

Putting Communities at the Center of Village Law Implementation

Village Law
Policy Note

October 2019

Summary

This note draws on a longitudinal study (Sentinel Villages) that investigated the patterns of participation, transparency and accountability under Village Law between 2015 and 2018.¹ The findings from this research indicate that, since the introduction of Village Law, levels of community participation in village meetings (*musdes*), while relatively stable, continue to be low at around 16%. Participation patterns are also not broad based and inclusive, with participation mostly from the elites (male, well off and socially engaged), and limited participation from women or other marginalized groups. Since 2014, village governments have improved on key metrics of transparency, disclosing and sharing more information. However, there was an overall low level of awareness at the village level on village programs, budgets, and plans. Under Village Law, systems of upward accountability and reporting have been strengthened. This has not been matched with similar progress on systems of downward (social) accountability to the community. Strengthening participation, transparency and accountability,

necessitates each actor to play its role effectively, and particularly realising the full potential and role of the village community, facilitators, and the Village Council (*Badan Permusyawarahan Desa* or BPD).

In order to revitalise the role of the community in Village Law, and to improve participation, accountability, and transparency of village decisions and spending, this brief recommends to:

1. Focus resources on mobilisation and socialisation of the village community to improve awareness and civic engagement
2. Mandate and equip the village facilitators (*Pendamping Desa*) to fulfil their role for community empowerment
3. Improve BPDs' capacity to represent their communities and to hold village governments accountable.

**This note was prepared jointly by the World Bank and KOMPAK at the request of Bappenas, to inform policy discussion related to Village Law. The note is based on available data as of October 2019, including forthcoming assessments and studies. It is one of five briefs: 1) How to improve the delivery of Village Law, 2) Effective support from Local Governments to Villages, 3) Delivering Quality Rural Infrastructure with Village Funds, 4) Putting communities at the center of Village Law implementation, and 5) Financial management, reporting and oversight.*

How to Ensure Community Participation and Inclusive Development

In the first three years of Village Law implementation (2015 to 2018), community participation in village meetings (*musdes*) remained relatively stable, albeit low (around 16%) and with regional variation². Community participation and empowerment are some of the key principles of Village Law (Article 3). Indonesia's two decades of experience in implementing village community-driven development (CDD) has shown that when communities participate in development, funds are more likely to be spent on activities that meet community needs.³ Although Village Law mandates open village meetings, only around half of village governments interviewed (51.9%) issued invitations to deliberative meetings, with around half of those invitations targeting people who were employed, already active in local groups or in political parties, or who were actively engaged with the village government. On the other hand, women, those with low levels of education, the poor, and those who had complained and not had their complaints followed up were less likely to be invited.⁴ Villagers' attendance rate at hamlet meetings (25.1 percent) in 2018 was significantly higher than that at village meetings (16.2 percent). Men were more likely than women to attend, but there was no significant difference between the poor and non-poor in attending hamlet meetings.

With respect to transparency, longitudinal analysis found that village governments are

disclosing and sharing more information. However the level of information received by villagers on village programs is declining. Under a new initiative promoted by higher-level governments over the last 2–3 years, village governments display a summary of the current village budget on banners and posters in public places. Many village governments also put up information boards at project sites. Yet only 41.4 percent of survey respondents were familiar with the village programs in 2018, down from 47.8 percent in 2016. Overall interest in information also declined during the study period. Only 56.1 percent of villagers wanted to have information from the village government in 2018, which represents a decrease of 7.5 percentage points from 2016.⁵

Since the implementation of Village Law, there have been improvements in upward accountability and reporting. However, this has not been matched with downward accountability to the community. Current regulations emphasize upward accountability. The village government must provide various reports to the district government in order to receive Dana Desa funds. In general, village governments are disseminating more information, but this information is not easy to understand by average villagers. The information is highly aggregated and not broken down into specific investments.⁶ The ability to hold village governments to account is important. Communities should have the opportunity to have their voices heard, and to demand improvements and corrective actions, where needed. Article 82 of the Village Law guarantees communities the right to monitor development plans and activities, for example by

submitting complaints or reporting problems to the village government or hamlet. Only 8.5 percent of villagers did this in 2018, almost the same as in 2016 (9.0 percent). Men and the non-poor were more likely to express their dissatisfaction.⁷

Strengthening participation, transparency and accountability, necessitates each actor to play its role effectively, and particularly realising the full potential and role of the village community, facilitators, and the BPD:

1. **Communities have yet to realize their role in overseeing village development.** Although more information on expenditure is available under Village Law, villagers are much more aware of village programs than village funds information, with only 6% of households reporting awareness of village funds.⁸ Research from Java indicates that many villagers feel little ownership over village funds and programs, seeing them instead as the sole responsibility of the village government, rather than the community.⁹ They avoid further inquiries into the use of village funds, believing that it might make them seem ungrateful or suspicious of the village government. In these areas, such disinterest in village information might undermine villagers' further engagement in village development processes. Increased awareness appears to be linked to trust in village leaders. In all study areas, villagers who considered village heads, hamlet heads and BPD reliable in planning and implementing programs also had higher levels of interest in village

information, compared to those who did not characterize officials as reliable.

2. **Facilitation support for the community needs to be revived.** Village heads, BPDs, and household respondents all expressed the need for facilitation.¹⁰ Facilitators are expected to assist in four areas: (1) village planning, (2) implementation development, (3) community empowerment, and (4) monitoring and evaluation. Facilitators for community empowerment are expected to assist villages in broader development activities, which include village planning, implementation, monitoring and evaluation, and community empowerment. During the first five years of Village Law, village governments needed technical support in order for them to undertake their new roles and absorb the five to ten-fold increase in the village funds. As a result, facilitators have largely focused on village administration. In the Sentinel Village study sites, the facilitators reported that they spent most of their time with village governments, rather than with communities, mainly doing administrative work including report preparation. Their training had focused on government policies and regulations on village administration and preparing village budget documents and village regulations.
3. **The BPD has not fully understood or performed its role and functions.** Under the Village Law the BPD's functions include overseeing and soliciting information from the village government, proposing draft village regulations, channeling community aspirations, and "ensuring democratic principles and gender equity are upheld" (Articles 55, 61–63).

However, 2018 research¹¹ shows that only 40% of households would trust the BPD to make decisions about planning or implementing development projects – the lowest level of trust of any of the actors for which data was collected (village head, hamlet head, village activists). It is also concerning that perceptions of BPD reliability have decreased by over 16% since 2016. BPD members have little understanding of their roles as outlined in Village Law and Permendagri 110/2016. Less than 40% of BPD members surveyed had attended socialization of the Village Law at the district office.¹² Further, members also saw their role as

partners to the village government, which translated as supporting the village government, rather than monitoring overall village government activities. Based on this assessment, two areas were identified that can be leading to poor performance of the BPD. The first is that there is no specific training is available for BPD members, which makes it hard for them to oversee their village governments. Second, the BPD works part-time and receive low compensation, especially compared to the increased payments to village government officials. This is likely to undermine their willingness to perform their jobs.

Financial capacity building for BPD can help translate community aspirations into action.

Budget literacy, or *Sekar Desa*, uses simple tools to strengthen the capacity of communities, village governments, and the BPD, to read and analyse budgets and expenditure statements. The training focuses on inclusion of women's needs and the use of Aspiration Post, focuses on better translating community aspirations into village plans and proposals.

Klasifikasi	Aspirasi	Aduan
Pemerintah Desa	6	7
Admnduk	1	2
Infrastruktur	34	22
Sosial dan Budaya	8	12
Sanitasi	10	9
Kesehatan	4	2
Pendidikan	13	10
Pertanian	12	7
Ekonomi Desa	1	1
Kapemudaan	1	1
Sarana Olahraga	1	1
Pemberdayaan Masyarakat	4	3
Pembinaan Kemasyarakatan	3	3
Lingkungan Hidup	12	9
Disabilitas	1	1
Saluran Air Bersih	39	24
Cestung PKUDITPQ	12	8
MCK	28	20
Lampu Jalan	9	6
Bantuan	15	13
RTLH	4	4
Irigasi	12	11
BPJS	2	2
Kesamanan	2	3
Kartu Kajian Cerdas	4	2
Tower	1	1
Inventaris Desa	2	1

Jumlah Aspirasi dan Aduan **437**



Policy Recommendations

As Village Law moves into its sixth year of implementation, with strong overall regulatory systems in place to manage financial flows and administrative processes, it will be critical to return focus on strengthen participation, transparency and accountability. This will require an increasing focus on the village community, the facilitators – as the key actors for engaging and mobilising the community,

and the BPD, as the formal representatives of the village community.

1. Improve mobilisation of and socialisation to the village community

- Civic education and socialization of Village Law:** MoV and MoHA to develop broad-based information campaigns and tools to better inform the public about roles and responsibilities

related to village governance and village development. This could include scaling-up best practices on village information systems.

- b. **Review and clarify regulations and guidelines for *musdes*** to ensure meetings for planning and accountability are open and accessible for the wider village community.
 - c. **Implement special interest meetings for women**, and encourage special meetings at the *Dusun* level for special groups (people with disabilities, vulnerable groups) and sectors (health, education)
2. **Mandate and equip the Pendamping Desa to fulfil its role for community empowerment**
- a. **MoV to strengthen the *Pendamping Desa* terms of reference to focus on community empowerment, inclusion, and participation.** This would include strengthening the role of Cadres and village community groups.
 - b. **Improve management structure for the *Pendamping Desa***, focusing on management at the province level.
 - c. **Create performance metrics** for better management and oversight, linked to a digitised human resource management system
 - d. **Develop effective and efficient capacity building of *Pendamping Desa*** based on the revised TOR.
3. **Improve BPDs' capacity to represent their communities and to hold village governments accountable.**
- a. **Tailored training should be provided to BPD members** on their roles and responsibilities in order to equip them with the necessary skills to fulfill their tasks.
 - b. **Bappenas and MoHA to coordinate on developing guidelines for district governments in line with Permendagri 110/2016** to ensure requirements on budget, structure, responsibilities, and authorities of BPD are clear at the local level. This should include clarifications around the gender balance of the BPD and access to village funds.

¹ World Bank, Sentinel Villages Study 2015 – 2018, (currently being finalized for publication)

² Sentinel Villages Study (WB 2015 – 2018), PNPM Incidence of Benefits Survey (2012), Evaluation of PNPM/Respek Implementation in Papua and West Papua (2009 – 2013)

³ See for example, PNPM Incidence of Benefits Survey (2012) and PNPM Rural V Final Evaluation (2015)

⁴ World Bank, Sentinel Villages

⁵ World Bank, Sentinel Villages

⁶ World Bank, Sentinel Villages

⁷ World Bank, Sentinel Villages

⁸ World Bank, Sentinel Villages

⁹ World Bank, Sentinel Villages

¹⁰ World Bank, Sentinel Villages

¹¹ World Bank, Sentinel Villages. 2018 survey in 112 villages and 3,857 households.

¹² World Bank, Sentinel Villages.

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