonesia and Papua, and the *Third*: Self Defence of Papua as not an Indonesia.

Some views on the issue of Papua expressed either by Benny Giay and Muridan concerning the central government's perspectives. "Talk to Indonesia is tantamount to boiling stones" (Giay, 2003), as well as affirmed by Muridan (in Meteray, 2012) "The One, Arrogant" (that is Indonesia) and "The One, stiff-necked" (that is Papua). Thought of Giay and Muridan shows that how difficult to bring together the central government and the Papuans in solving the conflict in Papua. While the other group in this case the Papuans that put Indonesia on the wrong side, but this view is not necessarily true according to the authors. The mistake was, in fact on the side of the Papuans themselves as well. Namely, that in the past has been four times ignore the opportunities that exist. The first was the Papua National Committee formed by the *Nieuw Guinea Raad* (Papua Council) 1961 failed to form a government by rejecting the concept of State

<sup>2</sup> Basic Guide Line of The Federal State of Papua Barat 2012 and Profile of the Federal Republic of West Papua 2012.



Ch.4. Hidden structure in the study of Papuanisties and Melanesianology proposed by the Representative of Fakfak, Nicolas Tanggahma. The second was at the Act of 1969. The Papuans fear of risk rejecting foreign elements for the sake of saying "independence" and "itself nation, not to be part of anyone". Unless Eduard Hegemur, again of election district Fakfak outspoken with other tones. Third on February 26, 1999 when a team of 100 Papuan in the National Dialogue, should spoke out the demand of "Freedom and State Alone" but were encouraged to "go home and think back". The fourth was Second Papua National Congress from May 26 to June 3, 2000, the Papuan leaders failed to announce the Transitional Government by rejecting the concept on this proposed by the *Komite Independent Papua* (Papua Independent Committee)/KIP, although it was so possible.

While, according to Meteray (2014), the spirit of becomes Indonesia presently for this society of very diverse ethnic, cultural, religious, language, geography, education and the economy is not a mere pride and not something that is "easy". Djuyoto (2007) also stated that the condition is exacerbated by seriously intolerance and weak laws, and the sharing of resources uneven and which also triggers the tendency of separation for example the idealist of *Borneo Raya* (Great Borneo) or Dayak and the tendencies of Eastern Indonesia, where Indonesia is also directed to be a secular state of particular religion (Obama's Doctrine, The Atlantic April 2016). Thus, it does not mean the failure is regret that several efforts to make people of Papua as part of Indonesia have been failed. This phenomenon is very interesting and challenging. This can be seen in the study of Meteray (2013), which confirms that, to be the Indonesian of the Melanesian-Papuans among the "Indonesian-sizing" and "Papuan-sizing" is often questionable when "Papua fall in conflict." Referring the statement of LIPI (2007 in Soewarsono, ed.), stating that why it has been 62 years of Indonesian independence, nationalism of Indonesia in Papua began to be questioned again? A different understanding of the Indonesian government against the people of Papua and instead suggests that there is a difference in perspective. It is not mistaken when, attitude maintaining or Irian or Papua is not unreasonable because the Regional of NKRI according to the proclamation of August 17, 1945 (though not

Ch.4. Hidden structure in the study of Papuanisties and Melanesianology written), translated as there is no justification as a former colonial territory of Dutch. In a meeting of the Preparatory Committee for Indonesian Independence (PPKI) on August 18, 1945, stated that Indonesia inherited the Dutch East Indies includes Sumatra, Java, Kalimantan, Sulawesi, West Nusa Tenggara, East Nusa Tenggara, and Maluku. Papua at that time still part of Maluku province. Even Achmad Jamin in furthering the dreams and ambitions of hegemony of Sukarno said:

...as translated by the author...."According to the understanding of geopolitics, Papua Island is a leap that most end of the Indonesian archipelago proceed towards the Pacific Ocean, and that leap means, the first leap which proceed towards the Pacific Ocean which leap to other power so to enhance the area which means the strong in the Republic of Indonesia...."

However, there had been transparent manner denials by Mr. Muhammad Hatta as said:

I have proposed a simple request only on the boundaries of Indonesia. At that time, I said, that just does not ask for more than the area of Indonesia which formerly ruled by the Dutch. If wholly given back to us by the Government of Dai Nippon, alone is happy. Previously alone I had raised my opinion about Malacca became independent states which themselves within the Greater East Asia. However, if wanting to unite the people of Malacca they with us alone do not forbid it. Only on Papua, I heard descriptions which somewhat worrying, because it may give the impression to the outside, as if the demands which began somewhat imperialistic. Yesterday, I just heard the theory that the Malacca and Papua asked whether to enter the homeland of Indonesia based on the strategy. I am not an expert of strategist, but relate to my only reading about international politics, just understand that the strategy does not stand alone, but depend on the political constellation in an international environment... (next)...Thus if this being forward, maybe we are not satisfied with Papua alone but Solomon still we asked for and so onwards until the middle of the Pacific Ocean" (BPUKI and PPKI, 1995: 138, 150-51).

The view of Mr. Hatta inspires the RTC of The Hague, then after the Sovereignty of the Nation of Indonesia and the RIS/*Republik Indonesia Serikat* (Republic of United States of Indonesia) was

announced, the Dutch Government on December 27, 1949 was also set Papua with separate status in form of Autonomous called *Governments van Nederlands-Nieuw Guinea* (The Government of the Netherlands New Guinea) lasted since 1949 to 1970 (25 Year Development Plan) in the form of province lead by a *Governor* (Governor). This circumstance was proclaimed in the script called "*Proclamatie van Nieuw Guinea*" (The Proclamation of New Guinea) very and perfect memorable Mayor of New Guinea, J.P. van Echoud on the name of the Queen of the Netherlands. Papua in this specific together with The Netherlands Antillean (Suriname, Aruba, Bonaire and Curacao) tighten in the so called *Overzeesche Rijksdelen* (Empire regionalism in Overseas), being prepared for self-governing in a bond with the Kingdom of the Netherlands as do Australia and New Zealand to the United Kingdom. This policy is set in "*Bewindsregeling Nieuw Guinea*" (Governing Regulations of the New Guinea) 1949.<sup>3</sup> This privilege enabling the Melanesian-Papuans in Land Papua since 1949 to 1962 had fiscal affairs and its own currency, stamps and seals on itself, the line of its own economic policy, and even then had a national flag, anthem and emblem of its own country. In economic terms set by the Holding Company called Nijgemij has its headquarters in Hollandia and branch offices in Singapore, Amsterdam, Rotterdam, New York, Hamburg-West Germany, Canada, New Zealand and Australia. Papua own migration and immigration systems that regulate populations tend Metropolitan consists of all the nations of the world. Papua also has a system of Customs and Quarantine set in outgoing goods, services and people and had a Local Company Aircraft "Kroonduif" subsidiary of Royal Dutch Airlines/KLM, ships coast between cities and continents the Kumamba Shipping Lines subsidiary of the Royal Dutch Shipping Lines/KPM. Moreover, before reaching ten years has established one provincial capital city, 6 section cities, a dozen of cities of district and sub-districts.

West Irian then did one province formally as part of the Republic of Indonesia in 1969, according PEPERA (Law-Decree No. 12/1969) which its validity is still questionable and open to

<sup>3</sup> Don A.L. Flassy, Martin Tuhuleruw, idem, 90.

Ch.4. Hidden structure in the study of Papuanisties and Melanesianology debate. As a result of the demands of the Papuans in Land Papua today to regain their sovereign rights through various actions that often there are different views on Indonesian nationalism among the Papuans. Meteray (2011) shows one of the comments came from former care taker (officials) of the governor of province of Papua, Syamsul Rival concerning the action of the people of Papua in Jayapura Papua (Bintang Papua, October 22, 2011, in [Meteray 2011](#)) stated:

“...Please gathered, issuing opinion, that is fine, but do not offend the NKRI, the struggle to deviate from the rules, let alone trying to establish a state within a state. If that happens it will be dealt with firmly...”

Meteray (2011) also highlight Member of The First Commission of the House of Representatives of Indonesia, Helmy Fauzi connection with the Third Papuan People's Congress on October 19, 2011 in Abepura, Jayapura, as said:

“...How the hell it is, can not prosper the people of Papua. Why they are still poor. It must be examined comprehensively. According to this Coordinator Minister of Politics, Legal and Security also need to clarify whether the right information is growing that BIN already knew there is another plan behind the event. If indeed know and not be prevented can be considered neglecting. That is omission. If early warning has been given, there must be early prevention, would so.”

“....I worries, whether the seeds of dissent, actually thrives in the public schools there.”

“....This if for example there are new layers of the resistance movement, these signs of danger. This means dissident against red and white there is done by a new generation that lives and grows in the public schools. This is no problem what, this is what we should learn. It should be anticipated lest there are new layers that develop as an expression of dissatisfaction over what happened in Papua. There should be an alarm call, that there is a problem in Papua)”(Bintang Papua, 22-10- 2011).

Additionally, Meteray (2012) also mentioned a statement by a Professor of the Institute of Public Administration, Prof. Dr. Ngadisah, MA on June 28th 2012 that questioned the funds that so

Ch.4. Hidden structure in the study of Papuanisties and Melanesianology magnify in Papua: (Ditto)".... there are a number of amazements<sup>4</sup> to Papua, which is why in Papua always conflict development as the presence of Freeport, why so many funds that flowed to Papua but poor people still continue (35%)?, why of the many government programs but the community there continually conflicts ?. "It is there only lamentation and misery that never ends. And we hope Papua live peace with other tribes outside Papua..."

Even a dame of Theatre Artist origin from Batak, Lena Simanjuntak in her thin book (80 pages) entitled *Kidung Danau Toba dan Danau Sentani/Song of the Lake Toba and the Lake Sentani* (2014: 6, 7) mediate frankly but satire:

"Hmm, the Papuans, are sleeping on gold. But why are poor?" ....., Then, .... "This joke is actually is my struggle even my lament toward the Papuan. Why is "the little heaven down to earth" as said by Franki Sailatua in his song of Land Papua, filled with violence, HIV/Aids, liquor, dropouts, abandoned children, narcotics, and others? The more I try to live and explore the life, either by eye or hanging out with family or friends of the women who joined the theatre, read the news or books to understand the life and the environment of thee fellows in Papua, the more difficult for me to say, "The issue in Papua is not my problem. I am a Batak. Does not concern me take care of the Papuans ". My conscience continues to be pursued by the feelings, "I have to care about the Papuan!".

Various statements mentioned above it reflects how the response of the elites and the professionals at the central and local level to the problem to the Indonesian-sizing of the Papuans as essence. The author was so impressed with the statement by Lena Simanjuntak, that, indeed concerned, but what can we do. Sympathy is not enough; it is not a common problem, especially "by the Batak" or by anyone else, because it is up also to the Papuans themselves. In Land Papua, the awareness to the Indonesian-ness arises when awareness to Papua's already blossomed and grew slowly through a long process (Meteray,

<sup>4</sup> Relate statements concerning the same complaints as also stated by Minister of Defence of Cabinet Jokowi, Gen. (ret) Ryasasyid Ryascudu at a meeting with the KIP delegation on behalf of the NFRPB 10 April 2015 in Jakarta.

2012) but also totally different interests. Studies of Meteray not only find consciousness to Papua's in Land Papua is stronger than to the Indonesian-ness at the end of 1962, but also according to the author of the statement by Meteray prove the existence of all Indonesian-sizing in Land Papua is a process of *band going* (hard balance) or *band wagon* (being in the wagon without direction) is strongly influenced by the act, the nature and the behaviour and performance of Indonesian people who first came to Papua (acknowledging *Acub Zaenal: I love the Army*, 1998):

“....how the Indonesian people including myself as the former Commander and the Governor should be ashamed to people of Irian because had been completely razed the luxury goods the Dutch heritage the Irian people, because stuffs that like does not exist in Indonesia)”

It is fitting to what was disclosed by Meteray (2013) that the process to Indonesian-sizing the Papuans for 17 years (1945-1962) has not been completed even still in the stage of seeding, has not grown especially when linked to the seeding process are not evenly distributed throughout Papua. Most communities in Papua, especially in *Centraale Bergland* (Central Highlands) have not touched the seeds to the Indonesian-sizing but the approach is being used more in military approach so that it can be said as a means inhumane. During this time various views and approaches to resolve the conflict in Papua actually cause problems. Thus, it can be said that the people of Papua experiencing the Crisis of Indonesian Nationalism. Meteray (2013) in her study time, indeed almost every conflict that continues to occur in Papua is often associated with the problem of nationalism of Indonesia in Papua. What else is triggered by bitter experience "*in-memoria-passionist*" and also the fact of world development in terms of independence of the fellow Melanesians in the South Pacific? We remember Soedjarwo Tjondronegoro, Chief Representative of Indonesia Contingent to UNTEA-UN in Papua (the first alumni DR. HC of UNCEN) after the Victory of PEPERA 1969, wrote:<sup>5</sup>

(Ditto) ....”(Excerpt secret report of Soedjarwo Tjondronegoro to Foreign Minister Adam Malik to President Soeharto, sounds: We only wins the Act but we did not win the future of land Irian. If

<sup>5</sup> Mozes Weror in MUBES-Papua February 2000.

other areas in Melanesia receive its freedom certainly affect and help the power of nationalism independence which has been rooted in the community of Irian if the government does not immediately help the young ages of Irian).

This is the real entrance, even without all of the above though, or even as a trigger for Papuans to hate, curse oneself and others, even eager to get out of their present towards a happy futurity. And thankfully not to place the words of former Minister of Information that day, Ali Murtopo quipped:

"Whether, if the Papuans wanting independence? Ask the United States to provide a place in the moon...!"<sup>6</sup>

It is really an insult, but also to be a challenge at a time when even its time: "Papuans did not need to ask the United States to be able to place in the moon, as since October 19, 2011 has announced UDI Papuans and the Government of NFRPB", after the Coalition Leaders of Merdeka Papua Straight attended US Congressional Hearing on October 28, 2010 in Washington DC, lived through the process, in any way change. View as above, shows that the fundamental issues in Papua is the "M"/Merdeka (Free) Papua" is the demand that has led to the "human rights violations" resulting in "the development of well-being impeded" and then, there was "impoverishment" and "neglect" and "marginalization" as a series of dominoes. These are the parts that have to be understood rather than ignored. The problem of "M-Papua" is the *inner structure* or *hidden-structure* (underlying structure) of the conflicts in Papua since 1962 and continues until now remain up-to-date as well. Thus, the term of *Rectification of History and Dialogue* is a subtle language that relates to the meaning to Javanese expression that is not easily to communicate. There is no other way, then when indecision of the President of Indonesia to the case of Papua, it is the right and safe step for the people of Papua decided to hold UDI October 19, 2011.

For connecting the second question, namely how to actually study on "Papua-Melanesia" in Papua was basically concerns the existence of the Papuans. I.e. in this case the Melanesian term derived from the Greek μέλας /melan/= black, νῆσος /nesos/ =

<sup>6</sup> Just at PEPERA began in August 1969, the United States landed Apollo 11 on the Moon.

island.<sup>7</sup> that is an archipelago that extends from the Pacific Ocean to the *Insulander* (Archipelago)<sup>8</sup> of South-western Indian Ocean, North and Northeast Australia. The term was first used by Jules Dumont d'Urville in 1832 to refer to an ethnic inhabited islands and islands clusters or in physical stature is different from Polynesia (= cluster of large islands) and Micronesia (= cluster of small islands) is also different with Insulander (Southeast Asia namely the Malay Peninsula, Indonesia, the Philippines and Formosa).<sup>9</sup> For today's understanding, the racial classification of d'Urville is any longer considered appropriate true, because the scope is broad which should also include cultural diversity, linguistic, and genetic identified as Melanesia that includes shades of biological diversity contained in it, because it is also used to naming geographical and covers other interests.

On the other hand the name or term of Melanesia is important for the countries of Fiji, Papua New Guinea, Solomon Islands, Vanuatu, and Kanaki or New Caledonia (which are dependency of France and the UK) use this term to describe themselves because it reflects the colonial history and similarity of regionalism. Concerning Identity of Melanesian-Papuans in the western part of the island of New Guinea, or more often called Land Papua, the racial "Melanesia" is so strongly voiced and often compounded into Papua-Melanesia to provide affirmation or emotional effects, among others, as set forth in RI Law No. 21 Year 2001 on Special Autonomy for Papua Province.<sup>10</sup> In addition, belonging to the

<sup>7</sup> It is, according to the Department of Southeast Asia and Oceania Faculty of Letters, State University of Leiden, commencing in Field of Anthropological Study/FoS Oceania consisting Melanesia, Polynesia and Micronesia. See also Osborne Robin, 1984, Indonesia's Secret War: The Guirella Struggle in Irian Jaya: 1-2.

<sup>8</sup> The term Insulander (mainland/island interspersed with water/sea or vice versa) is used instead of or Indonesian archipelago, as FoS also covers almost the whole of Southeast Asia in this respect the Malay Peninsula, Indonesia, the Philippines and Formosa (Taiwan).

<sup>9</sup> Paul Sillitoe, (1998), Introduction to the Anthropology of Melanesia, Cambridge, University Press.

<sup>10</sup> In the preamble considering point e pg. 12 written.... that the native of Papua Province is one of the Melanesian race group that is part of the



Melanesian race is also in East Timor, Nusa Tenggara and Maluku and even negro-id in Southern Philippines and the Malay Peninsula (Malaysia).<sup>11</sup> However, the use of the term Melanesian is sensitive as that term is used in Land Papua, especially among the movement of "Free Papua" who try to see themselves from a different side to the other nation or group of people who are not Papua and thus Non-Papua-Melanesia.<sup>12</sup> In this case the name or the term "Papua" as well as the name or the term "Melanesia" has evolved considerably from the initial emotional by the European, Malays, Chinese, Arabic and others. Four countries (nations) leading namely Vanuatu, Fiji, the Solomon Islands and Papua New

tribes of Indonesia, which has a variety of culture, history, customs, and language itself.

<sup>11</sup> A.L. Kroeber in Renny Masmada (2009), [[Retrieved from](#)]. In addition, from observation and empirical data, the pattern or the Melanesian race also found in Ponjong-Wonosari Yogyakarta adjacent to the Cave Cangkaring found the skeleton of homo sapiens-erectus entropies Soloensis in Solo, Central Java. This data is associated with private consultations in Jakarta in 2001 with Prince Himat Tomet, the husband of Queen Atut Chosiyah of Banten, that the beginning of the Kingdom Tarumanagara in estuaries of Citarum well received by the natives who were black curly allow King Tarumanagara First, Purnawarman 358 AD settled in the estuary of this river. The original inhabitants were later pushed inland and continues eastward with the arrival of a new system of the Mekong river which originally came from Siberia Snow Field. This data can conformed with that of Sutan Takdir Ali Syahbana (Figure of Sastrawan Poejangga Baroe) in the 4th National Congress of Culture, Jakarta, 1991, with the writing and exposure titled "Sejarah Kebudayaan Indonesia Masuk Globalisasi Umat Manusia (History of Indonesian Cultural Sign to Globalization of Mankind)", 267-285 with reference to the findings of nations scientists Von Eichstedt in his book, 1934, *Rassenkunde und Rassengeschichte* about physical changes of ape creatures was because there is no longer trees to hang from in Snow Field of Siberian lead free front foot off the ground straight into a human before entering Southeast Asia through the Mekong valley.

<sup>12</sup> The empirical of the author in PNG 1999 and Vanuatu in 2000, the term of Melanesia was not immune from the movement of Timor Leste or East Timor and the Republic of South Maluku (RMS) even Moro Southern Philippines to attract the sympathy of the Pacific islands region.

Guinea had formed the Melanesian Spearhead Group/MSG as well as members of the Pacific Island Forum/ PIF in the interests of political and economic development of regional and international globally, of whom once fought for the "independent" of East Timor and Tahiti (Polynesia) which is also now fight for Kanak-New Caledonia of France.<sup>13</sup>

The name "Papua" regardless of the past naming, understanding and emotional, is the name of the Nation in Papua Courant West, namely Papua, designated by The First Papua National Congress or Decision of Papua National Committee (KNP) formed by Nieuw Guinea Raad (Papua Council)/NGR, which at 19 October 1961 declared the Political Manifest in its set. "The Name of Our Nation is Papua, The Name of Our State is Papua Courant West", Our Nation Flag is "The Morning Star", Our Nation Anthem is "Oh, My Land Papua", then the Dutch government enacted this in Gouvernementsblad (Government Gazette) No. 1961/48, No. 1961/69, and No. 1961/70. Although disputed, the truth of history proves, the name "Papua" in hierarchical action can be restored, recognized (admittedly) and restored again by the Forth Indonesian President, KH Abdurahaman Wahid (Gus Dur) at the dawn of human civilization Third Millennia, on January 1, 2000, at the urging of the Papuan (lead by the Leader of Papua Theys Hio Eluay in 1 December 1999) which then ratified in RI-Law No. 21/2001.<sup>14</sup> The Human of Melanesian-Papuans in Land Papua certainly no different with the human communities in general, however, the difference is still there lies in the view of God and the Earth or supernatural elements and natural elements. God of Papua-Melanesia is the universe of the cosmos (cosmic universality), though by no means known as single religion or mythology that unites the whole Melanesian. According to the concept of identity of Papua and

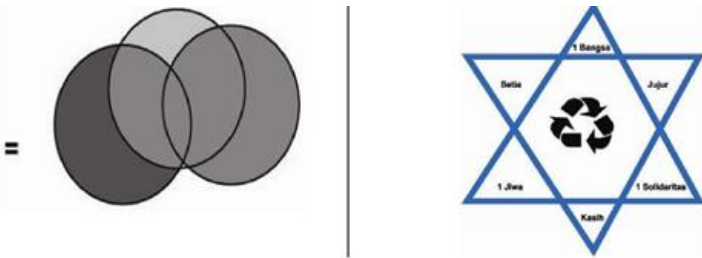
<sup>13</sup> Even Vanuatu on Papua establishes a special law called the "Wantok-Bill" in 2010; the mission which is carried is Independence and Sovereignty of the whole Melanesian especially the Papua in West Papua. We are not yet perfect when there were Melanesian nation still colonized under the rule of Colonialism and Imperialism.

<sup>14</sup> Flassy and Tuhuleruw, ed.2013, Sejarah Pemerintahan Provinsi Papua, LRP-PemProv Papua:84-86.

Melanesia, the divinity of God is in the universe and human life. Human of Melanesia-Papua do lots in two dimensions (divine and earth) are balanced for a futurity edenic (paradise) or messianic holistic, universal and covers.<sup>15</sup> Thus there must be action, then the Re-Roadmap been hacked to understand the identity of which so long has been ignored.

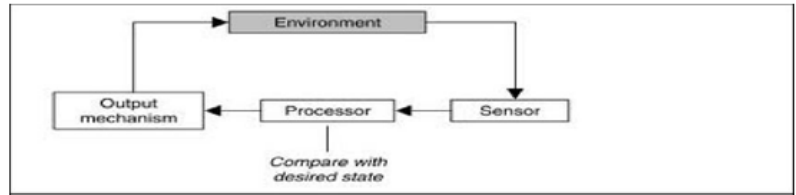
## Methodology

In fulfilment of the "identity" based on Abraham H. Maslow Motivation Theory (1943, 1954) which essentially revolves around the notion that humans have five levels (or hierarchy) requirements, namely (1) physiological needs such as: hunger, thirst, break and sex; (2) safety needs not in the physical sense alone, but also mentally, psychologically and intellectually; (3) love needs (need for affection); (4) esteem needs, reflected in the various status symbols; and (5) self-actualization, in terms of available opportunities to develop their potential to turn into a real capability in this embodiment of the "identity". Understanding of the human need for deepening the improvement or "correction" is felt not only appropriate, but also necessary because experience shows that the business of satisfying human needs take place simultaneously.



**Figure 1.** *Triple Fold Logic of Melanesia Papua-Correlation of Triple Fold Logic by Axis*

<sup>15</sup> Bernard Narokobi, 1986 "The Old and the New," in Ethics and Development in Papua New Guinea, ed. by Gernot Fugmann (Goroka: The Melanesian Institute), pp. 10-14, that individualism in Melanesia stands out because of the influence of Westerners.



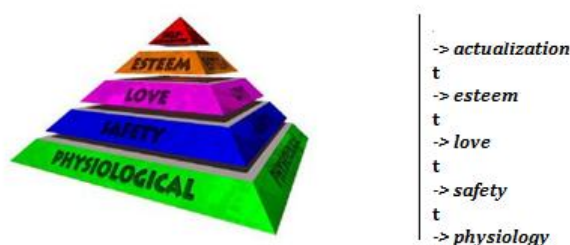
**Figure 2.** The main control of cybernetics balance of Parsons' hierarchical form of Feedback information of repetitions in a cybernetic system

1st Deity		
2nd Humanity		
3rd Unity		
4th Populist		
5th Social justice		
or also		
2nd	3rd Unity	
Humanity		
↑ 1st Deity		
5th Social justice	4th Populist	

**Figure 3.** Balance Simultaneity hierarchical principles of Pancasila to the outstations peak ( of Star/divine)

In connection with the "identity" of Papua or Melanesian-Papua consider theory of motivation or theory of hierarchical then that stands out is cybernetics cyclical (cycles of balance), as forwarded in Triple Fold Logic of Melanesian-Papua (1999), although still ensure materialized change of the focus (Triassic Brotherhood Logic of Melanesia: One Nation-One Soul-One Solidarity/Latin: Unus Pupuli, Una Anima, Solo Solidarita and Triassic Conscience Logic of Papua: Mercy-Allegiance-Honest/Latin: Miserere, Fidelitatis, Rectus) in the form of mosaics cylinder controlled by the shaft because it is not cybernetics hierarchic (rise balancing). In the sense of the One Nation - One Soul - One Solidarity and Mercy-Allegiance-Honest is not hierarchical or serial in number but is all the same no matter where the first or into the driveway simultaneity. In this connection, corrected by Parsons thought that social science should 1958 (1937): 582, 1975) placed in epistemologies contexts and explanatory context system (clarity consider the end, the goals and ideals when saw action. Discussion of Parsons (1935: 282-316, context system) to achieve the "ultimate values (core values)" and "end" in fulfilments of the "Self". Although according to Papuan or Melanesian, do not stop just

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 there because only synergies pause of cycle rolling. Thus *ultimate values* (the values of the primary) in Melanesian-Papua in this case is to achieve "*dignity, self-esteem and identity*" it is possible to arrive at the stage of the so-called "*end*" but only be *open-ended* (pause and interlude) because it is a circulation cycle which *periodically* (gradually) and *continuously* (from time-to-time) constantly changing to suit the fulfilment *end* as social change both phenomenal and static.



**Figure 4.** Motivation Theory "Needs" by Abraham H, Maslow

In connection with the *end*, the UDI of the Melanesian-Papua-October 19, 2011 from the standpoint of theory of Social Change is a process of evolution or revolution or both to become *evo-revolution* has the positive potential impact in the form change both from the people of Papua-Melanesia in Land Papua itself and the views of others. Changes planned or not, certainly can occur as a result of something new, in the form of tools, ideas, nuances, or feelings that formed an emotional mass of Papua is not only the original Papua (Melanesian-Papua) but anyone in Papua *jus soli*, *jus sanguineous* and *jus recognition* (land rights, blood rights, and recognition rights) as realistic consequence. As a German Cartens Fredrich Schoeder may adopt to be Cartens Fredrich Schoeder-Flassy by the Tehit of Tiwit Community in South Sorong District as well as a mixed Germany Indonesian, Margaretha Pangau-Adam-Flassy.

## Results

Relating the title and questions raised in this paper, the subject will appear as:

**The first subject** is of the Papua as part of Melanesia which is the Socio-Cultural Studies in order of Papuanistics (focused on Linguistics) and Melanesianology (focused on Anthropology and universal of Melanesia), intended to show the root of the problem as the Melanesian Papuans in the sense that almost did not have a dependable roots in Indonesia. Papua and also Melanesia is a *proper name* (personal name) who could not interchangeable with other philosophies as a valid identity and nature. Whatever the purpose, should be studied Papuan is Melanesians who have philosophy, idealism, and ethnographic characteristics that are typical of the style is different from the others. In a sense, when going to talk about Papua is not possible orientation without Melanesia. Papuanistics study focuses on the study of the language being Melanesianology study focuses on Anthropological and Universal Melanesia studies (including philosophy, history, natural environment and various other unique features) would be a step that can be taken within the scope of service of Cenderawasih University in Papua which is part of Melanesia. In the western part of the island of Papua New Guinea or more often called Land Papua, the race of "Melanesia" so strongly echoed and often compounded emitted into Melanesian-Papua to provide affirmation or emotional effects, among others, as set forth in RI-Law No. 21 Year 2001 on Special Autonomy for Papua Province. Indeed belonging to the Melanesian race, it is also East Timor, East Nusa Tenggara, Maluku, even Moro in Southern Philippines and Peninsula of Malaysia. But not too sensitive as that term is used in Papua, especially among "freedom movement" who try to see themselves from a different side to that instead Papua or the non Papua-Melanesian. And it is increasingly broad horizon in 2015 precisely summit of MSG in June and summit of PIF in September to accommodate the issue of West Papua to be deliver to the UN. A 50-year development after more never appeared in international foray surface.

**Second discussing** on Prestige and Power of the "Great World Power": Special Specific Case of Land Papua. This is about the existence of Indonesia triumphed over Papua is not merely a result of hegemony desire only to occupy and possess the nations surrounding it if not of the support of the so-called Prestige and Power of the "Great World Power" which is here the United States of America. The end of act acknowledge as New York Agreement, Freeport pollution, and various obstacles on Papua's fate in the hands of the United States in this regard. And here, the Melanesian-Papua stacked. So, then the dignity shortcut steps to be compromised, not only blaming Indonesia and else for any act and harm suffered Papua-Melanesian. Moral seriousness which revealed the Melanesian-Papua to General Douglas Mc Arthur in completing the Occupied of Japanese troops have not even completed in any form and payment of war reparations losses corresponding obligations of the warring. Papua was left abandoned and ravaged, Mc Arthur instead liberate the Philippines. But then in very later, with the seriousness of US Congressional Hearing on 10 September 2010 that produces a response in the form of UDI Melanesian-Papua October 19, 2011 would be intercepted so as to end the "miserable road for Melanesian-Papua in Land Papua. With the development in MSG and PIF would open new horizons as it attempts to recover the political status of West Papua. Likely to be greeted by Prestige and Power of the "Great World Power" in this case the United States in view of the mechanism in accordance with Article 73 and Article 78 of the UN Charter in order to organize the West Papua as a United Nations Trust Territory were still dormant. In addition by considering the Paragraph 1 of Article 33 of the UN Charter, in the position of a dispute of Papua has made various approaches to a peaceful solution but always failed even as e.g. The Delegation of KIP to the Minister of Defence on the way back from Jakarta, been placed under arrest for 18 days and the city jail had to be report to the Regional Police Headquarter so long until this article published (2 x 6 months). Because what is wants to understand and to get is the ROOT of CAUSE not the ROOT of PROBLEM-S to gain "way out".

**The third is** the subject of Federalism in Indonesia: Special Specific Case of Melanesia-Papua in Land Papua versus the Unitary of NKRI. It is stated that the unitary nature of the state (unity) is contrary to the dignity of authenticity is not just for Papua-Melanesia but also the nature of federalism in Indonesia. Then the most appropriate measures to put an end to all conflicts and contradictions that could potentially shatter and devastated Indonesia would be most appropriate is a return to the spirit of RIS according to Decree of KMB (RTC) 1949. In various regions are trying to remove themselves from the unitary Indonesia to autonomy in an Indonesian federalism. Of course that the Islamic State Nangru Aceh Darussalam has gained the position of One Nation Two Systems together with Indonesia, Papua must also be recognized as other ethnic cited rebuttal Muhammad Hatta in PPKI and KMB presence in The Hague December 27, 1949.

**The fourth subject is** Constitution vis-à-vis Constitution: Indonesia 1945 versus Papua 1999, which gives an idea of the nature identity of Indonesia and of Melanesian-Papua characterized in the Constitution respectively. Due to the style and the picture, then Indonesia and Papua are the two things that have characteristics of each that should only be shared in bilateralism and not as sub-ordinate. The Indonesian Constitution 1945 was passed back by Sukarno in 1950 to nullify the decision of the RTC of Den Haag 1949 where the Constitution of Papua 1999 was passed as a product of the Third Papua National Congress in 2011 as a foundation for the Federated States of West Papua (NFRPB) despite nullified at the Second Papua National Congress of 2000 because the leaders were failed of announce the Transitional Government as the major reason of launching this political event. There was prefers of compromise to "rectification of history" and "autonomy" offered by Indonesia (receive these do not independence). Critics on the Constitution of Papua 1999 was by the researcher from Leiden Vollenhoven Institute (Institute of Legal Studies integral part of the University of Leiden) is also included here as a manuscript of Oceania 2012 edition.

**The fifth subject is:** Unilateral Declaration of Independence of Melanesian-Papuans in Land Papua, October 19, 2011. It is an act of Re-Roadmap Turning to the Papua Political Manifest, December



1, 1961. Tells about shortcuts steps taken by the Melanesian-Papua form of hacking to define the identity through international formula of "UDI" while the pace dialogue and demands negotiation experiencing deadlocked. It is not why, there used to be made first, then litigants as Kosovo has done and prove to Siberia, but it does not mean that Indonesia must undergo the same. In this discussion there are discourses, suggestions, for the good will soon is assembled in a variety of social action so that the recognition of Papua-Melanesian reflected not adversely affected to the integrity of the NKRI.

## Conclusion

In connection with the above discussion, conclusions and suggestions can be submitted as follows:

Through the "Hidden Structure" within the meaning of the Social and Cultural of Melanesian-Papua is Studies of *Papuanistics* and *Melanesianology* can know the root problem of Papua as part of the Melanesians who have almost no roots in Indonesia in this case the Malay race. Papua and Melanesia are proper names (personal names) of the identity of the proper and natural. The study shows that the various problems in Papua are the impact of conflict incomplete handled and implementation approaches by the Indonesian government has not been able to prosper the people of Papua. What will be important for Papua in the whole problematic are the Root of Cause and not the Root of Problem-s. From understanding the "hidden-structure" which is "M/Merdeka (Freedom) Papua" is the Root of Cause where else are just Root of Problems. By the Hidden Structure Theory can help along with other theories such as Theory of Balance, Theory Motivation and Theory of Social Change and others including Realist Theory can provide provisions which steps will be right to take.

**Suggestions:** The patterns and pictures of life at the top of the Melanesian race, so, the Indonesian people who generally have the Malay race and Papua, which has the Melanesian race is two parts have respective characteristics so that should only be shared in bilateralism and not as sub-coordinated. In fact, the Government of Indonesia should be able to take over that role so does not invite

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more severe conditions for the population residing in Land Papua on this on going; precautionary measures should be designed together. Presumably there is a desire on the recognition of Indonesia on Papuan Independence and the Federated States of West Papua may part of the various policies implemented by the government of Indonesia has been, in a sense: The Indonesian government has been acting as a member of the United Nations in accordance with Article 73 and Article 78 of the UN Charter in managing West Papua as a United Nations Trust Territory to get its future.

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ISBN: 978-605-7736-68-0 (e-Book)

KSP Books 2019

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## Don Augusthinus Lamaech Flassy

Don Augusthinus Lamaech Flassy was born in the village of Seribau District of Teminaboean, West Papua, on August 28, 1947, the son of the couple Simon Tesia and Salomina Flassy. Called Don, Agus is also Thinus, bearing the fam or clan name Flassy since mama Salomina was divorced by father Simon and subsequently under the care of uncle Anton Hendrik Flassy as guardian. He is known as a planner, researcher, author, editor, political activist, artist, cultural activist, teacher, lecturer and also bureaucrat. In his last position, he was the Secretary of the BAPPEDA of Irian Jaya Province 1997-2001. He had won Structural Position of the Main Trustee and Functional Position of the Expert Researcher of Other Social Sciences, Stage IV/e. Now, even though he has retired as a civil servant, he still has a cool position as Secretary of the Papua Institute for Science and Technology (LIPTTEK). Since November 2017, the husband of Yuliana Christivora Welikin, SE., MM, Father of two sons (Don Rodrigo Athur Douglas Flassy, S. Sos. And Don Steven Patrick Flassy) and one daughter (Vanda Oliva Angela Flassy) has officially become Doctor in social Sciences. He defended his dissertation entitled: Peta Jalan Balik Bangsa Papua di Negeri Papua Bagian Barat: "Sebuah Keputusan Damai Pemulihan Jati Diri (The Roadmap to the Revival of the Papuan Nation in West Papua: "A Peaceful Decision on the Restoration of the Self")" in the Cenderawasih University Postgraduate of Doctor Social Sciences, Jayapura. Education was starting from Elementary School in SR Seribau (Class I to III) 1955, Dutch Language Connection School at JVV5 (Class IV to VI) 1957 in Teminaboean, continuing Junior High School 1963 in ODO Fak-Fak, Senior High School 1967 in SPG Merauke and Semi-Academic 1970 in PGSLP Sukarnapura. Before becoming a doctor, Don Flassy studied at the Indonesian Language and Literature Department, FKSS-IKIP, Yogyakarta (graduated baccalaureate in 1973 and undergraduate in 1979) continue to Advance education at Department of Southeast Asia and Oceania, Faculteit der Letteren Rijksuniversiteit te Leiden, Netherlands (obtained an M.A. degree in 1992). As a writer, he has produced many books and will continue to write.

e-ISBN

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978-605-7736-68-0

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