

Institutional and Cultural Approaches for Strengthening Human Right Cities and SDGs at the Village Level

By

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Abstract

Two global policies and guidelines on Human Rights Cities, i.e. Global Charter-Agenda for Human Rights in the City, and Swedish Platform for policy and operational development of human rights at the local and regional level have provided basic principles to protect, respect, and fulfil human rights of inhabitants of cities and municipalities. However, not many researchers discuss those policies and guidelines at the village level. Thus, this study aims to explore on how villages have strong resources to support human rights principles and Sustainable Development Goals (SDGs) 2030 through institutional and cultural approaches.

This empirical study was conducted in the context of Indonesia and found that global policies and guidelines on Human Rights Cities fit in to the Indonesian situation and context where villages, under Law Number 5 Year 2014 concerning Village in Indonesia, have strong resources in terms of financial budget allocation and social capital. By having these two types of resources: finance and social capital, villages in Indonesia have more flexibility and independency in setting up programs to support the achievement of sustainable development, and at the same time village governments could show their commitment to human rights.

This study, therefore, discusses conceptually how the institutional approach helps to strengthening the village development planning system through village financial budget and increase the capacity of village officials. In addition, a cultural approach could also work to glue villagers to participate in all aspects related to citizen rights. Through mutual cooperation or in the Indonesian called the culture of “*Gotong Royong*”, a participatory mechanism also emerges in the process of planning and implementing of SDGs related agenda such as on SDGs number 6 “clean water and sanitation”. Thus, this research concludes that two approaches: institutional and cultural, are promising in anchoring human rights in order to achieve SDGs 2030 at the village level.

Keywords: Village government, social capital, Acceleration, SDGs agenda, human rights city.

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1. Preface

Historically the village is the embryonic formation of political society and government in Indonesia, which is recognized by the constitution. The village is a social institution that has a very important position in the lives of the people who have been there before Indonesia's independence. The village is an autonomous institution with traditions, customs and norms of their own deep-rooted, and relatively independent. In the system of government, the village is the smallest administrative unit that perform the functions of the public service. However, the dynamics of the existence of village governance have ups and downs, especially with respect to state policies that put an object thus distorting the fabric of village life.

Birth of Law No. 6 of 2014 about Desa (village Act) to restore the village's existence as an independent subject through recognition¹ principle and the principle of subsidiarity². Based on the principle of the affairs of the local scale decided locally by village authorities, and local issues also resolved locally. Subsidiarity contains the spirit of respect, trust and challenged the villagers to move. Thus, the village has a strong institutional and regulatory capacity to build at the village level in accordance with the authority. This paradigm shift was followed by the allocation of village funds as stipulated in Government Regulation No. 43 of 2014 concerning Village Funds.

The amendment puts the village in order to come to realize Human rights city agenda and SDGs agenda committed by the Indonesian government and local governments. The village has had an important prerequisite in the implementation of the Human Rights Cities and the Sustainable Development Goals (SDGs), which is the legal basis, a strong institutional and financial resources required. The prerequisites relating to the burden of obligation village government authorities, to implement a human rights-based approach, through providing public services appropriate authority of the village.³

2. Village Institution : a social modal of Human Rights Cities

The village is set in the Law on Rural institutional consisting of village

¹ Article 3 (a) of village law no.6 of 2014, the principle of recognition, namely recognition of the right of origin

² Article 3 (b) of village law no.6 of 2014, the principle of subsidiarity, namely the determination of local scale authority and decision making locally for the benefit of the village community

³ Pradjasto at all, Panduan Kabupaten/Kota Ramah HAM (*guidance of Human rights city*), August INFID. 2016, p.10

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government and Village Consultative Body as well as the Village Community Institutions. The village government has the authority based on the right of the origin⁴ and authority of the scale of the village⁵. From these authorities, there are criteria namely among others that village authorities prioritizes activities services and public empowerment related to villagers needs. Implementation of institutional authority is organized through the village and especially by the village government.

The village government is composed of the village headman whose elected through direct elections and village officials are appointed by the head of the village. The Village Consultative Agency is a village-level consultative agency that participates in discussing and agreeing on various policies in the administration of the Village Government. While the Institute for Rural community is a model of interaction of individuals in a village community group with the purpose and function of each.

These intended social institutions include neighbourhood, hamlet, fostering the welfare of family, youth organizations and community development institutions. In the context of the implementation of the village government, village community institutions are responsible to helping and be partner in empowering the village community. The village community institution has a functions as a village community participation in development, governance, community and empowerment that leads to the realization of democratization and transparency at the community level in rural development activities.

Village Law puts the village as a subject of development. With the spirit that put the village to build the village as a subject that capable to planning, executing and overseeing the development. The concept of building a village associated with self-reliance, local knowledge, social capital, democracy, participation, authority, allocation of funds, local movements, empowerment, etc. This concept puts the village's institutional scheme to sets the Regulation in accordance with the authority of a village, instituting village planning, allocation of funds and local control. The goal is to make the village as a base livelihood and life in a sustainable society and as a front end that is close to the community, as well as an independent village. The role of the village government is the spearhead implementation of public services for the villagers.

In Implementating the construction of the village, the preferred value are

⁴ According to article 2 Regulation of Minister of Home Affairs No.1 of 2015

⁵ According to article 5 Regulation of Minister of Home Affairs No.1 of 2015

togetherness, brotherhood, and mutual cooperation in order to achieve peace and social justice.⁶ In Implementating the construction of the village, the preferred value are togetherness, familiarity, and mutual cooperation in order to achieve peace and social justice. The principle of mutual cooperation is the identity of the village community, which is implemented through the activity of the village community as expressed by Koentjaraningrat.⁷ Mutual cooperation as a form of cooperation between individuals and between groups establishing mutual trust status norm for doing cooperation in handling issues of common interests. These forms of cooperation of mutual cooperation is one form of social solidarity with social interaction that takes place because of cultural bonds. Mutual cooperation (Gotong Royong) is the social capital⁸ that occurred and bound by a sense of trust, mutual understanding, shared value of the group members to do efficient and effective activities.

Culturally, the value of togetherness, familiarity, puts human dignity and mutual cooperation. These values are still exist until now that can be observed in the community, Religion, life cycle (such as birth, death, marriage), and even rural governance development and implementation. as an ethical basis in the relationship between individuals and groups. For example, when the village repairing the road, then the villagers spontaneously participate to work and providing for consumption. Even people who have a fairly good economic capabilities, will provide enough material needs that are quite expensive.

Based on the description above, the village government and community institutions have the potential, ability and obligation (duty bearers) to carry a duty related to the implementation of human rights. These duty regarding to the service function and empowerment of village communities which is implemented within the framework of respect, to protect, and to fulfill.⁹ As the smallest government unit that

⁶ Article 81 Indonesia Village Law No. 6 of 2014

⁷ Koentjaraningrat, *Kebudayaan, Mentalitas dan Pembangunan (Culture, Mentality and Development)*. Jakarta: PT Gramedia. 1974. The concept of Gotong Royong (mutual cooperation) has cultural values related to human relations: (1) humans cannot live alone but are bound to their communities and natural environment; (2) thus, a person's life depends on others; (3) always building a good relationship with others is a must; and (4) what is done to fellow communities should be based on a spirit of equality or equality

⁸ Cohen, S., & Prusak L. (2001). In *Good Company: How Social Capital Makes Organization Work*. London: Harvard Business Press

⁹ See INFID's Guide to Human-Friendly Districts, INFID August 2016, respecting means that regional officials must not violate human rights by their actions. Protect requires steps to ensure that third parties do not violate the rights and freedoms of individuals; Meeting means the Regional Government must take positive action, to facilitate the enjoyment of rights and freedoms.

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interacts intensively with villager, the public service duty addressed to fulfill the rights of the villagers. Thus, the village can become a strong base implementation of the concept of Human Rights Cities.

3. Village Funds and SDG Agenda Acceleration

According Sutoro Eko, the Village Law changing the paradigm of government in the village of the state-centric view into society centric.¹⁰ The old paradigm is state centric autocratic, top-down, centralized, hierarchical, sectoral and so on. While the new paradigm seems to contain the spirit of recognition and subsidiarity that are society centric: democratic, bottom-up, autonomy, independence, locality, participatory, emancipatory and so on. The village Law puts the spirit of villagers build within the framework of national development.

Changes in the political paradigm of the village, followed by the state budget allocation policy for the village whose number is very significant. Over the last 5 years the total budget of the village fund was Rp 257 trillion¹¹ and has never decreased in every year. The details are as follows:

- a. 2015 : Rp 20,67 triliun;
- b. 2016 : Rp 46,98 triliun ;
- c. 2017 ; Rp 60 triliun;
- d. 2018, Rp 60 triliun;
- e. 2018 : Rp 70 triliun.

This large allocation is a resource to improving the welfare of the community through village development. In Article 78 of Law The village sets that the objectives of rural development is (a) improve the quality of human life: (b) improve the well-being; and (c) reduction of poverty. The three goals of development are realized through the stages of development from planning, implementation and control that performed by the village government in a participatory process. The paradigm change of governance of the village and a large enough budget allocation, put the village to very

¹⁰ Sutoro Eko, *et.al.* 2014, *Desa membangun Indonesia (Village build Indonesia)*, Forum Pengembangan Pembaharuan Desa (FPPD), Yogyakarta. p.36

¹¹ Data from the Ministry of Finance of the Republic of Indonesia, www.kemenkeu.go.id/apbn2019

strategic position to accelerate rural welfare.

The strategic position and acceleration effort can be placed in the framework of sustainable development (SDGs), which has become a global issue. As the sides that play an active role in the targeting of Sustainable Development Goals / SDGs, the Indonesian government has a strong commitment to achieving 17 criteria and targets to be achieved through the medium-term national development priorities. RPJMN 2015-2019 are prepared in 2014, many of the targets SDGs that are included in the national development priorities. A total of 169 targets in the SDGs, approximately 57 percent (96 targets SDGs) in accordance with national development priorities.¹²

Government's commitment to the determination and achievement of SDGs in Presidential Decree No. 59 of 2017 about the Implementation of Sustainable Development Goals / SDGs (TPB). In such Peraturan formulated that TPB goal is to keep the increase in economic welfare society on an ongoing basis, ensuring the sustainability of social life, maintain environmental quality and inclusive development and implementation of governance that can keep improving the quality of life from one generation to the next.

The significance of these regulations is the certainty of achieving the implementation of Sustainable Development / Sustainable Development Goals. Certainty achievement carried through to strengthen communication, socialization, and advocacy as well as strengthen cooperation with stakeholders. Thus, there will be an alignment of the development process at all levels, central government, provincial government and district/city and village. In the context of village governance, the question that arises is whether the objectives and 17 agenda of the SDGs can be aligned with the priority allocation of village funds.

Basically the use of village funds for rural development is realized through five priority, there are (a) Fulfillment of Basic Needs; (b) Development of Village Facilities; (C) Rural Infrastructure Development; (c) Local Economic Development; and Utilization of Natural Resources (SDA) and Sustainable Environment. In this regard, the ministry village for each year is always appropriate legislation contains the priority

¹² Data from the Central Statistics Agency, Initial Portrait of Sustainable Development Goals in Indonesia, 2016.

use of village funds. The village ministerial regulations managing the use of priority Village Fund from 2015 until the 2018 which is intended for infrastructure development. However, setting priorities for the use of funds for the 2019 village is the village of Regulation No 16 in 2018 on the village of priority use of funds in 2019, showing a very fundamental change. This regulation is more detailed and provides direction to the field and the type of village development activities. Although it does not mention the SDGs targets and agenda, however, the field and the type of activities that becomes the priority use of funds has compliance village with 17 agenda SDGs. Compliance are presented in the following table.

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Table: Compliance Agenda SDGs with Usage Priority Village Fund

| Goal | Agenda SDGs | Village fund priority 2019 Village Minister Regulation No. 16 of 2018 |
|-------------|--|---|
| 1 | Eradicate poverty | <ul style="list-style-type: none"> • Improving the economic income for poor families • Poverty alleviation |
| 2 | Eliminate hunger and realize the sustainable agriculture | <ul style="list-style-type: none"> • Development of rural food security • Attempts agriculture for food security • Construction of reservoirs / irrigation |
| 3 | Health for all ages | <ul style="list-style-type: none"> • Meeting the needs of public health • Prevention and management of stunting • Improved nutrition |
| 4 | Availability of drinking water and sanitation | Supplying of clean water and sanitation |
| 5 | Quality education and equitable | Education and culture Early childhood education programs |
| 6 | Gender equality and empowerment of women and girls for all | Assistance to support integrated service post checks pregnant and lactating mothers Health Education |
| 7 | Energy for all | The construction and development of basic infrastructure for the development of energy |
| 8 | Inclusive growth and decent employment | Development of superior village products Establishment and development of products. |
| 9 | Strong infrastructure and a sustainable industrialization | Procurement, construction, development and maintenance of infrastructure and in accordance with the authority of the village |
| 10 | Reducing inequality | Increase sustainable employment Non-agricultural economic business |
| 11 | Cities and occupancy inclusive, secure and sustainable | Environment and settlements Transportation |

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|----|--|---|
| 12 | Patterns of sustainable consumption and production | <ul style="list-style-type: none"> • Agricultural business for food security • Productive-scale agricultural business including aspects of production, distribution and marketing |
| 13 | Fighting climate change and its effects | |
| 14 | Conservation utilization of marine, coastal and deep sea | |
| 15 | Protect and restore ecosystems, and forest protection | <ul style="list-style-type: none"> • Handling of natural disasters and social disasters • Environmental preservation |
| 16 | A peaceful society, without violence, accountable government, anti-corruption and non-discrimination | <ul style="list-style-type: none"> • Prevention of social conflict • Information and communication |
| 17 | Stronger international cooperation | |

From the table above there are three agendas that are not filled. This can be explained that the village government has no authority in the field.

In relation to accelerating the achievement of the target of SDGs, rural communities have a variety of strong social bonds and social solidarity, as an important support of government activities and community development. In addition, the village has a democratic tradition in which openness, deliberation and participation are pillars in decision making. The description is closely related to the important principles in the implementation of SDGs. The principle of universality in the SDGs could be a foundation to encourage adoption of SDGs at the level of village government.

The principle of integration which means that the SDGs implemented in an integrated and interrelated in all social dimensions, economic and environmental. This principle is closely related to rural development planning implemented under the plan
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that outlined in the budget document revenue and expenditure of the village and village government action plan. The development document is the foundation of accountability that must be met in the arrangement of village funds. While the principle of "No One Left Behind" is a principle that is suitable with the cultural values that life in rural communities.

Village funds are the potency that can be mobilized to accelerate the achievement of SDGs agenda. Through strong institutional and ability to regulate village, the funds can be allocated to meet the target of SDGs. However, the fundamental problematics faced by the village government is the lack of skills and knowledge of leaders and village officials to the development planning process.

4. Conclusion

Based on the description above, it can be concluded that under the Village Law, village institutions become stronger and more independent and supported by the allocation of village funds. Institutional and village funds can be social capital to realize the basic rights of the villagers through service is the duty of the village government. As a union territory under the district, the village can become a strong base implementation of the concept of Human Right Cities and achieving SDGs. The value of togetherness, brotherhood, and mutual cooperation of rural communities have pinsip conformity with the principles of human rights and the principles of SDGs. Likewise, the regulations for the priority use of village funds also have compatibility with 17 agenda SDGs

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