

JSPS-DGHE

Core University Program in Applied Biosciences

Proceedings of the 2<sup>nd</sup> Seminar

# Toward Harmonization between Development and Environmental Conservation in Biological Production



February 15-16, 2003

Sanjo Conference Hall  
The University of Tokyo

Sponsored by Japan Society for the Promotion of Science



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**“Toward Harmonization between Development, and Environmental**  
**Conservation in Biological Production”**

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## Preface

Nearly five years has passed since the JSPS-DGHE Core University Project was started in a densely populated rural area of Indonesia under the title "Toward Harmonization between Development and Environmental Conservation in Biological Production." Establishing a system of sustainable agricultural production is one of the most important issues in the 21st century, particularly for developing countries including Indonesia. The Graduate School of Agricultural and Life Sciences, the University of Tokyo, and Bogor Agricultural University (IPB) have actively carried out this research project in cooperation with other universities in both countries.

The main purpose of the Second Seminar is to trace back the progress of our research activities at the turn of this ten-year project. The academic results of this project are well reflected by the papers submitted to this seminar, amounting to 57 papers including eight for the plenary session, 35 for the group meeting and fourteen for posters. In addition, a book of collected papers will be published in order to disseminate our academic results.

Moreover, six eminent experts will participate in this seminar to objectively evaluate overall performance of the first half of this project. We deeply appreciate that they kindly arranged to undertake this task given their busy schedules. Their esteemed comments will provide valuable guidance for the next stage of this project.

We would like to express our thanks to all researchers who participate in the seminar in spite of the sudden rescheduling. We hope that discussion throughout the seminar will be fruitful and shall create an impetus for further research. It is not only desired that our project will produce still more academic achievement in the future, but will also harmonize agricultural development and environmental conservation in rural Indonesia. Our seminar is a start in this new direction.

January 27, 2003

Dr. Yoshihiro Hayashi and Dr. Kazuhiko Takeuchi  
Coordinator and Sub-coordinator of the Japanese Team

***Musyawarah-Mufakat* (Unanimous agreement after  
consultation and deliberation) or Representative System?**

**Governance Changes in Rural West Java in  
Democratizing Indonesia**

*Kosuke Mizuno and Sugiah Machfud Mugniesyah\**

**1. Introduction**

In the process of democratization and social reformation since the step-down of President Soeharto, Habibie Administration promoted the decentralization policy, and passed an important law on autonomous local administration, Act No.22 of 1999 on Local Administration that abolished the Basic Act No.5 of 1974 on Local Administration. Act No. 5 of 1979 on Village Administration, which regulated the village administration system of the whole country since 1979 was also abolished in this move, and new village administration system is now being created. The Act No.22 of 1999 on Local Administration stipulated basic structure of village administration. However, in the move to local government autonomy, many parts could be adjusted by the District (*Kabupaten*) Administration as well as the village itself.

Village administration system during Soeharto Regime was characterized by top-down structure, where the Village Head took the responsibility to the District Head (*Bupati*), not to the people at the village. Local people had little opportunity to check the village administration although local leaders of religion, customary law, and youth had relatively more opportunity to check the village administration. Principle of unanimous agreement after discussions and deliberations (*Musyawarah Mufakat*) was emphasized in the system, for example the Village Consulting Body- a village assembly- agreed unanimously and was expected to avoid the act of voting. Head of sub-district (*camat*) or its representative attended the assembly, and took the lead when consensus was not reached although the voting was done. The decision of the assembly was recognized by the head of District (*Bupati*)<sup>1</sup>. [Mizuno, 1998].

Act of 1979 on Village Administration stipulated that Village Consulting

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Organization was an organization of unanimous agreement after consultation and deliberation (*permusyawarahan/permufakatan*). A set of words “*Musyawarah/Mufakat*” was used many times in the text. Some scholars emphasized that the way to decision-making among the villagers according to the principle of *Musyawarah/Mufakat* was the tradition of Indonesian Villagers. For example, Soetardjo emphasized that all decisions had to be made, agreed or rejected, unanimously among villagers according to the Indonesian customary law. The voting system, in which the majority of voters win, was not known in Indonesia. Consultation and discussion had to be continued so that all attendants agreed or rejected unanimously, under the name of *Musyawarah Mufakat* (Soetardjo 1984:154).

Decree No. II/MPR/1978 of People’s Consultative Assembly (*MPR, Majelis Permusyawaratan Rakyat*) on Propagation and Implementation of *Pancasila* (P4) stipulated that consultations and deliberations should be done to reach an unanimous agreement (consensus) at the time of decision-making, and Indonesian people should respect the consensus and are responsible to accept and implement it.

However, in Act No.22 of 1999 on Local Administration, there are no words of *Musyawarah Mufakat*, or *Musyawarah* in the text. The Act says basic ideas for the regulation of Village Administration are variation, participation, original autonomy, democratization, and empowerment of the people<sup>ii</sup>. And Decree No. XVIII/MPR/1998 revoked the 1978 Assembly Decree No. II/MPR/1978 and ordered the Government to stop the compulsory P4 propagation program<sup>iii</sup>. A regulation of Cianjur District surveyed area, according to Act No. 22 of 1999 stipulated that Village Representative Body – new village assembly- could take a decision with the votes of 1/2 members plus one person who attended the assembly.<sup>iv</sup> This new system can be called as representative system.

Tjondoronegoro (1984:227-228) stated based on research in 1970 at West Java and Central Java that *Musyawarah* and *Mufakat* were done at the time of important decision-making among the leaders of the villagers. However the system lacked structured representation of various interest groups so that popular opinion of the village community failed to be properly channeled. He felt that important decisions had been made collectively in the *balai desa* (village hole) under the system of *Badan Musyawarah Desa* that existed among villagers during the Soekarno Administration before 1965 (Tjondoronegoro 1984:250).

Koentjaraningrat illustrated based on field research in Central Java in 1950 that the Villagers Meeting at which all heads of households could attend without regular attendance of officers of local Government above the village level, seemed as if the head of Village decided everything in an authoritative way, and attendants only agreed. No opposition had been apparent there. However

according to his observation, actually there were people who opposed. The Village Head exchanged opinions and negotiated with them informally, so that oppositions were not apparent at the meeting (Koentjaraningrat 1964:163).

This paper tries to point out the main difference between village administration under the Soeharto Regime and that of today. To what extent, the top-down characteristics of old village administration have changed in the move to democratization and social reformation in rural areas? How does the new representative system at surveyed village work? Has the principle of *Masyawarah Mufakat* been replaced with system of Parliament democracy in which the voters who get majority votes win? Is there similarity between the new system with the one of 1950 ? Field work has been done at Kemang Village (Desa), Bojongpicung Sub-District (Kecamatan), Cianjur District, West Java Province in 1998-2001.

## **2. Village Administration**

### **2.1 Village Office**

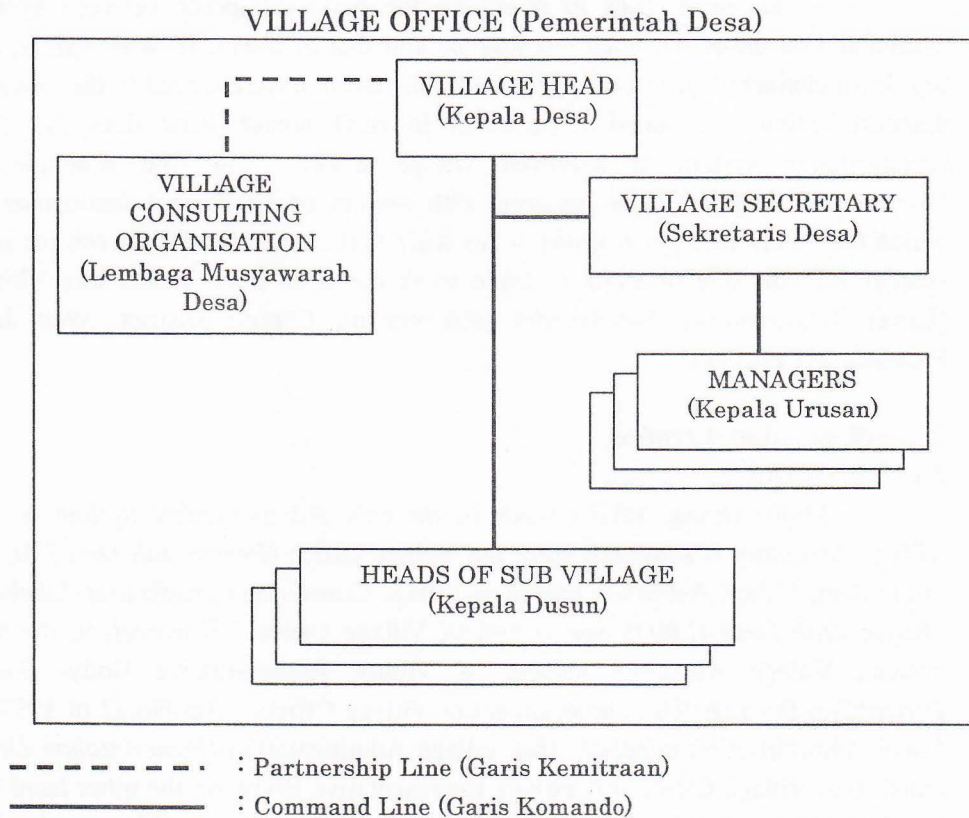
Major change taking place in the new Administrative system is that Village Assembly is separated from the Village Office (*Pemerintah Desa*). In the old system, Village Assembly named as Village Consulting Organization-*Lembaga Musyawarah Desa (LMD)*, was a part of Village Office. However, in the new system, Village Assembly named, as Village Representative Body- *Badan Perwakilan Desa (BPD)* is independent of Village Office. Act No.22 of 1999 on Local Administration stipulates that Village Administration (*Pemerintahan Desa*) consists of Village Office and Village Representative Body; on the other hand Act No. 5 of 1979 on Village Administration stipulated that Village Office consisted of Head of Village and Village Consulting Organization.

Village Office itself has changed to new system, where Village Head takes responsibility to the people who are represented by Village Representative Body; on the other hand in the old system Village Head took the responsibility to the Head of District (*Bupati*). Duration of Village Head position is 5 years; on the other hand in the old system duration was 8 years. Village Head can be elected at the most twice in both the new system and the old system.

At Cianjur District, Village Office consists of Village Head and Village Officers comprising of Village Secretary (*Sekretaris Desa*) including Staff (*Unsur Staf*), Managers (*Unsur Pelaksana*), and Territorial Officer (*Unsur Wilayah*)(Chart 1).



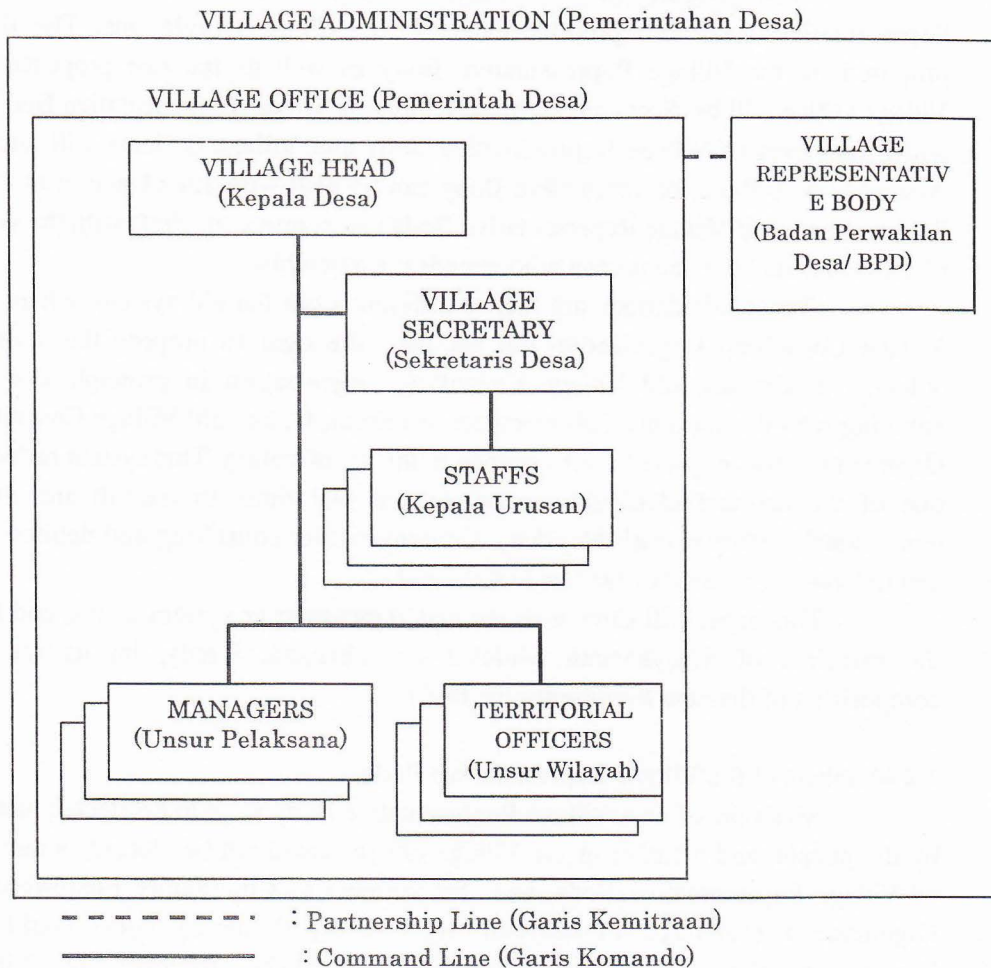
**Chart 1: THE OLD STRUCTURE OF VILLAGE ADMINISTRATION  
(STRUKTUR ORGANISASI PEMERINTAH DESA-LAMA)**



In the new system, Village Agricultural Manager (*Urusan Pamong Tani Desa*), Irrigation Manager (*Urusan Pengairan*) and Village Police Manager (*Urusan Polisi Desa*) are stipulated as village officers. On the other hand in the old system Irrigation Officer was part of a section of Village Secretariat who resembled the Staff mentioned above, and there were no Agricultural Officers and Police Officer as formal Village Officer (Chart 2)(Civil police-HANSIP- was an informal village organization which supported the Village Office in the old system).

Composition of Village Officers can be adjusted to the situation of each District in the new system. On the other hand, composition of village officers were stipulated by Government regulations, and there was no room for Local Government to make its own system.

**Chart 2: THE NEW STRUCTURE OF VILLAGE ADMINISTRATION  
(STRUKTUR ORGANISASI PEMERINTAH DESA-BARU)**



Today's composition of Village Officers in Cianjur District is one Village Head, one Village Secretary, 7 Heads of Section (*Kepala Urusan*), 3 Managers, and the Heads of Sub-Village (*Dusun*). There are 15 village officers at Kemang Village, Cianjur District that include 3 Heads of Sub-Village.

### **3. Musyawarah System in Kemang Village**

#### **3.1 Village Representative Body**

New Village Representative Body has many important functions such as legislative body, which decides the regulations, accepts and speaks out the opinion of the people and checks the implementation of Village Administration. According



to Act No.22 of 1999 on Local Administration, Village Representative Body will decide the Village Regulations in consultation with the Village Head.

The Regulation at Cianjur District<sup>v</sup> stipulates that Village Representative Body can propose the draft of Village Regulations. The draft proposed by the Village Representative Body as well as the one proposed by Village Office will be discussed at the Assembly of Village Representative Body in which members of Village Representative Body and Village Officers will attend. Assembly of Village Representative Body can be held with attendance of at least 2/3 members, and Village Representative Body can approve the draft with the votes of 1/2 members plus one person who attends the assembly.

These stipulations are totally different from the old system, where old Village Consulting Organization did not have the right to propose the draft of Village Regulations, old Village Consulting Organization in principle decided anything with the consent of all members unanimously, and old Village Consulting Organization was expected not to engage in the act of voting. This system reflected one of the national ideologies (principles) at that time; to consult and agree unanimously (*Musyawarah Mufakat*). Consensus after consulting and deliberation had to have the consent of the head of District.<sup>vi</sup>

This paper will show how the new representative system works, and how the principle of *Musyawarah Mufakat* has changed. Firstly, let us see the composition of the new Representative Body.

### 3.2 Members of the Village Representative Body

Members of new Village Representative Body were to be elected directly by the people, and member of the Village Officer could not be elected as member of Village Representative Body, and also member of Community Empowerment Organization (*Lembaga Pemdayaan Masyarakat*, discussed later) could not become member of Village Representative Body. Member of Village Representative Body should elect the Chairperson and the Secretary of Village Representative Body from the members.

These regulations are totally different from the old system, in which Village Head was the Chairperson of old Village Consulting Organization, and Village Secretary was the Secretary of old Village Consulting Organization. Head of Sub-Village (*Kepala Dusun*) who was Village Officer also became the member of Village Consulting Organization automatically. This was not direct election by the people to choose the member of old Village Consulting Organization. Some member of the old Village Consulting Organization was appointed by the Village Head after he/she consulted with local informal leaders.

New Village Representative Body has the right to propose to District Head to sack the Village Head. Village Representative Body could propose it when

Village Head is regarded to have violated the regulations and/or norms in the community. Village Representative Body will have the authority to accept or to reject the proposed candidate of Head of Neighborhood Organization (*RT*, and *RW*) as well as the Head of Sub-Village (*Dusun*) who will be elected by the members of the community. It also has the right to accept or to reject the candidate of Village Officers as well as Community Empowerment Organization member<sup>vii</sup>. In the old Village Consulting Organization, there were no rights to propose to sack Village Head and no rights to accept or reject the proposed candidate of Head of Neighborhood Organization (*RT*, and *RW*) as well as the Head of Sub-Village (*Dusun*), although old regulation stipulated that Village Head selected the candidate of Village Secretary, or Head of Sub-Village after hearing the opinion of Village Consulting Organization<sup>viii</sup>.

### 3.3 Village Representative Body at Kemang Village.

New Village Representative Body has quite a strong authority in the Village Administration system. The authority somewhat resembles the authority of People's Representative Assembly (*Majelis Perwakilan Rakyat*) at the national level. New Village Representative Body can propose to sack Village Head; on the other hand Village Head has no right to resolve the Village Representative Body.

At Kemang Village, election of member for new Village Representative Body was held in March 2001. 13 members were elected according to the number of votes (persons who got more than 150 votes were elected), while 25 candidates ran for election. The way of election and a democratic atmosphere at that time resembled the one at the general election in June 1999.

An elected member of Village Representative Body who was a teacher of a primary school said that they were requested to run for election by the Village Officers, so they ran for election. At that time, few people knew the function of Village Representative Body. After they were elected, they were invited to join the course held by District Government on the Village Representative Body, and at that course they knew for the first time the important functions of Village Representative Body. Currently Chairperson of the Village Representative Body is a principal of the primary school at the village, First Vice Chairperson is an Inspector of the primary school in this area, and Second Chairman and Secretary of Village Representative Body are also teachers of the primary school at the village. Besides teachers, 3 drivers of passenger motorbikes (*ojeg motor*), 2 farmers, 2 primary school guards, one manufacturer of furniture, and one trader of timber and banana leaves are present members of the Village Representative Body. Some members have affiliation to political parties, like Struggle Indonesian Democratic Party (PDI-P), Development and Unity Party (PPP), and so on. Religious leaders and heads of cooperatives did not become members of the Village Representative



Body. A qualification to become a member of the Village Representative Body was having a diploma of junior high school; on the other hand, head of newly born Cooperative was a primary school graduate

There are 3 Sub-Villages (*Dusun*), 3 upper-level Neighborhood Organizations (*RW*), and 28 lower-level Neighborhood Organizations (*RT*) at Kemang Village. Number of hamlets is 23. Some hamlets have a member of the Body who acts as representative of the people of the hamlet; however, many hamlets do not have members. For example, Beber hamlet that has the largest number of household has no members, because some candidates ran for election and all of them were not elected.

### 3.4 Village Office Auxiliary Body

Former name of *LKMD* (*Lembaga Ketahanan Masyarakat Desa*, Village Community Development Organization) is changed to *LPM* (*Lembaga Pemdayaan Masyarakat*, Community Empowerment Organization). New *LPM* has a more important function to support the Village Office for example to make the draft of budget, and to implement the development program. According to the Chairperson of *LPM*, *LPM* is the implementation body of development program of the village, and Village Office is the body that guides the development. Some section of *LPM* changed its former name, for example P4 Section (*Pancasila*-State ideology-education section) was changed to the Organization Section (*Seksi Organisasi*). There are 13 members in the *LPM*.

### 3.5 Work and Function of Village Representative Body and Villagers Meeting

Village Representative Body implemented its function in 2002 mainly for preparing the Village Budget Plan. From the beginning of 2002 until April 2002, Village Representative Body had 3 meetings. Members of the Body, informal leaders of the community, heads of neighborhood organizations at lower level (*RT*) and upper level (*RW*), and heads of sub-villages attended the meetings.

At the meeting, new budget for 2002 was proposed by *LPM*. In the process of discussion, some proposals were made by the leaders of the community. One was for the improvement of the Village Officers' service to the people, and the other was the improvement of their pay. In order to raise the budget to improve the pay for Village Officers, some proposals were made in the meeting. One was to increase the levy from the traders who buy agricultural commodities such as banana leaves, timber, palm sugar and so on. According to the proposal, traders were expected to pay 2 % of the amount of the sales.

The meetings of the Village Consulting Body were thought to be a preparatory meeting for the Villagers Meeting (*Rapat Desa*, *Ancurah* of local name). On April 25, 2002, Villagers Meeting was held, and around 50% of the

local people including the Village Head, Village Officers, Members of Village Consulting Body, heads of neighborhood organizations (RT) and sub-hamlets (RW), and heads of sub-village attended the meeting. Village budget plan was discussed again. In this meeting, some traders opposed the plan to raise the levy equivalent to 2 % to the amount of transaction. They thought 2% was too high, and they were ready to pay 0.5% of the amount of transaction.

There appeared to be a consensus at the meeting and no voting was done. The mood of the meeting did not permit traders to continue the opposition. This time traders disagreed silently. Some traders whom the author interviewed after the meeting mentioned that they would pay 0.5% of the amount of transaction.

Here we can understand the important function of the Villagers Meeting called *Ancurah*. Decision of the Minister of Interior Affairs No. 64 of 1999 stipulated that autonomy Government might be able to decide various policies to empower the customary institutions. However at this Villagers Meeting, there were no special stipulations. Under the system during the Soeharto Era, regulations stipulated that Village Office could hold the Villagers Meeting (*Rapat Desa*) to hear the opinion of the people at the time of making Village Budget plan. Head of sub-District or the representative would attend the meeting<sup>ix</sup>. So Villagers Meeting was to be a meeting to hear the opinion of the people, and it had no right to decide the budget for example.

On the other hand, under the new system at Cianjur District, Villagers Meeting has the function to decide Village budget, and also it is not attended by head of Sub-District. Village Representative Body can prepare the Village Meeting.

### 3.6 Village Office Budget and development programs

The amount of the Village Office budget at Kemang Village is increasing, and development program subsidized by the District Government is also increasing. Amount of revenue for the Village Office budget was Rp. 37 million for the year 2001. Rp. 10 million was the subsidiary given by the District Government named as Village Development Fund (*Dana Pembangunan Desa, DPD*). Rp. 27 million was the portion for the Village from the income of land and housing tax (*PBB*). The amount of land and housing tax that was given to the Village Office was increased this year because the value evaluated for the land in the village increased. Most of this revenue was spent for salary for the Village Officials and routine expenditure.

Besides these budgets, Social Safety Net Program (*JPS, Jaring Pengaman Sosial*) is still implemented. In 1998-99, *PMD-DKE* program (*Proyek Pemberdayaan Daerah Dalam Mengatasi Dampak Krisis Ekonomi*, the Regional Empowerment Project to Overcome the Impact of Economic Crisis) was implemented [Mizuno et al. 2001]. In 2000, P3DT was implemented, and Rp.135 million was spent for improving the road connecting Cimenteng and Kopea in the



village. In 2001, P3DT program was still implemented and Rp. 175 million was to be spent. *LPM* would decide the use of the amount. For the time being, the improvement/construction of road is contemplated. Rice subsidiary to the poor program (named *Operasi Beras*) is sometimes implemented these days.

*LPM* has made efforts to improve the road connecting Bojongpicung – Kemang – Ciputir stretching 16 km. They made a petition to the Division of Public Works at the District Government, Assembly of District, Head of Sub-District (*Camat*). If this program became the District Government Program in 2002, District Government would bear 80% of the cost, and local inhabitants would bear 20% of the cost. This road would cover many villages; Kemang Village would bear Rp. 20 million while the whole cost born by local inhabitants would be Rp 200 million. Whole cost of the construction of the road would be Rp. 1 billion. Local people at the Kemang village would contribute to construct the road by having local people collect stones and sand with 4 days pay while they will work 5 days for example.

*LPM* succeeded to get a budget of Rp. 67 million to repair a primary school building in this village as a District Government Program in 2001. This budget was spent outside the Village Office Budget. These District Government programs reflected the local government's autonomous program.

#### 4. Conclusion

Important social changes are taking place at the surveyed village, especially in Village Administrations. Head of Village should take responsibility to the local people through the Village Representative Body (*BPD*); on the other hand in the old system Village Head took the responsibility to the District Head. Now Village Representative Body is independent of the Village Office. No Village Officer and Village Office Auxiliary Body (*LPM*) member can become a member of the Village Representative Body. Village Representative Body can propose and decide the draft of Village Regulations, propose to District Head to sack the Village Head, and accept or reject the proposed candidate of territorial leaders as well as Village Officers. Village Representative Body can decide anything with majority vote, not based on the unanimous consent principle. This is a great change, because the principle to consult and consent unanimously (*Musyawaharah Mufakat*) was an important doctrine under the Soeharto Regime. These changes were mitigated by the change of Government Policy, and Government Act, and each District and Village Administration have the authority to make a system adjusted to each area.

It was not until last March 2001 that the members of the Village Representative Body were elected directly by the people. Among the members, there are many primary school teachers or those who work at school. Still impact of

the composition is not apparent. However, this new Body can have an important impact on the Village Administration, for example to speak out the voice of the people, or to have strong linkage with political, religious and economic interest groups in the village. So far this linkage is not clear at the surveyed village. *LPM* is quite active these days, and has succeeded in making the District Government spend a lot of money for the construction of roads, and school that has been constructed with the Central Government/Presidential budget. This change reflects the change of policy in local Government Autonomy.

In implementation of the Villagers' Representative system, the Village Meeting where actually all members of community attended had the highest authority to decide the village budget. Principle of *Musyawarah* and *Mufakat* was applied at the meeting. However some people disagreed to the proposal made by *LPM*. They did not obey the decision of the Village Meeting. Present Village Meeting is different from the one during the Soeharto Regime, because present Village Meeting has the right to decide important issues, and no attendance of Sub-District Officers. Decision of Village Meeting need not be recognized by the head of District. Present Village Meeting is somewhat different from the one in 1950 because Village head had more power and authority in 1950 than at present. Present Village Meeting has failed to achieve a consensus so on this point also, there is some difference.

Village Representative Body at Kemang Village achieved quite modest performance, because this body vitalized the Villagers Meeting. This body is so prudent, that the members did not exercise their authority, for example in deciding the village budget. So we can say that the representative system where the majority will win was not applied at the surveyed village. *Musyawarah Mufakat* way is applied instead. However this is totally different from the system under the Soeharto Administration, because principle of *Musyawarah Mufakat* is present at the Village Meeting, not the Village Representative Body.

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<sup>i</sup> Peraturan Menteri Dalam Negeri Nomor: 3 Tahun 1981 tentang Keputusan Desa

<sup>ii</sup> Part 9 of Explanation on Act 22 of 1999.

<sup>iii</sup> Decree No. XVII/MPR/1998 on human rights stipulated that Indonesian people adapt the human rights adjusted to Pancasila as people's natural perspective on life, and every person has the rights to express his own ideology and opinion according to one's consciousness. According to the *Musyawarah Mufakat* practice based on P4 principles, people seemed not to be able to oppose the decision after a consensus was reached.

<sup>iv</sup> Tata Cara Pembuatan Peraturan Desa, Bagian Pemerintah Kabupaten Cianjur, 2001

<sup>v</sup> Tata Cara Pembuatan Peraturan Desa, Bagian Pemerintah Kabupaten Cianjur, 2001

<sup>vi</sup> Peraturan Menteri Dalam Negeri Nomor: 3 Tahun 1981 tentang Keputusan Desa, Peraturan Menteri Dalam Negeri Nomor 2: Tahun 1983 tentang Tata Tertib Lembaga Musyawarah Desa



vii Tata Cara Pembuatan Peraturan Desa, Bagian Pemerintah Kabupaten Cianjur, 2001, Decision of Ministry of Interior Affairs No. 64 of 1999 (Keputusan Menteri Dalam Negeri Nomor 64 Tahun 1999 tentang Pedoman Umum Pengaturan Mengenai Desa) stipulates that Village Representative Body can propose to sack the head of the village to head of District (*Bupati*), and will agree on the selection of village officers. This decision does not mention the selection of heads of neighborhood organizations. Cianjur District seemed to make the rule themselves.

viii Peraturan Menteri Dalam negeri Nomor 8 Tahun 1981 tentang Persyaratan, Tata Cara pengangkatan dan Pemberhentian Sekretaris Desa, Kepala Urusan dan kepala Dusun.

ix Peraturan Menteri Dalam Negeri Nomor: 3 Tahun 1981 tentang Keputusan Desa, Peraturan Menteri Dalam Negeri Nomor 2: Tahun 1983 tentang Tata Tertib Lembaga Musyawarah Desa

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