

MARCH 2016

Making the Alun-Alun Bloom

Institutional and Legal Design of
Citizen Participation and Engagement in Urban Governance
in Wards and Neighbourhoods in Cities in Indonesia

The Next Decade

KKI-PK

KOMITE KEMITRAAN INDONESIA UNTUK PEMBANGUNAN KESEJAHTERAAN



**KOTA
KITA**
A CITY FOR ALL

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Lieuwe de Boer

KKI-PK

KOMITE KEMITRAAN INDONESIA UNTUK PEMBANGUNAN KESEJAHTERAAN



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Kota Kita Foundation

Kota Kita Foundation is an organisation of governance practitioners who focus on urban planning and citizen participation in the design and development of cities. Following several years of experience with participatory budgeting in Solo city, their research set out to examine participatory budgeting processes in six Indonesian cities, to inform their work – and the work of others – strengthening citizen participation in urban governance.

See for more information: www.kotakita.org

KKI PK (Komite Kemitraan Indonesia untuk Pembangunan Kesejahteraan)

KKI – PK was founded in 2007 by government officials and civil society activists to promote poverty alleviation by advocating and developing pro-poor development and welfare programs and policies. KKI - PK aims to serve as a platform for learning and information on and research and development of policies and programs for welfare development. Over these years KKI – PK has initiated and assisted in developing and implementing innovative policies and programs that strengthen the institutional capacity of stakeholders and foster community participation, and in particular, the participation of poor and marginalised groups, in the whole process of public decision-making on welfare development.

See for more information: www.kki-pk.org

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ACKNOWLEDGEMENTS

This paper came into being with the support of many. We would like to convey our gratitude to all those who have contributed, the Municipal Governments of Banda Aceh and Surakarta, especially BAPPEDA, WorldBank (Sector Infra-Urban) in Jakarta, and Universitas Gadjah Mada (Department of Politics and Government, Faculty of Social and Political Sciences) in Yogyakarta, and all others who have been involved, for their commitment and for sharing their valuable and inspiring ideas, views, experience and knowledge. We have been closely working together. In this, the paper is our joint product.

The paper is published by Yayasan Kota Kita and Komite Kemitraan Indonesia untuk Pembangunan Kesejahteraan in association with Lieuwe de Boer, principal author.

March 2016.

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Terms, Abbreviations and Acronyms

BAPPEDA (*Badan Perencanaan Pembangunan Daerah*): District or municipal planning and development board

BKM (*Badan Keswayadaan Masyarakat*): Community self-organisation council (PNPM Program)

BPM (*Badan Pemberdayaan Masyarakat*): Community empowerment board

Camat: Head of sub-district

Desa: Village (rural)

Dinas Kota: Municipal departments, agencies

DPRD Kota (*Dewan Perwakilan Rakyat Daerah*): Municipal council

Dusun: Neighbourhood, hamlet

Gampong: Ward (Aceh)

InPres (*Instruksi Presiden*): Presidential instruction

Inspektorat Kota: Municipal inspection and audit agency

Jurong: Neighbourhood, hamlet (Aceh)

Karang Taruna: Youth organisation

Kecamatan: Sub-district

Kelurahan: Ward

Keuchik: Head of ward (Aceh)

KorKot PNPM (*Koordinator Kota PNPM*): Municipal coordinator PNPM Program

Kota: Municipality

KSM (*Kelompok Swadaya Masyarakat*): Self-organisation group (PNPM program)

LKM (*Lembaga Keswayadaan Masyarakat*): Community self-organisation council (PNPM program)

LPMK (*Lembaga Pemberdayaan Masyarakat Kelurahan*): Ward community empowerment institution

Lurah: Head of ward

Mukim: Sub-sub-district (Aceh)

Musrena (*Musyawah Rencana Aksi Perempuan*): Women development planning meeting (Banda Aceh)

Musrenbang (*Musyawah Perencanaan Pembangunan*): Development planning meeting cycle

Musrenbang Kelurahan / Gampong: Ward development planning meeting

Musyawah Kelurahan / Gampong: Ward community meeting

Musyawah RT / RW / Jurong / Dusun: Neighbourhood community meeting

ND: Neighbourhood Development Program (PNPM program)

P2KKP (*Program Peningkatan Kualitas Kawasan Perkotaan*): Urban slum improvement program

PerDa (*Peraturan Daerah*): District or municipal regulation

PerMen (*Peraturan Menteri*): Ministerial regulation

PerPem (*Peraturan Pemerintah*): Government regulation

PerPres (*Peraturan Presiden*): Presidential regulation

PerWal (*Peraturan Walikota*): Regulation of mayor

PKK (*Pemberdayaan dan Kesejahteraan Keluarga*): Family empowerment and welfare organisation

PNPM Mandiri (*Program Nasional Pemberdayaan Masyarakat*): National community empowerment program

PNPM Mandiri Perkotaan: PNPM urban program

PPID (*Pejabat Pengelola Informasi dan Dokumentasi*): Municipal public information and documentation office

Rembug Warga: Citizen meeting (PNPM program)

RT (*Rukun Tetangga*): Neighbourhood association

RW (*Rukun Warga*): Citizen association

RWT (*Rembug Warga Tahunan*): Annual citizen meeting (PNPM Program)

Qanun: Provincial, district, or municipal regulation (Aceh)

SE (*Surat Edaran*): Circular letter

SEKDA Kota (*Sekretaris Daerah*): Municipal secretary

SKPD Kota (*Satuan Kerja Perangkat Daerah*): Municipal departments, working units

SOP (*Standar Operating Prosedur*): Standard operating procedures

TP (*Tinjauan Partisipatif*): Participatory review (PNPM program)

Tuha Peuet Gampong: Ward representative council (Aceh)

UP (*Unit Pelaksana*): Management unit (PNPM program)

UU (*Undang-Undang*): Law

Walikota: Mayor

SUMMARY

Introduction

Context

In the wake of the '*reformasi*', and the subsequent decentralisation of the Indonesian administration, ambitious legislation on local administration has been enacted. Over the following decade, municipalities have been implementing this legislation, and have adopted regulations and arrangements concerning their administration and development planning, including regulations and arrangements on the administration of wards and neighbourhoods and their development. These regulations, also, include arrangements on community participation. These arrangements, in particular, relate to the annual development planning cycle, *musrenbang*.

Since, municipalities have been in the process of gradually further developing and improving these arrangements. In 2014 a new law on regional administration has been enacted. The law is yet to be implemented by the government and local governments. In addition, the government is considering further policy initiatives to further institutionalise and promote citizen participation in all domains of administration, including policy-making, legislation, development planning, and their implementation, pursuant to the priorities listed in *NawaCita*, the Presidential nine priorities agenda.¹

Does current legislation generate participation and engagement as aimed for? Initially, promising developments have been reported. A commonly shared feeling seems to be that this legislation, arrangements and supporting policies do not, or, at least not yet, adequately promote and sustain substantial participation and engagement, and fail to actually remove barriers for participation.

To promote and sustain substantial participation and engagement, a further development of the legal framework and institutional reform, better embedding participation and engagement, may help to create the necessary conditions.

This study

Concentrating on the legal and institutional design and mechanisms, this study explores what changes would better promote and sustain substantial community and citizen participation and engagement in local governance in wards (*kelurahan*) and neighbourhoods (*RW, RT*) in cities that is inclusive, promote the participation and engagement of, in particular, women and urban poor, foster a more equitable and sustainable development and alleviate poverty more effectively. It also discusses how these changes could best be implemented at municipal and national level respectively.

The study includes an assessment of legislation and arrangements concerning the administration of wards and neighbourhoods and their development, citizen and community participation as currently implemented and considered, and the national community development program in cities (*PNPM Mandiri Perkotaan (or PNPM Urban)*) that ran until 2015. In addition, it includes more detailed studies of legislation and arrangements on citizen and community participation and their implementation in two cities, Banda Aceh and Surakarta, and the actual functioning of forums for citizen participation in the day-to-day administration and development planning of wards and neighbourhoods.

¹ UU 23 / 2014, Pemerintahan Daerah, NawaCita (2014).

To this end, five sets of organising principles for participation and engagement, mutually correlating and reinforcing and partly overlapping, have been developed, also building on comparative and other studies and literature, and a similar study on this subject in India on behalf of Participatory Research in Asia (PRIA). The organising principles jointly form the analytical framework: Do legislation and arrangements create participatory processes? Do they promote openness? Do they ensure that 'We' are represented? Do they optimise empowerment? Do they improve responsibility? (POWER)²

It was found that legislation and arrangements as have been evolving over the past decade and supporting policies indeed do not, or, at least not yet, adequately promote and sustain participation and engagement as hoped for. Neither do they succeed in improving administration, nor do they foster a more equitable and sustainable development as envisaged, at least, not yet. Both national government and local governments seem duly aware of this, and over the last years, jointly with civil society groups, have undertaken efforts to further develop and improve mechanisms for participation, making it more more substantial, more participatory, better empowered and more effective.

Findings

Forums for participation

In Indonesia, an intricate, multi-tiered arrangement of forums and processes for participation in local governance at grassroots in cities has come into being. This structure is unique and valuable. These forums partly root in traditional, indigenous community institutions. Their functioning still strongly relies on customary concepts of community self-organisation, *swadaya masyarakat*, and mutual cooperation, *gotong royong*, and they are relatively small-scale in nature. These forums have gradually been developed further, and have over time become embedded in a more contemporary governance structure to better accommodate the demands of today's local urban administration. Also, other elements and processes have been added.

'Day-to-day' administration

In most parts of Indonesia, in wards, the main forums for participation of residents in the administration of their ward are the *kelurahan* community empowerment institution (*LPMK*), and, to a lesser extent, the *kelurahan* community meeting (*musyawarah kelurahan*). In Aceh, the main forums consist of the *gampong* representative council (*tuha peuet gampong*), and the *gampong* community meeting (*musyawarah gampong*). In neighbourhoods, the neighbourhood association (*RT*) and neighbourhood community meeting (*musyawarah RT*), and to a lesser extent, the citizen association (*RW*) and meeting (*musyawarah RW*), and in Aceh, the *jurong* and the *jurong* community meeting (*musyawarah jurong*), serve as main forums for participation.

Development planning

At ward level, main forum in the annual municipal development planning cycle (*musrenbang*) is the ward development planning meeting (*musrenbang kelurahan, gampong*), and in neighbourhoods, the neighbourhood community meeting (*musyawarah RW, RT, jurong*). Within the former *PNPM Urban* program, the most relevant forums for participation in the management of the program in wards were the community self-organisation council (*BKM*) and the citizen meeting (*rembug warga*).

² Participatory Research in Asia (PRIA) (2011), Mending the Wheel of Power.

Other

Furthermore, accidentally, both at ward and neighbourhood level, hearings and information meetings are held with regard to, for instance, spatial planning. These meetings, increasingly, seem to offer residents a forum to participate in the preparation of spatial plans and their implementation in their ward or neighbourhood. In addition, or alternatively, a range of other ward and neighbourhood community organisations exist, that, also, offer opportunities for engagement of residents, such as the family empowerment and welfare organisations (*PKK*) and youth organisations (*karang taruna*).

Too many forums and processes?

One may question, whether, seen from a viewpoint of governance and participation as well, the current multitude of forums and processes at ward and neighbourhood level is an optimal situation. One may argue that, at present, there are just too many forums and processes at this level, whose functions partly overlap and seem not that clearly delineated. In addition, creating novel, parallel structures beyond local, ward government, such as, for instance, were part of the *PNPM Urban* program, is generally seen as to weaken, or, at least, not being conducive to strengthening and further developing this government.

Creating participatory processes

Opportunities to participate improving, but not yet realised in full

Current forums for participation in wards and neighbourhoods, *LPMK*, *tuha peuet*, *musyawarah* and *musrenbang*, do offer community and residents opportunity to participate in the day-to-day administration and the development of their ward and neighbourhood. At present, the opportunities to substantial participation still seem limited, though. Mechanisms that enhance substantial participation and may make processes more effective, such as participatory planning and budgeting, monitoring and evaluation, have not yet commonly been adopted in the day-to-day administration, and are only quite recently being introduced in development planning. Currently, in *musrenbang* too, processes still are seen as too technocratic, too much top-down, merely legitimising pre-determined policies and plans. Substantial deliberation seems limited.

The potential these forums have to offer opportunities to substantial participation is not yet realised in full. Offering such opportunities may promote participation and may be seen as a necessary pre-condition. Even when offering opportunities, though, as, for instance, has been realised in the *PNPM Urban* program, it appears hard to get residents to participate and to sustain their engagement over time.

Equal opportunities to participate for all, as equals, not yet warranted

Arrangements do not expressly entitle all residents in wards and neighbourhoods who would like to participate to actually participate, nor do they offer equal opportunity to participate. In forums, such as *LPMK*, *tuha peuet* and *musrenbang*, only members or invited participants are entitled to participate in meetings. In *musyawarah*, as a rule, all attendees may participate.

Also, arrangements do not create conditions that enable participants to participate as equals. Consensual traditions, such as *musyawarah dan mufakat*, may foster participation as equals. Other traditions and perceptions, though, do certainly not promote participants to participate as equals, and seem hard to overcome. Even when rules do provide for this, as is shown, for instance, in the *PNPM Urban* program, participants do not necessarily participate as equals. Whether in forums for participation in the day-to-day administration, development planning, or in the *PNPM Urban* program, vested leaders and elites, predominantly male, dominate meetings. Women and poor who attend meetings do often

not participate as equals. They, quite generally, do not see themselves as equal, and other participants do not see them as equal.

Promoting openness

Forums for participation proximate and accessible

Forums for participation in both the day-to-day administration and development planning in wards and neighbourhoods are proximate. Residents, also, have easy access through the members or participants who act as their representatives in *LPMK*, *tuha peuet*, *musyawarah kelurahan* or *musyawarah gampong*, and *musrenbang*, or have access themselves, for instance, to *musyawarah RT* or *musyawarah jurong*. The scale of these forums allows effective participation. Residents, also, have easy access to the ward administration and other officials, such as *lurah* or, in Aceh, *keuchik*, and heads of *RT* or *jurong*. Similar applies to forums that were part of the *PNPM Urban* program, both *rembug warga* and *BKM*.

Actually, forums often not open to all

Forums in wards, actually, are not open to all residents who would like to attend and to participate. Meetings of *LPMK* and *tuha peuet*, *musyawarah kelurahan*, *musyawarah gampong*, and, generally, *musrenbang* are open to members and invited officials and leaders only. Forums in neighbourhoods, too, seem not open to all. Generally, *musyawarah RW* are open to invited officials and leaders only. *Musyawarah RT* and *musyawarah jurong*, generally, tend to be open to heads of all households. Commonly, though, this is restricted to households of residents who have an ID card and are registered in the neighbourhood, excluding poor residents who, often, do not have an ID card and are not registered. Depending on 'local wisdom' and the subject, heads of households who have a temporary ID card in the neighbourhood and non-registered households may also be invited. Also, meetings appear actually not open to women, as commonly, only heads of households, predominantly men, will be invited and meetings are often held after evening prayer, withholding women to attend, even if invited. Likewise, other than provided for, *rembug warga* and meetings of *BKM* that were part of the *PNPM Urban* program seem, often, not open to all residents who would like to attend.

Often, not all relevant information available, disclosed and accessible to all

Often, information that allows residents to effectively participate is not made available to them, or not timely, neither in a way that they can easily access and understand the information. Information with regard to the day-to-day administration and development of wards and neighbourhoods, often, is only disseminated to officials who are supposed to disseminate this information to the residents in their area, or information is shared at meetings, and not prior to meetings. Current regulations do not provide with regard thereto, or, at least, not mandatory. The regulations concerning public information disclosure would apply. Differently, in the *PNPM Urban* program guidelines stipulated that all residents and others who would like to participate should attain the information that allows them to participate. Also, an express obligation was provided for that all relevant information should be made public and disseminated *suo moto*. Notwithstanding, also in the *PNPM Urban* program the dissemination of information to the community seems not always to have been as adequate as aimed for.

Ensuring 'We' are represented

Representativeness promoted, not yet ensured

Forums at ward level commonly have indirect representation. Members of *LPMK* and *tuha peuet* are elected by the residents. Likewise, in the *PNPM Urban* program, members of

BKM and representatives in *rembug warga* at *kelurahan* and *gampong* level were elected. Representatives in *musyawarah* and *musrenbang kelurahan* or *gampong*, generally, appear not to be elected by the residents. They are invited by officials. Representation in these forums, still, seems to be based on representation by leaders of co-opted functional groups and officials *ex officio*. One may doubt, though, whether, today, these functional groups actually represent residents and their interests, as diverse as they are, in particular, in more heterogenous and volatile urban environments that have a strong socio-economic dynamic, and whether in this respect current regulations actually do ensure representativeness. To better ensure representativeness, representatives should, preferably, be elected by the residents themselves, and not being invited by officials.

Forums in neighbourhoods have direct representation. To *musyawarah RT* and *musyawarah jurong*, and *musyawarah* that are part of the development planning cycle, generally, all (registered) households in the neighbourhood are invited and may be represented. Also, in the *PNPM Urban* program, in *rembug warga* at *RT* or *jurong* level all residents, or, at least, all households were invited and may have been represented. Locally, though, practices seem to have deviated.

Local elites dominate, even control

Forums for participation in wards and neighbourhoods seem less representative of their constituencies than aimed for. Vested leaders, local elites and officials dominate and even control forums at ward level, *LPMK*, *tuha peuet*, *musyawarah kelurahan* and *gampong*, and *musrenbang*. At neighbourhood level, similar applies to *musyawarah RW*. In contrast, *musyawarah RT* and *musyawarah jurong* seem more representative, being open to all households in the area. In some *RT* and *jurong*, though, neighbourhood leaders and elite may control meetings. Also, in the *PNPM Urban* program, up to a certain extent, local elites and leaders dominated *rembug warga* and *BKM*. Over time, the composition of *BKM* gradually seems to have become more representative, as patterns of selection of leadership seem to have changed.

Domination by elites, or even elite control, in itself, though at odds with the idea of participation, does not need to be problematic, as long as elites act in the interest of the community they represent and the common good, and it does not degenerate into elite capture, and arrangements ensure that forums remain open to others, non-elites, and offer equal opportunity to compete and to replace incumbent elites, promoting a regular and timely succession of elites and non-elites, and diversity.

Women still underrepresented

In forums for participation in wards and neighbourhoods women appear to be underrepresented, or even not represented at all. Members of councils, such as *LPMK*, and *tuha peuet*, and local leaders, officials and others who participate are, predominantly, male. This is, also, true for *musyawarah kelurahan* and *musyawarah gampong*. In *musyawarah RT* and *musyawarah jurong*, commonly, men represent the household. Representation of women in *musrenbang* is gradually improving, but still relatively low, notwithstanding affirmative measures. Barring exceptions, similar applied to *BKM* and *rembug warga* in the *PNPM Urban* program. In the urban environment, too, cultural barriers, along institutional barriers, still prevent women to attend, and when they do attend, to actually participate and represent themselves. These barriers seem hard to overcome.

Poor, marginalised groups often not included

Poor and marginalised, vulnerable groups seem not, or poorly, represented in forums for participation in wards and neighbourhoods. The constraints that keep them from participating are, primarily, socio-economic, and seem not easy to mitigate. To them, the costs of participation are high. Poor education may impede to participate effectively. Also, being lowly educated, poor may not meet legal requirements for being eligible in consultative

and representative bodies, or other functions. Furthermore, many do not have an ID card and are not registered in the neighbourhood and may not be invited to attend and participate. In addition, dissemination efforts seem to fail to reach them, particularly the very poor, and to get them to engage.

Younger residents less represented and hard to engage

Younger residents appear to be less represented in forums for participation in wards and neighbourhoods. They, also, seem hard to engage, being less bound to their ward or neighbourhood, and are believed to have a weaker sense of belonging. Their engagement is perceived to become more accidental and issue-based. Yet, participation of younger residents and their number in consultative and representative bodies seem slightly to increase.

Local businesses and other interests commonly not represented

Local businesses and occupational workers operating in a ward or neighbourhood are not represented in forums for participation in the day-to-day administration in wards and neighbourhoods. Neither are represented civil society organisations and community-based organisations, other than the official ward and neighbourhood community organisations. Businesses, civil society organisations and community-based organisations may be invited to participate in *musrenbang*. In the *PNPM Urban* program, they may have been invited to meetings of *BKM* and to *rembug warga*. Civil society and community-based organisations have become better involved, particularly, through sectoral forums. Businesses, though, often seem to prefer 'other' contacts with the administration. Although not being seen as a part of community, it seems preferable to have them engage in forums for participation in wards in particular. This is particularly relevant since matters that concern these groups often cut across wards.

Optimising empowerment

No real, or limited capacity wards to act as centres of local self-government yet

Until now, wards have only limited mandate to govern them selves. Wards, and forums for participation in their day-to-day administration, seem not sufficiently empowered and do not have adequate capacity to act as centres of local self-government. *Kelurahan* presently, have nearly no autonomy, being merely executive agencies of the municipal government. Substantive matters have not been devolved. *Gampong* seem more autonomous. They are entitled to manage their domestic affairs and have legislative powers within their authority. Actually, the functions that have been entrusted to *gampong* are comparable to those assigned to *kelurahan*. Functions that have actually been devolved are few.

Also, forums for development planning have a limited mandate. Over the last years, the mandate of *musrenbang* has gradually been extended. Still, its capacity to act is limited. *Musrenbang kelurahan* and *musrenbang gampong*, primarily, still have consultative functions. They, too, are not well empowered and have no real capacity to act. Actual decisions are made elsewhere, by the municipal administration. In contrast, in the *PNPM Urban* program, *BKM* and *rembug warga* are seen as having been adequately empowered and having had actual capacity to act according purpose.

Empowerment of neighbourhoods more adequate?

Considering, in particular, their scale and purpose, neighbourhood community organisations may be considered being more appropriately empowered. The functions of *RW*, *RT* and *jurong* are, primarily, consultative and supportive. Assigning more demanding functions may be less optimal. Strengthening their current role as proximate, open and informal forums for direct participation and engagement in the administration and development of the

neighbourhood, extending their consultative functions, allowing them to concentrate on their representative functions on behalf of the neighbourhood community, and facilitating monitoring and evaluation of the implementation of policies and plans in the area may be a sensible approach.

Resources often too little

There is some discussion whether the funding of *kelurahan* and *gampong* actually is adequate. There is some evidence that the funding is not fully sufficient to discharge the mandate. In particular, the funding of staff and operational costs of larger *kelurahan* would fall short. Also, the budget that is actually available for development activities would be too little to actually implement development programs and to meet all development needs, and is said even to be decreasing. In contrast, the level of funding of plans under the *PNPM Urban* program is quite generally seen as having been more adequate in relation to the project needs and the philosophy of the program.

Adequate staffing and capacity of *kelurahan* and *gampong* administrations are a matter of concern. Furthermore, the provision of human resources to *musrenbang* appears to be insufficient. There are too little facilitators to adequately guide the process, and, in spite of improved education, their training is still limited. Similar seems to apply to the former *PNPM Urban* program.

The shortfall in funding and capacity restricts the empowerment of *kelurahan* and *gampong* and their actual capacity to act.

Improving responsibility

Responsiveness to actual needs often still low

The current institutional design does not enhance the responsiveness of *kelurahan* administrations to the actual needs of residents. Also, in spite of their autonomous status, at present, the responsiveness of *gampong* administrations to the actual needs of residents seems to be less than aspired. Currently, *kelurahan* and *gampong* seem not well equipped to adequately fulfil the aspirations and needs of their constituencies. Opportunities of residents to actually participate in their day-to-day administration are still not very substantial. The empowerment of *kelurahan* and *gampong* is limited. They still have no real capacity to act. Also, their funding and resources are actually not sufficient to discharge even their limited mandate, and to effectively address community needs.

The *musrenbang* process, in its present design, does contribute less to enhancing the responsiveness of *kelurahan* and *gampong* administrations than envisaged. Often, outcomes do not reflect community aspirations. Main causes seem to lie in the process. Whether the participatory arrangements that recently have been introduced will contribute to improve responsiveness is to be seen. In contrast, the *PNPM Urban* program is perceived as having been more successful in improving the responsiveness of local government and community institutions to the needs of residents.

Arrangements establishing downward accountability wards still weak

In wards, arrangements that establish downward accountability appear to be weak. In *kelurahan*, arrangements that allow *LPMK*, or others, to monitor, evaluate, and control the day-to-day administration of the *kelurahan* have not been made. *Lurah* are not elected by the residents. They are appointed by the municipal administration. Recall is not provided for. *Gampong* have potentially stronger downward mechanisms. *Tuha peuet* oversee the *gampong* administration, and are entitled to ask the administration to render account. Express arrangements that allow community, or others to monitor, evaluate, or audit the *gampong* administration have not been made, though. *Keuchik* and *tuha peuet* are elected

by the residents and may be recalled. Grievance redressal mechanisms at *kelurahan* and *gampong* level are developing, but not yet firmly established. Independent resolution of disputes between community, residents and *kelurahan* or *gampong* government that is proximate and easy accessible is not provided for.

Downward mechanisms with regard to development planning seem slightly stronger. Recently, the *musrenbang* cycle includes monitoring and evaluation mechanisms that enhance downward accountability. Mechanisms included in the *PNPM Urban* program, such as participatory monitoring, inspection and evaluation by the community and by others, and election and recall of officials, in coherence with other properties of the program, have shown to be quite effective in exacting accountability. Participatory monitoring and evaluation do not yet function as satisfactorily as expected, though. Neighbours do not easily call each other to account. Also, the capacity of communities, often, still falls short.

Arrangements establishing upward accountability wards stronger

Mechanisms that enhance upward accountability between ward and municipality seem stronger and appear to have been further developed. Wards, both *kelurahan* and *gampong*, are supervised by the municipality and *kecamatan*. Annually, wards are audited by the municipal inspectorate. An external, independent audit is not provided for, though. The implementation of development planning activities (*musrenbang*) is, in particular, subject to the common arrangements that enhance the accountability of wards. The *PNPM Urban* program did provide for inspection, monitoring and control by government and independent parties, and for annual independent audits as well. These mechanisms seem to have effectively promoted accountability.

Informal mechanisms foster accountability neighbourhoods

In neighbourhoods, mechanisms that establish downward accountability seem, primarily, to rely on informal mechanisms that exist in communities of this size. Regulations do not provide for monitoring, evaluation and control of *RW*, *RT*, or *jurong* by their communities, or others. Heads of *RW*, *RT* and *jurong* are elected by the community. Options for recall exist. Complaints and disputes between community, individual residents and *RW*, *RT*, or *jurong* officials are resolved informally, in the traditional way. Similar, upward mechanisms, such as an annual audit, seem limited.

Recommendations

Challenges of today, tomorrow

Participation of citizens and community in urban administration is variable and hard to sustain. This is no less true in Indonesian cities. Today, still, one of the major challenges to participation is a society that, even in cities, remains somewhat patriarchal. Another persistent challenge is a culture within the administration, and not less within municipal administrations, that is often technocratic and top-down and not that much bottom-up, a heritage from of 30 years of centralistic planning under *Orde Baru*.

In the coming decade, three events may largely shape the manner citizens participate in the administration and development of their ward and neighbourhood. These events are both challenges and opportunities. First is the on-going urbanisation, and, in some of the major Indonesian cities, even metropolitanisation (the vertical *kampung*). Communities in neighbourhoods will evolve from what may be seen as still being close to *Gemeinschaft* into mere *Gesellschaft*. Second is the rapid spread and evolution of the Internet, and, more in particular, social media, radically changing the way people communicate and have access

to information (the virtual *kampung*). Third is the rise of a young, educated urban middle-class (the young and smart *kampung*).³

To create conditions that better promote and sustain substantial and inclusive participation and engagement of communities and citizens in local governance in wards and neighbourhoods in cities, it is considered essential to further develop and partly reshape the institutional and legal framework for participation at these levels. Arrangements for participation need to be made more effective and processes radically simplified. The current municipal structure would serve as a basis to build on, extending and strengthening the right to participate and improving the institutional design.

This should be done along with non-institutional interventions, such as promoting and supporting community-based initiatives and continued awareness and capacity building.

At the same time, expectations concerning participation and its promise should be realistic and need to be managed to avoid disappointment and dissatisfaction.

Core features for legal and institutional development

Enshrining participation as a right

An advanced framework for participation in urban governance should include basic principles for participation, or terms of engagement. These principles should further embed participation in the administration and development of their ward and neighbourhood as a right to all residents and others concerned. The right to participate and the related rights should become enforceable rights. The institutional design should ensure that these rights become actually enforceable.

Current institutional layout as a basis

With regard to the institutional design, it is recommended that the current multi-tier layout, municipality (*kota*), sub-district (*kecamatan*), ward (*kelurahan*, in Aceh *gampong*), and neighbourhood (*RT*, *RW*, in Aceh *jurong*), be maintained as a basis and that this layout be further developed. The intricate arrangement of government and community forums and processes for participation in urban governance at grassroots in cities as it has come into being in Indonesia is unique and valuable, and should be held on to in its essence, at least, for now.

Towards one, single structure

It is recommended that forums and processes for participation in the general day-to-day administration and development planning (*musrenbang*) in wards and neighbourhoods, including dedicated programs, such as the *P2KKP* program, that has replaced the *PNPM Urban program*, gradually be further integrated and aligned. This would, preferably, be at all levels, ward and neighbourhood as well. Eventually, actual merger or incorporation of institutions, and integration of processes into one, single structure should be pursued. Preferably, this would encompass all domains of administration at these levels, including development planning, spatial planning and infrastructure, education, welfare, poverty alleviation, healthcare and public order. ('One ward, one forum, one plan')

Creating capacity to act

It is recommended that the position of *kelurahan* and *gampong* as a centre of local self-government be strengthened, having adequate capacity to act and 'full' mandate within the area. *RT*, in particular, and *jurong* may be consolidated as open and informal forums for

³ Tönnies, *Gemeinschaft und Gesellschaft* (1887) (Community and Society).

direct participation by way of consultation and support. Where appropriate, it should be considered to further adopt participatory methods engaging community and residents in policy-making, planning, budgeting and implementation. This could include methods, such as participatory budgeting and planning, monitoring and evaluation.

Keep it simple

A radical simplification of processes for participation, in particular, at ward and neighbourhood level, needs to be considered. This would, above all, include *musrenbang*. Where appropriate, procedures should be de-formalised to foster actual participation. Over-institutionalisation should be avoided. Less is more. Rules should be made more clear and simple, so that all concerned can easily understand.

Allowing and embedding 'virtual' and issue-based participation

The design should allow for and embed 'virtual' participation, and - if feasible - representation through the Internet, complementary to 'physical' participation and representation. At the same time it should observe representativeness. It should offer equal access and a level playing field. Applications, including social media, should, as much as feasible, enable actual two-way communication and easy engagement, and they should warrant substantial deliberation. Residents could actively be invited to participate, both virtually and otherwise, by using social media, alongside traditional, corporeal media. At present, though, the new media still fall short in instrumentation to realise actual two-way discussion and substantial deliberation. They are not yet capable to replace corporeal participation and face-to-face deliberation.

Allowing flexibility, not 'one size fits all'

The design should be flexible and open in order to accommodate various local arrangements and processes for participation and engagement that work. Also, it should allow for future development and innovation. These recommendations, also for that reason, are not intended, nor to be considered, as 'one size fits all'. They are meant for discussion purposes. Further research on a number of the assumptions made and on a number of essential issues would certainly be needed.

The right to participate

Basic principles for participation

The basic principles for participation or terms of engagement should embody the right of all residents to participate in the administration of their ward and neighbourhood. The principles should ensure equal opportunities to participate to all and they should aim at creating conditions that enable citizens to participate as equals. They should include the right to all residents to elect those who act as their representatives and to be elected in that capacity. The principles should also address the right to participate of others concerned. In addition, the principles should strengthen the right to information. They should also provide for the right to monitor, evaluate and audit, and reinforce the right to challenge decisions of local government.

Participation as a right to all residents

All citizens shall have the right to participate in the administration of the ward and neighbourhood where they reside and are registered as a resident, both individually and collectively, as a community. Registration should be open to all citizens who are permanent residents in a ward or neighbourhood, irrespective of their title of use, be it ownership, rent, or use of property otherwise.

Equal opportunity to participate to all

All adult residents, who would like to attend and to participate in forums for participation in the administration of their ward or neighbourhood shall equally be entitled to attend and to participate, either in person or through a representative.

All residents who attend and participate shall equally be entitled to express their views and to engage in deliberation and to witness decision-making. In forums for direct participation, all residents who attend shall have an equal right to take part in decision-making and to vote. In forums with indirect representation, all members shall have an equal right to take part in decision-making and to vote. Furthermore, all residents shall also be entitled to demand that issues be put on the agenda and to call for meetings to be held. Residents whose interest is affected shall appropriately be consulted.

Participation as equals

All residents who participate shall be entitled to being recognised and respected as being equal and having equal rights. All shall be treated equally, just and in fairness, with respect and dignity, regardless of differences, of being different or having different views and interests. All participants may expect that other participants recognise and respect their rights, views and interests and act with due regard there-to.

This right is outright and unconditionally mutual. Participants shall recognise and respect the rights, views and interests of other participants and shall act with due regard to the rights of the other, responsibly, reasonably, in due moderation and in fairness when materialising one's own interest and with due concern to the common interest and the interest of others.

To ensure the above, rules should warrant due process and enhance the proper and fair course of consultation, deliberation and decision-making. Deliberation and decision-making should be democratic, and, preferably, be on basis of consensus and consultation (*musyawarah dan mufakat*). Only if no consensus is possible, decisions may be made on basis of majority vote.

Right to elect and to be elected

All adult residents shall have the right to elect those who act as their representatives in forums for participation in their ward or neighbourhood that have indirect representation, such as ward councils or neighbourhood boards, or ward community meetings. All residents who meet the legal requirements shall have the right to be elected as a representative. Representatives shall be elected after deliberation, in consensus and consultation, or by vote or secret ballot, as residents deem appropriate in their community.

Participation of others concerned

Civil society and community-based organisations, and other groups who represent elements of the community, local businesses and occupational groups who work in a ward or neighbourhood may be invited to attend and to participate and shall be allowed to do so whenever they request. They shall be invited and heard when their interest or the interest they represent is concerned. They shall be entitled to express their views and to engage in deliberation and to witness decision-making. However, they would not be entitled to take part in decision-making and to vote.

In addition, others who would like to attend, the wider public and the media, shall be entitled to attend. They would not be entitled to participate, though.

Right to information

All residents, others concerned, the wider public, and the media shall have the right to obtain information pertaining to the administration of wards and neighbourhoods. All

relevant information should be accessible and available to them. Regular information should be made public *suo motu*, and disseminated by all available means.

Right to monitor, evaluate and audit

All residents, both individually and collectively, others concerned, the wider public, and the media shall be entitled to monitor, evaluate and audit the administration of wards and neighbourhoods. Ward and neighbourhood institutions, whether government or community institution, shall accommodate and assist such initiatives.

Right to challenge decisions

Residents and others concerned as well shall have a right to challenge decisions of ward and neighbourhood institutions, whether government or community institution, that affect their interest.

Ward as a centre of local self-government

Better empower wards

It is recommended that *kelurahan* and *gampong* be better empowered so that they actually can function as centres of local self-government, having adequate capacity to act and mandate within their area. Devolution, delegation and de-concentration of functions by the municipality and *kecamatan* to *kelurahan* and *gampong* should be optimised as ensues from the notions of subsidiarity and necessity.

Kelurahan and *gampong* may be entrusted with all administration matters that relate to their area and practicably can be done at their level, leaving matters that cannot be dealt with at that level and that can more effectively be dealt with at upward levels, *kecamatan* or municipality, to be assigned to these upward levels. Transfer of functions should include all powers and resources needed to discharge the extended mandate and to deliver the related services.

For reasons of efficiency, economics of scale and cost, where local circumstances do allow, it may be considered to merge smaller *kelurahan* or *gampong* with contiguous *kelurahan* or *gampong*. Also, arrangements for sharing resources and services with other *kelurahan* or *gampong* within the *kecamatan*, and cooperation between *kelurahan* or *gampong* may be considered where appropriate.

Establish ward representative council

It is recommended that ward representative councils (*dewan perwakilan*) be established that are to serve as a main forum for participation of residents in the administration of their ward. The ward council should be empowered appropriately, having (co-) legislative, budget and oversight functions and powers.

To this end, in *kelurahan*, a new entity may be established. Alternatively, it would be conceivable to assign this capacity to existing *LPMK*. In Aceh, in *gampong*, *tuha peuet* would keep this capacity.

Ward councils should be elected democratically by the residents of the ward. Its members may be dismissed or suspended in case of a loss of public confidence, an alleged dis-functioning, neglect of duties, or an improper conduct. Ward councils should convene regularly. Their meetings should be public. It is recommended that rules governing the functioning of ward councils include provisions with regard to the due process and the proper and fair course of consultation, deliberation and decision-making. Deliberation and

decision-making should be democratic, and, preferably, be on basis of consensus and consultation.

Enhance ward community meeting

It is recommended that ward community meetings, *musyawarah*, be maintained and enhanced as a forum for engagement of residents at ward level. *Musyawarah* may serve as a forum for consultation and deliberation, and as a forum to disseminate information (*sosialisasi*) as well. The functions of *musyawarah* would, primarily, be consultative.

Musyawarah that have a consultative and deliberative purpose would, preferably, consist of representatives of the *RT* or *jurong* in the area. To *musyawarah* held for the purpose of hearing or dissemination all residents should be invited, and, in addition, all whose interests are affected. *Musyawarah* should be held regularly, or as often as needed, or called for. Meetings should be open to all who would like to attend, including media. Rules on the functioning of *musyawarah* should include provisions concerning the due process and the proper and fair course of meetings.

Have head of ward elected?

It may be considered to have the head of ward elected by and from among the residents of the ward. Alternatively, the head may be selected from within the municipal apparatus and appointed by the mayor in close consultation with the ward council. The head may be dismissed or suspended in the event of a loss of public confidence, an alleged dis-functioning, neglect of duties, or improper conduct.

Establish ward public information and documentation office?

It may be considered to establish a ward public information and documentation office, in addition to the municipal public information and documentation agency (*PPID*). Its functions would be to store all relevant public information pertaining to the administration of the ward and the neighbourhoods in the area, to make information available and to disseminate information to residents and the wider public and media. The ward public information office may, also, be responsible for the functioning of a ward public information and documentation system and a ward website. To residents information should be made available free of charge, or at low cost.

Strengthen and extend monitoring, evaluation, auditing and control of ward

It is recommended that monitoring, evaluation, auditing and control mechanisms with concern to wards be strengthened and extended. Additional to the monitoring, evaluation and oversight functions of the ward council and the ward community meeting proposed above, arrangements should provide for a right for residents and others concerned to monitor, evaluate and audit the functioning of wards, its administration and officials, or any ward or neighbourhood organisation or official, that performs administration functions, or any organisation or activity that is (co-) funded by public and /or community means.

Furthermore, it is proposed that the municipal inspectorate, partly in addition to its present functions and the oversight functions of *camat* and municipality, explicitly be assigned to annually audit and monitor the ward administration and related entities and activities (co-) funded by public and /or community means. The inspectorate should be assigned adequate powers to investigate. Audit reports should be public.

Further develop complaints and dispute resolution mechanisms

It is recommended that the existing, traditional and informal mechanisms for amicable dispute resolution and mediation at ward and neighbourhood level be maintained and further developed, so that they better ensure actual opportunities for residents and others concerned to challenge decisions and acts of the ward administration, or any institution that

performs administration functions in the ward or neighbourhood, that affect their interest, and a due and timely resolution of disputes relating there-to. Regulations may provide minimum requirements that warrant due process and a proper and fair course.

In addition, there should be a proximate and accessible forum that is independent, that adjudicates disputes between residents, community and ward administration, or any institution that performs administration functions in the ward or neighbourhood, that remain unresolved. Preferably, this would be entrusted to a municipal administrative court.

In coherence, it is recommended that complaints mechanisms and procedures at ward and neighbourhood level be further developed. Focus may, particularly, be on facilitating access, improving follow-up, and feedback and reporting. In addition, there may be created an ombudsman function at municipal level in municipalities where it does not yet exist.

Neighbourhood as a forum for participation and engagement

Consolidate neighbourhood board

It is recommended that boards of *RT* be consolidated. It may be considered to establish boards of *jurong*. These boards would serve as a forum for the 'day-to-day' participation of residents in the administration of their neighbourhood. Boards of *RW* may be maintained for, primarily, the purpose of coordination between *RT*. Boards and heads of *RT* and *jurong* would act as representatives of the residents of the neighbourhood towards the ward administration and may, also, act in this capacity in *RW* and ward community meetings. In larger wards, board and head of *RW* may represent residents in the area towards the ward administration and in ward community meetings. Their functions would remain, primarily, consultative.

Boards and heads of *RT* and *jurong* should be elected by the residents of the neighbourhood. Members of boards and heads of *RW* may be elected by representatives of *RT*, or, alternatively, by members of boards of *RT* from among them selves. Boards and heads of *RT* and *jurong* should meet regularly, or as often as needed. Their meetings should be public.

Maintain and further develop neighbourhood community meeting

It is recommended that *musyawarah RT* and *musyawarah jurong* be maintained and further developed as open and informal forums for direct participation by residents in the administration of their neighbourhood, by way of consultation and support, to mutually cooperate, and for the purpose of dissemination.

Preferably, all residents should be invited to attend and participate in *musyawarah RT* and *musyawarah jurong*. Alternatively, more close to the current practice, all households may be invited. Invitations should extend to all adult members of the household. *Musyawarah* should be held regularly, or as often as needed, or called for. Residents may call for a meeting to be held. Meetings should be public. Rules on the functioning of *musyawarah* should include provisions concerning the due process and the proper and fair course of meetings.

Musyawarah RW may be maintained for, primarily, coordinative purposes. *Musyawarah RW* would, preferably, consist of representatives of *RT* in the area, or members of the board of *RT*.

Discharge Heads of neighbourhoods of administration and assistance tasks

In the above context, it may be considered to discharge the heads of *RT* and *jurong* of all, or, at least, a major part of the administrative and assistance tasks they now perform on behalf of the *kelurahan* and *gampong* administration, and to assign these tasks to the

kelurahan or *gampong* governments. This would better enable heads and boards of *RT* and *jurong* to concentrate on three core functions that would remain: representing the community in the area, managing and facilitating their participation, and maintaining peace within the community.

Sub-district as intermediary administrator

Maintain sub-district as intermediary administrator

In the above recommendations, *kecamatan* would keep their present position, acting as an intermediary, technical administrator between municipality and *kelurahan* or *gampong* administrations. The main functions of *kecamatan* would remain to facilitate, coordinate, guide and supervise *kelurahan* and *gampong* administrations.

Further develop sub-district as shared support centre

In addition, *kecamatan* would function as a shared support centre on behalf of *kelurahan* and *gampong*, providing staff and services to *kelurahan* and *gampong* administrations in their area on an 'if and when needed' basis. To this end, the support capacity of *kecamatan* apparatuses may need to be increased.

Promoting participation of under-represented groups

Affirmative measures to promote women participation

It is recommended that affirmative measures be maintained or considered that promote the representation and the actual participation of women in forums for participation in wards and neighbourhoods. These measures would be temporal, for as long as needed.

It may be considered to maintain or adopt 'soft' quota for women in forums for participation in wards and neighbourhoods that have indirect representation, such as the ward council, ward community meeting and neighbourhood board. Also, it may be considered to promote women representation by letting women have priority over equally qualified male candidates.

Furthermore, forums that have direct representation, such as neighbourhood community meetings, *musyawarah RT* and *jurong*, should be equally open to women and men. Women and men alike should be invited to attend. Also, meetings should, preferably, be held late afternoon instead of evening time after evening prayer. In addition, establishing separate, dedicated consultative forums for women ('women only') may be considered.

In addition, provisions with regard to the due process of meetings and the fair and proper course of deliberation and decision-making may foster that women who attend meetings actually participate and represent themselves. At the same time, a more informal setting of meetings may foster their actual participation. In coherence, it remains of paramount importance to continue building the capacity and capability of women to actually participate.

Measures to promote participation of poor and marginalised residents

Options for affirmative measures to promote the representation and participation of poor and marginalised residents in forums for participation in wards and neighbourhoods seem limited.

It may be considered to make registration as a resident in wards and neighbourhoods easier, including registration as a temporary resident, and to promote that unregistered residents, often poor, register and be invited to meetings. In addition, it may be considered to ease legal requirements to being eligible as a representative in forums for participation

that have indirect representation, or in any other official function in wards and neighbourhoods. This, in particular, may concern requirements relating to the level of education that aspiring candidates should have. It may, also, be considered to have separate, dedicated consultative forums for poor and marginalised residents. Furthermore, minimum requirements providing for the inclusion and participation of poor and marginalised residents in meetings may be considered. Also, a more informal setting of meetings may promote their actual participation.

In coherence, interventions of a non-institutional nature should be considered. Dissemination efforts should be intensified to actually reach poor and marginalised residents, in particular, the very poor. Apart from this, it is recommended to have facilitators and local government continue and increase efforts to actively foster and facilitate poor and other vulnerable groups to engage.

Path forward, the next decade

A feasible path forward to further explore and implement the legal and institutional development and reform recommended above may consist of the following. Two different, possibly parallel, approaches may be pursued.

A first approach would be to focus on legislation at the municipal level, promoting a '*next generation*' municipal arrangements on urban governance, in particular on the administration of wards and neighbourhoods, their development, and the participation of citizens and community as proposed. In the course of the coming years, municipalities will have to align the municipal arrangements with the new law on regional administration (UU 23 / 2014) and the regulations that the government will issue in the context of its implementation. Also, the new law expressly instructs local governments to further develop institutions and mechanisms for participation. Alternatively, more modest, incremental changes, supplementing current regulations and institutional arrangements may be aimed at. This would also be informed by learning by doing, and sharing best practices with each other and the national and provincial governments. Pilots in selected cities may be pursued.

A second approach would focus on influencing legislation at the national level. The government is expected to issue a number of regulations to implement the new law on regional administration that will replace, or adapt, existing regulations on the administration of wards and neighbourhoods, development planning and participation within two years after the promulgation of the law. The approach would aim at including arrangements on the administration of wards and neighbourhoods, their development and the participation of citizens and community as outlined above. This may fit well with policies and programs that the government is expected to initiate in the forthcoming years to further institutionalise and promote public participation in administration, including local administration, in line with the priorities outlined in *NawaCita*, the Presidential priorities program.

Considering the way current legislation on local administration and participation is structured, both at the national and municipal level, it seems obvious to direct efforts at promoting two distinct, correlating sets of regulations. One set would concern the administration of wards and neighbourhoods as such, comprising its institutional design. Another one would specifically concern the basic principles, or terms of engagement, for citizen and community participation in the administration and development of wards and neighbourhoods.

Towards a next generation legislation on urban governance and participation

One intervention that may be pursued would aim at promoting that arrangements on the administration of wards and neighbourhoods and the participation of community and citizens along the lines as recommended above be included in the municipal regulations or bylaws, *PerDa* and *PerWal*, that are to revise or to replace the present regulations on the

subject, and promoting such arrangements where they do not exist as yet. These bylaws should, furthermore, include sufficiently detailed institutional arrangements for the participation of citizens and the community and others concerned in the administration and development of their ward and neighbourhood. To this end it may be considered to devise a model municipal bylaw that may serve as a reference. Implementation may differ locally, accommodating local circumstances and different local arrangements. Also, the implementation in mayor, more metropolitan cities may be divergent.

In parallel with the above, another intervention that may be considered, at the national level, would aim at promoting that arrangements on the administration of wards and neighbourhoods and the participation of community and citizens as proposed above be included in the government regulations and further legislation, *PerPem* and *PerMen*, that are to revise or replace the current regulations on urban administration, and in policies that the government may initiate to promote participation. It should be promoted that government regulations and policies, at least, do allow for such arrangements at the municipal level. Government regulations may provide a minimum mandatory framework regarding the institutional design of the administration of wards and neighbourhoods and community and citizen participation as proposed.

Towards 'Prinsip Dasar' for participation and engagement

Additional to the above regulations on the administration of wards and neighbourhoods, a separate municipal set of rules may be devised containing the terms of engagement for the participation of community, citizens and others concerned in urban governance, or more specifically, in the administration and development of wards and neighbourhoods. This could be a municipal bylaw, *PerDa* or *PerWal*, guideline, or, alternatively, a charter supported by the most concerned stakeholders, a 'Citizen and Community Participation Charter'. This bylaw or charter would confirm the right to participate and the related rights and describe in more detail the basic principles for participation (*prinsip dasar*) as referred to above. It may be considered to devise a model municipal bylaw or guideline, or model charter that may serve as an example. The municipal regulations on the administration of wards and neighbourhoods may refer to this supplementary (model) municipal participation bylaw, guideline or charter.

Further to the relevant provisions of the new law on regional administration, it may be considered to aim at promoting codification of the right to participate in urban governance and the related rights as an explicit and enforceable entitlement in national legislation. Codification may include the terms of engagement, or basic principles for participation (*prinsip dasar*) as referred to above. An integrated arrangement may be considered, also encompassing participation in rural areas, tailored to the respective conditions and needs of urban and rural governance, and providing equal rights and opportunity to participate and engage to communities and citizens in cities and rural areas alike.

At last, a far more ambitious approach that may be considered would aim at introducing proposals to amend the Constitution, enshrining the right of citizens, communities, and others concerned to participate in local governance, urban and rural administration alike, by adding a concise reference with regard to this right.

1. **INTRODUCTION**

Making the Alun-Alun bloom

As long as there are cities, public squares have been spaces for civic engagement, debate, deliberation and protest. Squares witnessed revolutions ignite and have been the womb of nascent democracies.

In cities in Indonesia, ever since ancient times, people would assemble on the *alun-alun*, the large square or open space common in many older cities adjacent to the palace or residence of the local ruler or dignitary and the great mosque. In Java, for instance, in the *Mataram* period, commoners would come to the *alun-alun* to meet, to publicly show their concern or even protest against policies or acts of the sultan, or to seek an audience. As the custom was, they would do *pepe*. Dressed in white cloth, they would sit down in silence, in the full rays of the sun, and wait until a court official was sent down from the *keraton*, the palace of the sultan, to hear their objections, or receive their petition. Having considered the objections or petition, the sultan would then consider to adapting or implementing his policies conformingly, or grant an audience.⁴

Alun-alun may be seen as early spaces for citizen participation and engagement in cities, spaces provided by the ruler, where rulers would engage in a form of dialogue with their ordinary commoners, enabling incipient democratic processes and participation. *Alun-alun* stand as a metaphor for all squares and other venues in cities in Indonesia where people gather, for spaces for participation as conceived by Cornwall and Gaventa.⁵

This study is about making the *alun-alun* bloom.

Context

Over the past decades, a number of countries in South and South East Asia have adopted legislation on citizen and community participation and engagement in local governance. Other countries are in the process of doing so. As literature shows, evolving legislation and supporting policies in these countries notwithstanding, substantial and lasting participation and engagement in urban governance seem not yet to have been realised as intended. Legislation and institutional arrangements do not seem to adequately promote and sustain participation and engagement. Conceptual flaws often limit their potential for change. Existing power relations and conflicted interests prevail in many countries and act as a barrier for participation and engagement. Local culture, tradition and custom may not foster actual participation. Also, governments and local authorities often seem to remain reluctant to actually establish and empower local forums for participation and to make them actual centres of local self-government as envisaged.

Following the 'Reformasi', and the subsequent decentralisation of the Indonesian administration, Indonesia, too, has adopted legislation on urban administration, also providing for community participation and engagement in development planning at municipal, ward and neighbourhood level (*musrenbang*). In addition, other, parallel community development programs have been initiated, such as the National Program for

⁴ Lay referring to Moertono (1968), p. 87. See also, more recent, Mohammad (2015), *Defending Rallies, even in Clogged Traffic*, Jakarta Post 24 November 2015, mentioning the pepe tradition in Java and other traditions elsewhere.

⁵ Cornwall and Gaventa (2001), p. 33, Gaventa (2006b), p. 26, Cornwall and Coelho (2007), p. 1.

Community Empowerment (*PNPM Mandiri*). Since, government and municipal governments have been in the process of gradually further developing and improving these arrangements, learning by doing, and sharing best practices with each other and the national government. A number of cities has been more in the forefront, some cities leading by example, other followed.⁶

It seems, however, that this legislation and arrangements do not, or do not yet, generate participation and engagement as aimed for. Initially, promising developments have been reported. In more recent discussions and studies, though, mention is made of dissatisfying outcomes and a decreasing participation. A commonly shared feeling seems to be that in Indonesia, too, current legislation, arrangements and supporting policies do not, or, at least not yet, adequately promote and sustain substantial participation and engagement, and fail to actually remove barriers for participation. Neither did they succeed in improving administration, nor did they foster a more equitable and sustainable development as envisaged, at least, not yet. Or, in the words of Antlöv, '*belum*'.⁷

The national government and local governments alike seem duly aware of this, and over the last years, jointly with civil society groups, academia and others, have undertaken efforts to further develop and improve mechanisms for participation, making it more substantial, more participatory, better empowered and more effective.

In 2014 a new law on regional administration has been enacted. The law is yet to be implemented by the government and local governments. In addition, the government is considering further policy initiatives to further institutionalise and promote citizen participation in all domains of administration, including policy-making, legislation, development planning, and their implementation, pursuant to the priorities listed in *NawaCita*, the Presidential nine priorities agenda.⁸

To promote and sustain substantial participation and engagement, a further development of the legal framework and institutional reform, better embedding participation and engagement, may help to create the necessary conditions.

This study

What changes are needed to actually bring about and sustain substantial community and citizen participation and engagement in cities? How to promote local self-government in wards and neighbourhoods that is inclusive, and fosters a more equitable and sustainable development and alleviates poverty more effectively?

This study concentrates on the legal framework and the institutional design and mechanisms for citizen and community participation and engagement in urban governance in wards and neighbourhoods (*kelurahan, and RW, RT*).

Institutional design and mechanisms that create real spaces for participation and engagement are widely considered crucial enabling conditions, along with non-institutional interventions, such as promoting and supporting community-based initiatives in wards and neighbourhoods and awareness- and capacity-building, and strong and capable local

⁶ UU 22 / 1999 and 32 / 2004 on Regional Administration, *Musyawarah Rencana Pembangunan (Musrenbang)*, mandated by UU 25 / 2004 on National Development Planning System, *Program Nasional Pemberdayaan Masyarakat Mandiri (2007 / 2015)*, mandated by PerMen 25 / 2007 on National Program for Community Empowerment, and further national and municipal legislation.

⁷ Antlöv (2007), p. 9.

⁸ UU 23 / 2014 on Regional Administration, *NawaCita (2014)*.

leadership. In addition, the local historical, cultural, socio-economic and political context matters.⁹

The study addresses the issue whether current legislation and institutional arrangements actually promote and sustain citizen and community participation and engagement, that is substantial and inclusive, and, also, fosters participation and engagement of groups that are powerless and excluded, and, more in particular, women and urban poor. It also aims at exploring how legislation and institutional design may better promote and sustain such participation and engagement, and may create local self-government in wards and neighbourhoods that actually works for all.

Developing a set of organising principles, this study explores what changes in the legal and institutional framework would better promote substantive and lasting community and citizen participation and engagement in wards and neighbourhoods, and would create the conditions so that it is inclusive, changes that would, in particular, foster participation and engagement of women, poor, and other excluded groups. It also discusses how these changes could best be implemented at local, municipal and national level respectively. The study builds on a similar study on this subject in India on behalf of Participatory Research in Asia (PRIA), Delhi, in 2010 - 2011. The analytical framework and the organising principles for participation and engagement developed in the context of the India study (the 'Wheel of Power'), more closely geared to specific, Indonesian national and local contexts and circumstances, seemed fit to be used as a general framework in this study.¹⁰

The study includes an assessment of legislation and arrangements concerning citizen and community participation in the administration and development of wards and neighbourhoods of the national government and municipalities as currently implemented and considered, and the community development program in cities, *PNPM Urban*, that ran until 2015. In addition, it includes more detailed case studies of legislation and arrangements on citizen and community participation and their implementation in two cities, Banda Aceh and Surakarta, and the actual functioning of forums for citizen participation in the day-to-day administration and development planning of wards and neighbourhoods in these cities.

Basic data were provided by a comprehensive review of current, forthcoming and intended legislation, laws, bylaws and the like, and institutional arrangements at national and local, municipal level regarding participation and engagement of citizens and communities in the administration and development of wards and neighbourhoods, and their implementation. These data were obtained from legislation as published in government, provincial and municipal gazettes and websites, and similar official publications from government and municipal government entities, and also from other, unofficial, unsanctioned sources.

Further data were obtained by research of literature on the subject, including case studies. Field research has been done in close cooperation with national and local non-governmental organisations working in the field of community and citizen participation and engagement, community-development, urban governance and democratisation, and poverty alleviation, and also with national and municipal government, academia and donors. Research methods included surveys of local legislation and institutional arrangements and their functioning and impact, surveys of local and other (pilot) projects executed by these partners or with their involvement, completed or in progress, questionnaires and interviews with executives and staff.

⁹ ASIA Foundation / ADB (2006), p. 54, ASIA Foundation (2004), p. 31, McGee / LoGoLink (2003), p. 1, 3, 62, 66, Simamora (2011), p. 10, Sumarto (2008), p. 8, 28, 35, Sudarmo and Sudjana (2009), p. 23, USAID (2009), p. 23, Widianingsih (2005), p. 4.

¹⁰ Participatory Research in Asia (PRIA) (2011a)), Mending the Wheel of Power. A Policy Brief (Participatory Research in Asia (PRIA) (2011b)) is made public by PRIA on its website: www.pria.org.

The research was concluded December 2015. Since, the current state of affairs may have changed. Recently, new legislation and arrangements may have been introduced. As a consequence, facts and figures, assessment, findings and recommendations may appear to be partly incomplete or outdated. We believe this will not impair the overall findings and recommendations. All errors remaining are our own.

2. **ORGANISING PRINCIPLES**

Introduction

Developing a Framework for Analysis

This study concentrates on the legal and institutional design for citizen and community participation in urban governance in wards and neighbourhoods. To this end, we will first develop a framework and criteria for analysis focusing on the factors that do foster substantive, inclusive and lasting community and citizen participation and engagement in urban governance at ward and neighbourhood level, and that have to be considered to being core notions to an institutional and legal design that could actually work.

Five sets of organising principles will be considered, primarily from an institutional point of view, also building on comparative, field and other studies and literature. These sets will form the analytical framework for an assessment of the institutional and legal design for community and citizen participation and engagement in wards and neighbourhoods in current legislation on urban governance in Indonesia and to explore what changes to the legal and institutional design may better promote and sustain participation and engagement.

¹¹

Organising Principles for Participation and Engagement

These five sets of organising principles consist of the following:

Participatory:

Do legislation and institutional arrangements create a participatory process? Do they create and realise equal opportunities to participate for all, as equals?

Open:

Do these arrangements promote openness? Do they establish easy access and proximity? Does information allow to participate?

'We':

Do these arrangements ensure representativeness? Do they provide community and citizens ('We') to be adequately represented?

Empowered:

Do these arrangements optimise empowerment? Do they establish capacity to act as centres of self-government?

Responsible:

Do these arrangements improve responsibility and do they foster responsiveness and accountability?

¹¹ This section is an updated and revised version of the similar section in the India study on behalf of Participatory Research in Asia (PRIA), Delhi, in 2010 – 2011 (Mending the Wheel of Power) mentioned above.

The above sets are mutually correlated and in part overlapping. The first characters form the acronym 'POWER'. Together they may be seen as the 'Wheel of Power' that could make community and citizen participation and engagement work.¹²

Creating participatory processes

Realising appropriate opportunities to participate

To actually realise substantive participation, processes themselves should be participatory. Processes should also be inclusive and democratic. Processes should not just facilitate participation. They should offer a community and citizens in a ward or neighbourhood appropriate opportunity to participate in the governance of their ward or neighbourhood. In addition to that, processes should warrant that the outcome is representative, in that it sufficiently reflects the aspirations and interests of the community and the citizens belonging there-to, is fair, and serves the common good.^{13 14}

Substantive participation implies and demands to actively involve community and citizens in wards and neighbourhoods in the entire cycle of local governance processes, from inception, deliberation and decision-making to implementation, monitoring and evaluation, and auditing. Institutional arrangements at all relevant levels, ward, neighbourhood and, also, municipality, should offer adequate opportunity to such engagement. Forums for participation should be an integral part of policy-making processes.¹⁵

Arrangements should allow citizens in a ward or in a neighbourhood who would like to participate and have interest to attend and to participate at meetings as they wish, either in person or by representative, to express their views by speaking at meetings and by submitting written documentation, to engage in deliberations and to take part in or, at least, witness decision-making regards matters concerning their ward or neighbourhood. Arrangements should also allow citizens to demand that issues pertaining there-to be put on the agenda.

Substantive participation may, furthermore, be promoted by embedding participatory methods that involve citizens more substantively in policy-making, planning and budgeting, resource allocation and resource utilisation respectively, service delivery and performance. This may include methods as participatory planning and budgeting, monitoring and evaluation, and auditing.¹⁶

¹² Compare, partly in contrast, criteria of the 'CLEAR model' of Lowndes, Pratchett and Stoker (2006). Departing from an actor-oriented, non-institutional perspective emphasising capacity, it lists factors promoting participation. The CLEAR tool holds that participation is most effective where citizens: *C = Can do, L = Like to, E = Enabled to, A = Asked to, R = Responded to.* Lowndes, Pratchett and Stoker (2006), Lowndes and Pratchett (undated).

¹³ Aswad, Heywood and Susilawati (2011), p. 5, Calderón and Szmukler (2004), p. 292, 295, 297, Sumarto (2008), p. 7, citing Brinkerhoff and Azfar (2006).

¹⁴ In this context both, Aswad, Heywood and Susilawati and Calderón and Szmukler refer to notions of procedural and distributive justice as introduced by Rawls. In the view of Aswad, procedural justice is central to community empowerment. Distributive justice should result in more chances to contribute to political processes, ensuring fairness.

¹⁵ Isaac and Franke (2004), p. 221, Stoker (2001), p. 30, Rai (2004), p. 14, Antlöv (2007), p. 9, USAID (2009), 2.1, Mansuri and Rao (2013), p. 276.

¹⁶ Participatory Research in Asia (PRIA) (2010), idem (2004), ASIA Foundation / ADB (2006), p. 4.

Equal opportunities to participate to all, as equals

Processes should not just offer opportunity to participate. To ensure that the outcome be representative and fair, processes should also offer and even warrant equal opportunity to participate to all citizens and groups within community in the governance of their ward or neighbourhood. Arrangements should equally entitle all citizens in a ward or a neighbourhood to participate.¹⁷

In addition to that, processes should enable citizens to participate as equals. Often, relations are uneven. Paraphrasing Abraham and Platteau, people tend to behave according norms and patterns that prevail in society, and, more specific, in their community. Relations in a community may traditionally be hierarchical or patriarchal. Also, often, social and cultural capital is unevenly distributed. Some may have advantage over others due to wealth, education and social standing. For these reasons, often, the distribution of power and agency tends to be unequal. As Mohanty and Tandon argue, *'(i)n contexts where people are subjected to hierarchical relations based on their social and material position, their participation as equal is not easy. For people who bear identities of lower castes, tribals, poor and women and occupy positions of disadvantage, participation and inclusion means unequal competition with those who are better equipped socially and materially. (...) Participation, in such contexts, means not only breaking the barriers of domination, it also means creating new relationships based on egalitarian principles.'* (...) *'Seeking legitimacy is only one effort to level the playing field (...). The critical issue is how to compete as equals (...).'*¹⁸

Addressing existing, unequal power relations that govern social interactions in community is essential, as Antlöv and others emphasise. Without, new public spaces for participation are likely to become dominated, even captured, or 'hijacked', by local elites. This is, also, the view of Gaventa: *'In situations of highly unequal power relations, simply creating public spaces for more participation to occur, without addressing the other forms of power, may do little to affect pro-poor or more democratic change. New public spaces will simply be filled by the already powerful.'*¹⁹

For these reasons, spaces for participation need to be shaped in a way that countervails and even changes the unequal terms of engagement that ensue from, in the words of Rao and Walton, the relative dis-empowerment of weaker or sub-ordinate groups in cultural, economic and political terms. In societies with deep socio-economic and cultural heterogeneity, Calderón and Szmukler propose, a *'deliberative political culture'* may be conceived that *'opposes political cultures of inequality'*. As they and others argue, this requires constructing diverse public spaces for participation where participants with their specific cultural and socio-economic backgrounds can interact with each other as equals and consider each other as equal, and respect each other regardless of the power relations to which they are subjected, and where they engage in open dialog in a manner that gives all equal voice and results in collective decisions that are consensual, reasoned and fair, and serve the common good.²⁰

¹⁷ Ribot (2007), p. 47, Sumarto (2008), p. 8, Aswad, Heywood and Susilawati (2011), p. 5.

¹⁸ Abraham, Platteau (2004), p. 222, Mansuri and Rao (2013), p. 53, Mohanty and Tandon (2006), p. 11, 15, Fung (2004), p. 5, 29, Fung and Wright (2003), p. 33.

¹⁹ Antlöv (2007), p. 9, Dasgupta and Beard (2007), p. 233, 244, Selee and Tulchin (2004), p. 311, Sumarto (2008), p. 7, 8, UNDP (2007), p. 3, Darmawan (undated), p. 25, Ito (2007), p. 3, Gaventa (2006a), p. 63.

²⁰ Rao and Walton (2004b), p. 360, 364, Calderón and Szmukler (2004), p. 292, 295, Mansuri and Rao (2013), p. 87, 266, Fung and Wright (2001), p. 19, Mohanty (2006), p. 71, 76, 77, Antlöv (2007), p. 10, 13, Aswad, Heywood and Susilawati (2011), p. 5, Törnquist (2009), p. 22, Dasgupta and Beard (2007), p. 245, Sumarto (2008), p. 7, citing Brinkerhoff and Azfar (2006). Mohanty and others in this context, also, refer to Habermass' idea of public sphere.

Processes and their rules of engagement should be designed so that they help to create conditions that enable participation of citizens as equals. Institutional arrangements may provide for minimum procedural requirements that demand the inclusion and participation of less-empowered and excluded or marginalised groups as equals. Furthermore, procedural requirements may compensate for social and material inequities and unequal power relations that act as a barrier for participation of all citizens and groups in community as equals and that ensue from socio-economic inequality, differences in class and education, and other positions of disadvantage.

Such arrangements, though, may in the words of Fung and Wright at best create '*a rough equality of power*'. They cannot settle all barriers for participation and inequalities in opportunity and ability. They cannot warrant actual equal opportunities to all to participate as equals. In this, well-designed processes are a necessary pre-requisite. No less, no more. As Rai notes, '*(i)n the presence of deep social inequities, it is difficult to initiate change without rules and laws that require inclusion and participation of excluded or marginalised groups in local governance.*' For that reason, to create actual equal opportunity, or as some authors say '*equality of result*', other interventions will be required, institutional and non-institutional as well, including group-based interventions that foster, what Rao and Walton advocate, '*equality of agency*'.²¹

How to create actual equal opportunities?

In this context, thorough consideration is needed concerning the issue whether affirmative measures may be required and justified for groups that are commonly seen as less empowered, under-represented, or even excluded in local governance, such as women, poor, and marginalised or minority groups. Affirmative action, or preferential measures, could create actual equality of opportunity for participation by these groups, or equality of result, and could promote equality of agency, where formal, procedural equality of opportunity alone fails to achieve so given social, cultural and other barriers. It could result in participation by these groups and representation that more adequately reflects a constituency as a whole, and could contribute to outcomes that are fair. It has the potential to '*fast track*' equality in participation, as opposed to more incremental strategies that are considered to take too long. Affirmative action is seen as temporary by nature, implying that it is to be discontinued once adequate participation is realised and effectively sustainable.²²

Discriminating groups, affirmative action strictly may conflict with notions of equality. It may, in particular, conflict with the notion of equality of opportunity. Such action, however, may under circumstances and taking into account all interests involved be considered to be justified when no other effective remedies are available or practicable, and it does not infringe upon or is not an unacceptable restriction of fundamental rights of others. Institutional affirmative action in the form of electoral or representation quotas will be discussed below.

²¹ Fung and Wright (2001), p. 25, Rai (2004), p. 13 ('Issues'), Dahlerup (2006, 2009), Baccchi (2006), Rao and Walton (2004a), p. 28, Mansuri and Rao (2013), p. 276.

²² Dahlerup (2006, 2009), Baccchi (2006), Thekkudan (2010), Rao and Walton (2004a), p. 28, Mansuri and Rao (2013), p. 10, 253.

Promoting Openness

Open to all

The participation of all is not required. Participation is a right. It is not an obligation. What matters, is that forums for participation are open to all citizens and others who have interest and who would like to participate.

Forums for participation in local governance, whether public entities that are part of local government, or community institutions, customary, indigeneous or other, that have been assigned this function, should be inclusive. No citizen, group, or any other concerned should be precluded from being present and participating. In this respect, forums for participation operating within the public domain should be actually 'public'. As Stoker argues, the defining characteristic of a democratic system is its openness to all: *'The very ease of participation at the local level gives a particular value to local democracy. The crucial value for good governance is that the system is open, has low barriers for the expression of dissent and limits the disadvantages of the poorly organised and resourced.'*²³

Establishing easy access, proximity

To foster that citizens participate, administration and forums for participation should be as near to citizens as reasonably feasible. The more proximate, the easier accessible to citizens and others who have interest and who would like to participate forums for participation tend to be. According to Krishna, *'lack of access prevents people from engaging more effectively with democracy. Access matters (...)'*. Forums should be established so that citizens can directly intervene. The scale of these forums should allow effective participation to all. Smaller local forums with a low density of (re-) presentation have that potential.^{24 25}

Information allowing to participate

Information is pre-requisite to effective participation. Information relating to the process of governance and to the institutional arrangements should be directly and easily accessible and made equally available to those concerned. The information provided should not only allow citizens to understand and monitor the process and the institutions. The information should also allow citizens to actually participate. Without adequate information substantive and meaningful participation will not realise.²⁶

Various comparative and other studies confirm the essential role of the accessibility and dissemination of information in fostering and consolidating participation. As studies demonstrate, lack of transparency and poor dissemination of information limit its effectiveness. Adequate access and dissemination increase participation. In this, media play a crucial role. Imperfections in the dissemination of information and unequal access to information tend to impair the actual opportunity to participate of, in particular, poor and less educated people. Equalising access to information may help to solve, what Mansuri and Rao call, information asymmetries between the rich and the poor. According to Rai, obligations in respect of transparency and information provision are vital pre-conditions for

²³ Ribot (2007), p. 44, Stoker (2001), p. 29.

²⁴ Blair (2000) cited in Participatory Research in Asia (PRIA) (2004), Krishna (2008), p. 92, Isaac and Franke (2004), Krishna and Booth (2008), Baud and De Wit (2008), IDEA (2001).

²⁵ According to IDEA there is no general guideline for the density of representation. Representation is enhanced with the lowest possible density. IDEA (2001).

²⁶ 2nd Administrative Reforms Commission (2007), Sumarto (2008), p. 7, citing Brinkerhoff and Azfar (2006).

informed, useful participation. These obligations should be promoted as citizens' rights themselves. This is, also, the view of other authors.²⁷

It could be argued that, as a general principle, information should be disclosed actively and be made available on a regular basis and preferably *suo motu* (as opposed to dissemination upon request). *Suo motu* disclosure of information pertaining to the administration of wards and neighbourhoods should be the norm and may even go beyond what commonly ensues from right to public information acts. It should cover (all) information 'where public interest exists'. The right to information would, however, not unconditionally entail all information where such a public interest might exist. Certain classified information, information with regard to private persons or companies, information that is competition sensitive and the like should be excluded and be subject to a restricted regime.²⁸

Ensuring 'We' are represented

Representative composition of forums for participation

The composition of forums for participation in local governance should adequately reflect the community that is represented. The composition should be inclusive. A representative composition may ensure governance coming close or at least closer to the aspirations and interests of the community and the individual citizens that belong to that community.

It could be argued that direct representation of the community and citizens, allowing all whom it may concern to be present and to participate directly, would promote representativeness and would foster their participation and engagement most effectively. Indirect representation may result in reduced participation and engagement of the community and citizens that are represented. For these reasons, arrangements may preferably provide for direct representation and participation where this would be reasonably practicable, considering the size and composition of a constituency, and appropriate, dependent on the nature and complexity of the matters concerned.

Where direct representation of citizens and community would not be feasible or appropriate, indirect representation would be most suitable. To mitigate the negative impact indirect representation might have, as discussed above, and to bring about participation and engagement of the community and citizens, arrangements should allow for their participation and actively promote their involvement in all relevant local governance processes.

Forums for participation often are dominated by what may be seen as local elites. Referring to literature, Mansuri and Rao mention that participants in civic activities tend to be disproportionately from wealthier, more educated, higher social status, and more politically connected households. Poorer and less-educated households tend to participate less, as do the wealthiest. Elite dominance (or control) may result in decision-making and policies that reflect elite preferences. As a result, but not necessarily, poor may benefit less than do the better off. At the same time, as some authors note, these better endowed participants may be better equipped to effectively represent community interests and seem inclined to

²⁷ Saule, Velasco and Arashiro (2002), Angeles and Magno (2004), Heymans (2006), p. 87, 7, ASIA Foundation / ADB (2006), p. 26, 54, USAID / LSGP (2008), p. 1, Aswad, Heywood and Susilawati (2011), p. 5, Calderón and Szmukler (2004), p. 297, Simamora (2011), p. 11, Mansuri and Rao (2013), p. 79, Rai (2004), p. 9, TISS (undated), Williams (2002), 2nd Administrative Reforms Commission (2007), UNDP (2004), p. 72, CommonWealth Foundation (2004), p. 116.

²⁸ Oliver (2004), p. 3, 2nd Administrative Reform Commission (2007), Recommendation 3.8.6 sub h.

act in the common interest. Nevertheless, even when it is benign, elite control is at odds with the idea of participation. In addition, elite control may make processes more vulnerable to elite capture, that is the control of processes by elites to capture most of the benefits at the expense of other groups in community, in particular, poor. Elite capture may occur more often in communities that are less equal and more heterogeneous, and where political, economical and social power are concentrated in the hands of few and mechanisms to prevent elite capture or to redress capture when it occurs fail. Evidence is mixed concerning the actual incidence of elite capture and, also, its impact. More recent research, among others on Indonesia, seems to put capture in perspective. Also, Alatas, Banerjee and others found capture rather in the implementation of programs, not that much in decision-making processes.²⁹

The selection of representatives by election by the constituency, in the instance of indirect representation, may be considered to be the most transparent and appropriate method of composition. Studies demonstrate capture of nomination processes by government, political parties and local elites and other interests. Open selection of representatives by the constituency it selves may better warrant representativeness and prove less vulnerable to undue influence than other selection methods, such as nomination. As research by Fritzen and others indicates, open and competitive selection processes may result in a composition of forums that may be considered being more representative, more diverse, including greater numbers of non-elites, and less dominated by elites. Open selection processes may, also, result in a greater diversity of elites and create new emerging elites, consisting of younger, better educated professionals, that replace old elites and long-time, vested local leaders. Furthermore, open processes may reduce the likelihood of elite capture. Methods of selection of representatives by others than the constituency it selves, such as nomination by government or municipality, may also be considered inherently less democratic and conflicting with the core notion of participation. As Gaventa correctly notes, '*(f)or whom do the participants speak? The issue of representation (...) in participatory processes is one that is often underplayed.*'³⁰

Within current structures of governance forums of direct participation are often considered complementary to forums of indirect representation and participation. It may be preferable to structure and further develop these forums as coordinate, being sovereign in their respective domains. Reference is also made to what will be discussed below.³¹

The understanding of community and constituency

The understanding of community and constituency in the above context may need some further attention. In cities, the demographic composition of the populace of wards and neighbourhoods may rather be heterogeneous and not that homogeneous. Its residents often originate from different regions and classes. Part of them may be well educated and wealthy. Others may be less educated and poor. Often, its composition is also unsettled. Apart from longer-standing, permanent residents, in cities, considerable part of residents in wards and neighbourhoods consists of residents that are seen as temporal, such as seasonal workers, students, and, also, of residents who have recently arrived, migrating from other, often rural, areas. As de Wit and Berner found, in cities '*(t)he concept of community is (...) shown to be problematic, with heterogeneous groups of people living*

²⁹ Mansuri and Rao (2013), p. 5, 14, 75, 128, 129, 135, Abraham and Platteau (2004), p. 226, WorldBank, Ochoa (2011), p. 34, Dasgupta and Beard (2007), p. 229, 244, Fritzen (2006), p. 20, 25, Bandiera and Levy (2010), Chowduri and Yamauchi (2010), p. 15, Beath, Christia and Enikolopov (2011), p. 5, 23, 27, Alatas, Banerjee and others (2013), p. 25, 30.

³⁰ Fritzen (2006), p. 14, 20, 25, Mansuri and Rao (2013), p. 141, Chowduri and Yamauchi (2010), p. 15, Simamora (2011), p. 11, Beath, Christia and Enikolopov (2011), p. 27, Gaventa (2006a), p. 59.

³¹ IDEA (2001), Kaufmann, Buchi and Braun (2007).

together (accidentally and often temporally) (...). Wards and neighbourhoods, besides residents, furthermore, consist of local businesses and occupational workers. A debatable issue is whether a community, besides residents, also includes these businesses and workers, even the more when these are not strictly ward or neighbourhood bound, such as street vendors or pedicab drivers.³²

Historically, local communities form the basis of local governance. Local communities, consist of the people, who reside and live together in the area, share space and interests, and pursue communal interests. Local communities form the constituencies that are to be represented in forums for participation in local administration. This representation is residence-based, as opposed to representation that may be related to other forms of belonging, such as identity or interest.^{33 34}

Residents who have their main residence in a ward or neighbourhood belong to the local community, or constituency. Their status, or title of use, be it ownership, rent or use of property otherwise, such as squatting, should not matter. Local community includes migrants, residents who have recently arrived, and residents that are commonly seen as temporary residents, who reside in the ward or neighbourhood for just a certain period of time, for a number of years or for a major part of the year, such as seasonal workers and students, as well.³⁵

Whether businesses and occupational workers would belong to the community is arguable. Over time, their position within community has considerably changed. People not only lived, they also used to work in the area, in their communities. Businesses and occupational work were local, specifically catering the community. Most businesses were run and most occupational work was done by people living in that ward or neighbourhood. They could be considered being integral part of the community and their interests being community interests or at least concurrent. Nowadays, many businesses and occupational workers have outgrown the community in which they were once rooted, catering larger markets. In turn communities are also catered by outside businesses and occupational workers. Businesses and occupational workers from elsewhere settled in neighbourhoods, catering other markets. The terms of engagement have changed. Instead of being part of the community, businesses and occupational workers have become -what could be qualified as- 'guests'. The community hosts them in an often mutually beneficial engagement. Their interests may often concur, but may also diverge and conflict.

Considering, for more than one reason, local citizenship, or residency, still being the basis of local governance, businesses and occupational workers would not be part of the constituency. This would imply that these groups would not be entitled to vote in local elections and that they would not be eligible as members in local representative bodies. However, local governance does affect the interests of these businesses and workers. For that reason, and to ensure the representation of their interests, these businesses and workers, and the organisations representing their interests, may be entitled to attend and to participate where these interests may be concerned and whenever they so request. In addition, opportunity may be provided to challenge decisions that affect their interests.³⁶

³² De Wit and Berner (2009), p. 943.

³³ Ribot (2007), p. 46, Aswad, Heywood and Susilawati (2011), p. 3. Different: De Souza (2007), p. 284.

³⁴ De Souza discusses the concept of the 'a-geographical city', questioning whether the emphasis on 'residency' and 'community' is outdated. De Souza (2007), p. 284.

³⁵ In Asia, in particular, communities may be seen as residence-based, with a strong emphasis on collective aspirations, sharing and related mutual obligations, for instance, in Indonesia, such as *gotong royong* (mutual assistance) and *swadaya* (self-organisation). Santoso, Pratikno and Lay (2010), p. 5, Rao (2004), p. 10, Mansuri and Rao (2013), p. 70.

³⁶ An alternative proposal is made by the Indian 2nd Administrative Reforms Commission. In urban areas there are pockets that are predominantly commercial. Non-residential stakeholders could be given some representation, preferably through their business associations. The limits for such positions may be restricted to a proportion of seats. 2nd Administrative Reforms Commission (2007), p. 210, § 5.2.2.3.4.

Status and role of civil society

Another matter that needs further consideration is the status and role in local governance of civil society organisations and community-based organisations, other than business or commercial organisations.

The instrumental role these organisations play in building community participation and civic engagement in local governance, deepening democracy, is paramount. In their advocacy role they often also represent groups and interests within community, predominantly focusing on specific issues. Question is whether this representation should be institutionalised, providing these organisations to be eligible to represent community in local government entities.³⁷

There are quite strong arguments to consider this as undesirable. It could be argued that the role and responsibilities of civil society and community-based organisations are different, as are their interests that are often related to one issue or a limited set of issues. It might confuse and it would not improve transparency. Another argument would be that civil society and community-based organisations should preferably stay 'outside the system', countervailing government, operating in a complementary role, cherishing their freedom to act independently and without any restrictions in their respective roles, be it advocacy, expert or monitoring, awareness- and capacity building or other, be it activist and confrontational or closely working together with government and other stakeholders in a consensual manner. Besides, as could be held, that is where these organisations are likely to have the most impact.³⁸

Apart from this, one may question, how representative and democratic are these civil society and community-based organisations themselves? Who do they represent? As Törnquist states, many civic organisations and activists are rarely subject to basic principles of democratic representation, authorisation and accountability.³⁹

To ensure the engagement and participation of civil society and community-based organisations and an adequate representation of the interests they advocate these organisations may be invited to attend and to participate, dependent on the matter at hand, seeking their views and even their advice. They may also be allowed to attend and to participate whenever they request so.

It should be noted that the above would not prejudice the right of members of civil society and community-based organisations, who are a resident, to be eligible in local forums for participation. So would, dependent on eligibility regulations, members of other organisations as, for instance, political parties.

How to ensure representation of under-represented or excluded groups?

As discussed in the above, affirmative action or measures to promote the participation and representation of groups that are commonly seen as under-represented or even excluded in local governance, such as disadvantaged and minority groups or women, may be required and justified. Such measures may, in the words of Mansuri and Rao, make forums more responsive to '*people who would otherwise have little voice*'.⁴⁰

³⁷ Antlöv, Brinkerhof and Rapp (2008), p. 16, Sudarmo and Sudjana (2009), p. 23, ASIA Foundation (2004), p. 22, ASIA Foundation (2011), p. 2.

³⁸ Antlöv, Brinkerhof and Rapp (2008), p. 4, Sumarto (2008), p. 30, Mansuri and Rao (2013), p. 56.

³⁹ Törnquist (2009), p. 19.

⁴⁰ Mansuri and Rao (2013), p. 253.

As Mansuri and Rao summarise research, particularly, on Indian village councils, mandated inclusion seems to increase the representation of women and excluded groups and can be an effective mechanism for promoting greater inclusion in local forums and the interests of these groups. Mandated inclusion also seems to foster the emergence of new leadership. Local context, though, such as inequality, existing patriarchal relations and dominant groups, may limit the effectiveness of such measures. As they add, lasting change requires the inclusion mandates to remain in place long enough to change perceptions and social norms.⁴¹

Affirmative action in the form of electoral quota that compensate for under-representation does not necessarily conflict with understandings of representation in diverse models of democracy, aggregative and deliberative respectively. Representation, in both capacities that representatives may be considered to have, as a trustee and as a delegate, could be seen being based on adhesion with the ideas and interests that are represented on the one hand, and on the relation with the representative, vested on trust and merit, on the other hand. Ideas and interests, and trust and merit as well are informed by miscellaneous factors, such as education, socio-economic position, class, and also by group membership and gender. Participation by all implies representation by all. Full representation, also including the representation of specific ideas, issues and interests of groups, would demand all groups to be present and to be adequately represented. In this, a 'politics of presence' supported by electoral quota would not necessarily challenge a 'politics of ideas'. On the contrary, it has a potential to make it stronger.⁴²

One should, however, at all times be aware of the plurality of ideas and differences of interests that might exist within groups. One should avoid considering groups as undifferentiated, monolithic entities. Group membership is only one of the factors relevant to ideas, interests, trust and merit. Socio-economic position and education, for instance, may be more decisive. Hence, one should critically consider whether apparent under-representation of a group actually implies under-representation of ideas and interests involved or would result in an insufficient basis for building trust and merit, and would necessitate affirmative action in the form of an electoral quota for that group.⁴³

In addition, as discussed above, the demographic composition of the populace of wards and neighbourhoods in cities often is heterogeneous. In urban environments socio-economic factors may be considered being an even more dominant factor, rather than origin, or class. This may mitigate the need for reservations or quota in wards and neighbourhoods for minority or other groups, save, perhaps, for women. One could argue that in urban environments, dependent on the actual composition of the populace of wards and neighbourhoods, reservations or quota may likely be less required, and do even not promote representativeness and may not be desirable at all.

Optimising empowerment

Creating capacity to act

Essential to community and citizen participation and engagement is to adequately empower forums for participation as centres of local self-government. Forums should get an actual 'capacity to act'. They should have meaningful power. They should be able *'to get things*

⁴¹ Mansuri and Rao (2013), p. 9, 262, 276.

⁴² Bacchi (2006), Dahlerup (2006), Barber (2013), p. 347, citing Edmund Burke (1774)

⁴³ Mohanty and Tandon (2006), Gaventa (2006a)

done'. Without, the fruits of participation would be little and participation would remain quite useless. People would be less inclined to participate. The cost of participation, opportunity cost in time and otherwise, would outweigh the benefits. This would not quite promote participation and engagement. Paraphrasing Fung, people participate when doing so yields tangible results in matters that are relevant to them.^{44 45}

Adequate empowerment and capacity to act may be established through decentralisation. Decentralisation is widely considered to promote local democracy by bringing government closer to the people. It has the potential for widening citizen participation. It is a necessary, but not sufficient pre-condition, though. An appropriate extent and depth of decentralisation, empowering local government, and a well-devised institutional design, making forums for participation an integral part of local governance processes and institutionalising citizen participation, seem essential to bring about substantive community and citizen participation and local civic engagement.⁴⁶

In this context, restructuring local power relations is considered crucial. Local power relations and interests and local political culture and traditions may strongly impact the potential of decentralisation, as various studies on decentralisation in Asia, Africa and Latin America show. Authoritarian and clientelistic patterns of relationships may continue to persist and decentralisation may even strengthen these. New patterns may emerge. Decentralisation may even enable the rise of local autocracies and elite capture, promoting forces hostile to democratisation. Also as a result of the above, decentralisation is often not effectively pursued. Severe constraints in capacity and resources of local governments may reduce these forums to mere agents of the central government rather than bodies of local self-governance. As Bardhan and Mookherjee found, decentralisation seems most effective in environments that are socially and economically less unequal, have a tradition of widespread participation, and already function democratically.⁴⁷

Capacity to act should be located in the public domain, with public authorities and forums that operate in the public domain. As Ribot emphasises, retaining substantial public powers in the public domain is essential. The public domain is where democratic public interaction happens and decisions are made. *'Without public powers there is no space of democracy, there is no 'public domain' for citizens to engage and to belong to.'* According to Ribot, privatising public powers and resources to other, often less inclusive and less representative entities, such as customary leaders, non-governmental organisations or other private bodies, diminishes the public domain. It may threaten democratic decentralisation reform efforts. It may result in diffusion and fragmentation of local powers and resources. It weakens local government if it receives too little power and resources to be effective, or if parallel, competing entities overshadow or pre-empt its ability to serve the public interest.⁴⁸

⁴⁴ Stoker (2001), p. 31, Participatory Research in Asia (PRIA) (2010), p. 3, Mansuri and Rao (2013), p. 61, 88, 114, Sumarto (2008), p. 7, referring to Brinkerhoff and Azfar (2006), Fung and Wright (2003), p. 25, Ribot (2007), p. 45, Lowndes, Pratchet and Stoker (2006), p. 4, Fung (2004), p. 28.

⁴⁵ Note that Stoker is actually pointing at something slightly different. The idea, though, is useful in this context. Compare the notion of *'State capability'*, as referred to by PRIA, being *'the extent to which leaders and governments are able to get things done'*. Stoker (2001), p. 31, Participatory Research in Asia (PRIA) (2010), p. 3.

⁴⁶ UNDP (2003), Hidayat and Antlöv (2004), Antlöv (2002), Antlöv (2007), p. 14, Ramos (2007), p. 121, referring to Hutchcroft (2001), Bardhan and Mookherjee (2006), p. 48, Mansuri and Rao (2013), p. 52, 100, 113, 276, Ribot (2007), p. 43.

⁴⁷ Selee and Tulchin (2004), Rocamora (2007), Angeles and Magno (2004), Ramos (2007), Hidayat and Antlöv (2004), [Hadiz (2004), p. 699, 703, Pratikno and Lay (2013), p. 256, Widianingsih (2005), p. 4, Friedman and Kihato (2004), p. 142, Oxhorn (2004), p. 16, Bardhan and Mookherjee (2006), p. 48, Schulte Nordholt and van Klinken (2007)

⁴⁸ Ribot (2007), p. 43 – 47.

Notions of decentralisation

In governance theory three principal notions of decentralisation are quite generally distinguished, reflecting varying levels of authority assigned to the entities to which these authorities are assigned: de-concentration, delegation and devolution. De-concentration is the decentralisation of administration and implementation to other, local or dedicated entities, without also devolving the related authority. Delegation is the restricted and revocable transfer of authority to other entities, to be exercised on behalf of the delegating entity and under its control. Devolution is the full, unrestricted and irrevocable transfer of authority to other entities, to be exercised on their own behalf and solely for their responsibility.⁴⁹

Some authors also use the notion of 'democratic decentralisation', where authority and functions are transferred to local entities that are democratically elected and wholly or largely independent of the central government.⁵⁰

As Oxhorn notes, decentralisation needs to be conceived as a continuum that reflects the dynamics in the relations between different layers of government and that avoids oversimplifying a more complex reality. Levels of autonomy and central government involvement often vary according to issue area. Decentralisation may be 'asymmetrical', and consist of distinct combinations of de-concentration, delegation and devolution, assigning different kinds of responsibilities to local bodies, depending on interests and capacities of these bodies, as Selee and Tulchin mention as an innovative strategy.⁵¹

Appropriate devolution essential

As is widely shared in literature, appropriate devolution of functions, powers and resources, in particular, is considered promoting participation and engagement most effectively. Fung and Wright argue that devolution of public decision authority to empowered local units is one of the institutional design features for participatory governance or, in their conceptual framework, 'empowered deliberative democracy'. According to Oxhorn, as studies show, even limited spaces for autonomy associated with de-concentration can lead to demands for greater levels of autonomy.⁵²

Guiding principle for devolution is the notion of subsidiarity. Paraphrasing the Indian 2nd Administrative Reforms Commission, ensuing from the idea of the citizen as sovereign and stakeholder in a democracy, the citizen must exercise as much authority as practicable and only delegate upward the functions which require economics of scale, technological and managerial capacities or collective amenities, and can be performed more effectively at an upward level than at a more immediate level. As the Commission states, '(i)n this scheme, the citizen and the community are at the centre of governance. In place of traditional hierarchies, there will be ever enlarging concentric circles of government and delegation upward is outward depending on necessity.' A comparable approach has been adopted by the Kerala Committee on Decentralization of Powers, the so-called 'Sen Committee'.^{53 54}

⁴⁹ McGee (2003), Oxhorn (2004), Sudarmo and Sudjana (2009), p. 6.

⁵⁰ Manor (1997), referred to in Nierras (2002), referred to in McGee (2003).

⁵¹ Oxhorn (2004), Selee and Tulchin (2004), p. 312, USAID / LGSP (2009), p. 58.

⁵² Fung and Wright (2001), p. 21, Oxhorn (2004).

⁵³ 2nd Administrative Reforms Commission (2007), p. 14, Isaac and Franke (2004).

⁵⁴ These approaches reflect the three concepts that are fundamental to the constitutional framework in South Africa, as adopted in 1997. As Heymans relates, this framework is based on 'spheres' of government, rather than tiers, cooperative relationship, rather than hierarchical, and the devolution of powers and resources in conformity with the subsidiarity principle. Note, that according to Friedman and Kihato, '(...) this serves merely to mask the extent to which municipalities are formally subordinated to the other systems (...)'. Heymans (2006), Friedman and Kihato (2004), p. 145.

A more managerial and top-down, and less citizen-centric, less bottom-up approach, is the approach of the OECD. According to the OECD, for the quality of governance to be the best and the costs least services must be delivered by the most local level that has sufficient scale to reasonably deliver them. A similar concept is advocated by Shah. Shah argues that control over a public function must be assigned to the lowest levels of government, consistent with allocative efficiency, the geographic area that internalises the benefits and the costs of decision-making.^{55 56}

Accordingly, borrowing from Mansuri and Rao and Bardhan and Mookherjee respectively, functions may best be devolved to the most local levels of government when community preferences and needs are heterogeneous across communities and vary with time, and require a high degree of responsiveness to community needs or local knowledge. These levels are most likely to be better informed about these preferences and needs, and to have the best knowledge, and thus to exhibit greater responsiveness, and may perform most effectively. Also, as Bardhan and Mookherjee add, improving accountability can justify devolution, even if preferences and needs do not manifest any significant heterogeneity across local communities.⁵⁷

Devolution should be real and meaningful and in real terms. It should include all relevant powers and resources necessary to discharge the mandate and to deliver the services, in terms of functions, finance and functionaries (the so-called '3 F's'). The delineation between the various entities, in this context particularly between municipality and lower sub-municipal bodies, should be conceptually and operationally clear and unambiguous. The functions should preferably be complementary to each other. Also, the delineation between functions that are devolved and functions that pursuant to the subsidiarity principle are not devolved, but delegated or de-concentrated, should be clear and unambiguous.⁵⁸

Improving responsibility

Responsibility, responsiveness, accountability

Government, its institutions and officials are responsible to those from whom they derive their authority and whom they represent. Government and policies should also be responsive to the needs and aspirations of citizens and, besides, uphold their rights. To act responsive local governments need to be empowered to respond. They need to be adequately mandated and resourced to implement policies that address these needs and aspirations. Responsiveness demands policies to adjust to diverse and changeable local needs. As is widely shared, responsibility and responsiveness are sustained by accountability. Accountability fosters and is even considered a pre-condition to responsibility and responsiveness. Hence, local government, its institutions, and officials should be accountable. As studies confirm, creating mechanisms for accountability on local level is essential to effective community participation and civic engagement in local governance.⁵⁹

⁵⁵ OECD (2000), Shah (1994), as cited in Ramos (2007).

⁵⁶ Shah poses subsidiarity opposite to 'residuality'. The residuality principle is applied in unitary countries, where local government are assigned functions that the central government is unwilling to do. Shah and Shah (2006).

⁵⁷ Mansuri and Rao (2013), p. 58, 73, Bardhan and Mookherjee (2006), p. 7.

⁵⁸ 2nd Administrative Reforms Commission (2007), Sen Committee, as quoted in Isaac and Franke (2004), Tandon and Kak (2007), UNDP (2003), Selee and Tulchin (2004).

⁵⁹ Participatory Research in Asia (PRIA (2010), p. 3, Mansuri and Rao (2013), p. 114, Bardhan and Mookherjee ((2006), p. 6, Ribot (2007), p. 45, Ramos (2007), Hidayat and Antlöv (2004), Eckardt and Shah (2006), p. 268, Aswad, Heywood and Susilawati (2011), p. 5), Lowndess and Pratchett (Undated), p. 4.

Accountability may be referred to as the way government, its institutions and officials are held answerable for their conduct and the outcomes induced, and render account with regard there-to to those whom it may concern. To actually function, accountability must be enforceable. It pre-supposes that those whom it may concern have the right and capacity to ensure propriety of policy, implementation, performance or conduct, and to redress and if needed sanction policy, implementation, performance or conduct that they deem non-accountable or unsatisfactory, and that those who are held answerable and are asked to render account have the obligation to respond. According to Newell and Bellour, *'the ability to demand and exercise accountability implies power. The right to demand and the capacity and willingness to respond to calls for accountability assumes relations of power. Indeed the very function of accountability is to ensure that those who wield power on behalf of others are answerable for their conduct (...)'*⁶⁰

Arrangements establishing accountability

Institutional arrangements at all levels of local government should establish accountability, ensuring propriety and improving responsiveness. Local government and officials should be both 'downward' accountable to citizens and community, and 'upward' accountable to super-ordinate government entities. In addition to that, institutional arrangements should establish both direct accountability, between elected representatives, government entities and officials and citizens, community and others that have interest, and indirect accountability, through agencies that monitor, control or audit on behalf of citizens and community or other government entities.⁶¹

Traditional mechanisms that promote accountability, or have this potential, dependent on context and in combination with further arrangements, are institutional checks and balances, judicial oversight and the electoral process, including rules on eligibility and limited tenure. Arrangements on the governance of wards and neighbourhoods should comprise adequate checks and balances and should allow for effective judicial oversight. Having the leadership of wards and neighbourhoods elected may be considered. Furthermore, it may be considered to provide for recall procedures for elected representatives and executives. In addition, at ward and neighbourhood level the institutional arrangements should provide for or at least accommodate other mechanisms too.⁶²

Downward, direct mechanisms that may be considered would include 'social accountability' mechanisms. Social accountability mechanisms, as opposed to legal, political, fiscal forms of accountability mechanisms, rely on civic engagement, as Gaventa describes, ordinary citizens and civil society organisations that participate directly or indirectly in exacting accountability. Such mechanisms have the potential to effectively work. This could include mechanisms such as hearings, participatory planning and budgeting, and independent budget analysis in the sphere of policy, planning, budgeting, and resource allocation. With regard to resource utilisation, service delivery and performance this may include monitoring, evaluation and grievance redressal mechanisms, such as community-based monitoring and evaluation, community-based or 'social' audits, expenditure tracking surveys, citizen and community report- or scorecards, citizens' 'service' charters, and complaints procedures. Downward and upward indirect mechanisms that may be considered include internal audits

⁶⁰ McGee (2003), IDS (2006), as cited in PRIA (2010), IDS (2006), Stokes and Manin (1999), p. 10, cited in Bardhan and Mookherjee (2006), p. 5, Newell and Bellour (2002), as quoted in McGee (2003), p. 12.

⁶¹ Chamarai and Rao (2006, 2010), Participatory Research in Asia (PRIA) (2010), Mansuri and Rao (2013), p. 145, 286, Simamora (2011), p. 13, Selee and Tulchin (2004), p. 309, 312.

⁶² Mansuri and Rao (2013), p. 17, 141, 147, 286, Alatas and Banerjee (2013), p. 5, 23, Antlöv, Brinkerhoff and Rapp (2008), p. 4.

and inspections and sideways reporting, as well as external audits and inspections by independent audit agencies.⁶³

Last, but not least, in exacting accountability, the right to information as nowadays provided in public information acts in many countries, and free media, are widely seen as crucial.⁶⁴

⁶³ Gaventa (2006a), p. 53, Molena, Forster and Singh (2004), World Bank, as cited in Participatory Research in Asia (PRIA) (2010), p. 1, 2nd Administrative Reforms Commission (2007), World Bank (2003), as cited in Baud and Dhanalakshmi (2008), Participatory Research in Asia (PRIA) (2010), ANSA - EAP (2012), p. 54, UNDP (2007), p. 4, Mansuri and Rao (2013), p. 147, 286.

⁶⁴ Mansuri and Rao (2013), p. 286, others.

3. *INSTITUTIONAL DESIGN OF URBAN GOVERNANCE*

Introduction

Legislation on urban governance

In aftermath of the *reformasi*, ambitious legislation on local administration has been enacted. In this section we will discuss what legislation, laws and regulations, have been adopted at the national (or, central) level, and what institutional arrangements have been established concerning the governance of cities, and, more in particular, the participation and engagement of citizens and community. We will concentrate on how the municipal administration is structured and empowered in wards and neighbourhoods, and what is provided regarding the participation of citizens and community in urban governance in wards and neighbourhoods. In this section we will, also, briefly discuss what legislation is in the process of preparation or considered. In the next sections we will examine how these arrangements are implemented at the municipal level in two cities, Surakarta and Banda Aceh, and what supporting policies are provided for.

As we will find, currently, distinct arrangements exist for community and citizen participation at ward and neighbourhood level in general, 'day-to-day' urban administration and development planning respectively. In this study, focus will be on these two areas. Other, more specific areas of urban administration, such as spatial planning, social welfare, health care and education, also for practical reasons, fall beyond the scope of this study.

Administration

The *Reformasi* gave rise to a radical decentralisation of the Indonesian administration, widely known as the 'Big Bang'. With law 22 / 1999 on regional administration most administrative affairs were devolved to the regional governments, in particular to districts (or: regencies) (*kabupaten*) and municipalities (*kota*), surpassing provinces (*provinsi*). With the national government remained only six affairs: foreign policies, defence and security, judicial policies, national monetary and fiscal policies, religious affairs and 'other' affairs, such as national development planning and control.^{65 66}

Law 32 / 2004 on regional administration, which replaced law 22 / 1999, merely consolidated this decentralisation. At the same time, it re-instated the position of the provinces as representative of the national government. All administrative affairs (*urusan pemerintahan*) remained devolved to regional administrations, province, district and municipality, becoming their authority, except for the six administrative affairs that according to the law remained with the government as governments' affairs (*urusan pemerintah*): foreign policies, defence, security, judicial policies, national monetary and fiscal policies, and religious affairs. The government can delegate part of its affairs to regional administrations as its representative or to vertical agencies (de-concentration), or assign affairs on the principle of assistance (*tugas pembantuan*)⁶⁷

⁶⁵ UU 22 / 1999 (Pemerintahan Daerah) § 7.1, 2.

⁶⁶ See for further details, comments and context, among others, Antlöv (2007), p. 4, Hadiz (2004), p. 703, Schulte Nordholt and van Klinken (2007), p. 11, Ito (2006), p. 139.

⁶⁷ UU 32 / 2004 (Pemerintahan Daerah) §§ 10.1, 3, 4, 5.

Early 2014 a new law has been enacted concerning rural administration, the law on villages (*desa*), law 6 / 2014. This law governs the status and administration of rural villages, replacing the section on village administration in law 32 / 2004. Concerning urban administration law 32 / 2004 remained applicable.⁶⁸

Fall 2014 a new law on regional administration has been enacted, law 23 / 2014. This law replaces law 32 / 2004. The law is yet to be implemented by the government and local governments. All laws and regulations pertaining to the implementation of regional administration remain valid as long as not replaced, and they do not conflict with the provisions of this law.⁶⁹

Essentially maintaining the concept of decentralisation adopted earlier, law 23 / 2014 re-defines and re-delineates the distribution of authority concerning administrative affairs between the government and regional governments. The authority concerning the six administrative affairs mentioned above remain with the government (*urusan pemerintahan absolut*). A number of administrative affairs are the authority of the President as head of the government (*urusan pemerintahan umum*). The authority concerning so-called concurrent administrative affairs will be shared between the government, province, districts and municipalities (*urusan pemerintahan konkuren*). The division will be based upon principles of accountability, efficiency, externality and considerations of national strategic interest.⁷⁰

Under the new law municipalities retain a wide-ranging autonomy to govern and to manage the administrative affairs by them selves based on the principles of local autonomy (*otonomi daerah*) and assistance (*tugas pembantuan*). Municipalities will be responsible for concurrent administrative affairs that are in their area, solely impact their area, and can most efficiently be done by them. These affairs will be devolved to municipalities under the principle of local autonomy (*desentralisasi*). Municipalities have the right to determine policies concerning the administrative affairs that are their authority, guided by norms, standards, procedures and criteria established by the government. In addition, the implementation of concurrent affairs in the area of municipalities that are the authority of the government or province may be assigned to municipalities as assistance tasks (*tugas pembantuan*). Municipalities have the right to establish policies in implementing these assistance tasks. Furthermore, the implementation in the area of municipalities of affairs that are the authority of the President may be assigned to the mayor (*dekonsentrasi*).⁷¹

Concurrent administrative affairs devolved to the municipality consist of mandatory affairs (*urusan pemerintahan wajib*) and optional affairs (*urusan pemerintahan pilihan*). Mandatory affairs are to be implemented by all municipalities. They concern basic services and affairs not related to basic services as well. Mandatory affairs include education, health, public works and spatial planning, housing, food, land, environment, transportation, peace and order, social policies, empowerment of community and women, and local business development. Optional affairs are affairs that shall be implemented in accordance with the specific local circumstances. Municipalities have to prioritise the implementation of mandatory affairs relating to basic services. Mandatory affairs concerning basic services are to be implemented according to minimum service standards (*standar pelayanan dasar*) established by the government.⁷²

⁶⁸ UU 6 / 2014 (Desa).

⁶⁹ UU 23 / 2014 (Pemerintahan Daerah) § 408.

⁷⁰ UU 23 / 2014 §§ 9.1 – 3, 9.5, 10.1 (a - f), 13.1. Compare UU 32 / 2004 §§ 10.1 – 3.

⁷¹ UU 23 / 2014 §§ 1.6 - 1.9, 1.11, 9.4, 13.1 – 13.4, 17.1, 17.2, 19.1 (c), 19.4, 20.1 (b), 20.2, 22.1, 25.2. Compare UU 32 / 2004 §§ 1.7 – 1.9, 10.2, 20.3, 21 (a).

⁷² UU 23 / 2014 §§ 1.14, 1.15, 12.1 (a - f), 12.2 (a - r), 12.3 (a - h), 16.1 (a), 18.1, 18.2. Compare UU 32 / 2004 §§ 10.2, 11.3, 4, 14.1 (a - p), 14.2.

Municipalities may delegate or assign the implementation of part of the administrative affairs to sub-districts (*kecamatan*) and wards (*kelurahan*).⁷³

In the implementation of administration municipalities shall encourage community participation. Municipalities shall foster community groups and organisations to actively engage in municipal administration and shall develop institutions and mechanisms that enable community groups and organisations to engage in regulation and policies, planning, budgeting, implementation, monitoring and evaluation of development, management of assets and resources, and the implementation of public services.⁷⁴

Municipalities are funded by government transfers, local taxes and levies, local revenues and other income, and through other legitimate sources. Basis for the management of municipal finance is the annual municipal budget (*anggaran pendapatan dan belanja daerah*, or *APBD kota*). Further provisions regarding municipal finance and the fiscal relation between government and municipalities are provided by law 33 / 2004 on fiscal balance between government and regional governments.^{75 76}

Municipal administrations are guided and supervised by the provincial governor as representative of the government.⁷⁷

Further arrangements regarding the municipal administration will be provided by government regulations, ministerial regulations and ministerial decrees. As yet no regulations have been issued. As cited above, until then, all prevailing regulations pertaining to the implementation of regional administration remain valid as long as they do not conflict with the provisions of the new law.^{78 79}

Four provinces have a special status and are given special autonomy. This concerns the province of Aceh, the special provinces of Jakarta and Yogyakarta, and Papua. The above legislation applies save provided otherwise by separate law.⁸⁰

The current arrangement on autonomy for Aceh ensues from the Helsinki peace treaty of 2006. Law 11 / 2006 on the administration of Aceh replaces previous laws concerning the status and governance of Aceh. The law further details the special arrangements that were agreed. The law accommodates specific features of Acehnese indigenous administration, indigenous law and customs (*adat*), and religion. This will be discussed in more detail below in Section 5.⁸¹

⁷³ UU 23 / 2014 §§ 225.1, 226.1, 229.4. Compare UU 32 / 2004 §§ 126.2, 127.2.

⁷⁴ UU 23 / 2014 §§ 354.1 – 7, 223.3, 351.1, 3.

⁷⁵ UU 23 / 2014 §§ 279 - 330, UU 33 / 2004 (Fiscal Balance between Government and Regional Governments).

⁷⁶ UU 33 / 2004 has not (yet) been revoked, adapted or replaced. UU 23 / 2014 does not comprise any reference to UU 33 / 2004. UU 23 / 2014 §§ 407 – 410, Closing Provisions).

⁷⁷ UU 23 / 2014 § 373.2.

⁷⁸ UU 23 / 2014, miscellaneous provisions, § 408.

⁷⁹ Current legislation under UU 32 / 2004 comprises amongst other: PerPem 38 / 2007 (Division of Administrative Affairs between Government, Provincial Government and District / Municipal Government), PerPem 7 / 2008 (Decentralisation and Assistance Tasks), PerPem 19 / 2008 (Sub-districts (Kecamatan)), PerPem 73 / 2005 (Wards (Kelurahan)), PerPem 41 / 2007 (Organisation of Regional Apparatus), PerPem 65 / 2005 (Guidelines Minimum Service Standards), PerPem 79 / 2005 (Guidance and Supervision Regional Administration), PerMen 36 / 2007 (Delegation of Administration Affairs to Head of Ward), PerMen 31 / 2006 (Establishment, Deletion and Merger of Wards), PerMen 5 / 2007 (Guidelines Organisation Community Institutions).

⁸⁰ UU 23 / 2014 § 399, UU 11 / 2006 (Aceh), UU 29 / 2007 (Jakarta), UU 13 / 2012 (Yogyakarta), UU 21 / 2001 (Papua).

⁸¹ UU 11 / 2006.

Development Planning

Development planning is one of the administrative affairs assigned to the municipality as an integral part of the national development planning. Law 25 / 2004 on the national development planning system establishes the overall framework for development planning. Development planning includes all functions of administration (*semua fungsi pemerintahan*). Development planning consists of the integrated preparation of development plans by ministries and institutions at the national level, and regional governments at the provincial, district and municipal levels respectively. Development plans integrate spatial plans and land use. Municipal development plans differ in level, scope and time frame, from the long-term municipal development plan (*rencana pembangunan jangka panjang daerah*, or: *RPJPD kota*) (20 years), and the medium-term municipal development plan (*rencana pembangunan jangka menengah daerah*, or: *RPJMD kota*) (5 years), to the municipal work plan (*rencana kerja pemerintah daerah*, or: *RKPD kota*) (1 year), and other plans, such as strategic plans (*rencana strategis*, or: *RenStra*) and a work plan of the municipal departments (*rencana kerja satuan kerja perangkat daerah*, or: *RenJa SKPD*).⁸²

At the municipal level, planning is done by the municipal government with stakeholders (*pemangku kepentingan*) in a 'bottom-up - top-down' and participatory approach. The planning process is implemented in phases. It starts with an initial draft plan, followed by discussion with stakeholders in so-called development planning meetings (*musyawarah perencanaan pembangunan*, or *musrenbang*) from neighbourhood and ward to municipality, resulting in a final draft, discussion and decision-making in the municipal council (*dewan perwakilan rakyat daerah kota*, or: *DPRD kota*) and the enactment of the plan.⁸³

Administration

Kecamatan

Municipalities are divided in sub-districts (*kecamatan*). *Kecamatan* are part of the municipal apparatus (*perangkat kota*). *Kecamatan* have to enhance the coordination of administration, public services and the empowerment of communities in wards. *Kecamatan* are the technical administrator in the area.⁸⁴

Kecamatan are funded by the municipality through the municipal budget (*APBD kota*), by the government through the national budget and by other sources respectively, depending on the administration affair that is implemented.⁸⁵

Kecamatan are guided and supervised by the mayor.⁸⁶

Further regulation pertaining to *kecamatan* is provided by government regulation.⁸⁷

⁸² UU 23 / 2014 §§ 258, 260, 263, UU 32 / 2004 §§ 150 – 154, UU 25 / 2004 (National Development Planning System) §§ 3.1 - 3.3, PerPem 8 / 2008 (Phases, Procedures, Control and Evaluation of Regional Development Planning) §§ 2, 4.

⁸³ UU 23 / 2014 §§ 261.1, 262, 264.1, 2, PerPem 8 / 2008 §§ 2, 4, Explanation § I General.

⁸⁴ UU 23 / 2014 §§ 1.24, 209.2 (f), 221.1, 2, PerPem 41 / 2007 § 17.1, PerPem 19 / 2008 §§ 2, 14.1. Compare UU 32 / 2004 § 126.1.

⁸⁵ UU 23 / 2014 §§ 225.2, 227, PerPem 19 / 2008 §§ 33 – 34.

⁸⁶ UU 23 / 2014 § 224.1, PerPem 19 / 2008 § 31, 32.

⁸⁷ UU 23 / 2014 § 228, 232.1, PerPem 41 / 2007 § 17.7.

Camat

Kecamatan are led by a head (*camat*). *Camat* are part of the municipal civil apparatus. *Camat* are responsible to the mayor through the municipal secretary. *Camat* are appointed by the mayor upon recommendation of the municipal secretary and chosen from civil servants who meet the functional and legal requirements.⁸⁸

The functions of the *camat* include coordinating community empowerment, maintaining peace and public order, the maintenance of infrastructure and public service facilities, the implementation and enforcement of regulations, and activities undertaken by the municipal apparatus in the area, directing and supervising the activities of *kelurahan*, and implementing administration affairs that are the authority of the municipality and that are not implemented by other municipal departments, administration affairs that are delegated to the *camat*, and general administration affairs (*urusan pemerintahan umum*).⁸⁹

Camat are assisted by a *kecamatan* secretariat and apparatus (*perangkat kecamatan*).⁹⁰

Kelurahan

Kecamatan in cities consist of wards (or 'urban villages') (*kelurahan*). *Kelurahan* are part of the municipal apparatus in *kecamatan*. The functions of *kelurahan* are enhancing public services, performing administration functions and developing community. *Kelurahan* consist of more than 2000 people (or: 400 households) up to more than 4500 people (or: 900 households) in the most densely populated parts of Indonesia. *Kecamatan* consist of 10 *kelurahan* at maximum, 5 *kelurahan* at least.⁹¹

Kelurahan are funded by the municipality through allocation in the municipal budget (*APBD kota*), and, also, by the central and provincial government, and other sources. The allocated municipal budget is inserted in the *kecamatan* budget. Budget is allocated on basis of criteria, such as population, density, area, characteristics, type and volume of services and wholesale transfer of tasks. Apart from funding, the delegation of functions to a *kelurahan* includes the transfer of resources, such as facilities, infrastructure, and staff.⁹²

Municipal government and the *camat* provide guidance and supervision, as, also, do government and provincial government. The duties of the *camat* include the fostering of the administration of *kelurahan* in the area of the *kecamatan* and the overall guidance and deliberation.⁹³

Further provisions concerning the establishment, functions, functioning and funding of *kelurahan* are established by government regulation, municipal regulation and regulation of mayor.⁹⁴

⁸⁸ UU 23 / 2014 §§ 224.1, 2, 229.2, 3, PerPem 41 / 2007 § 17.5 - 6, PerPem 19 / 2008 §§ 14.1 - 2, 24 - 25. Compare UU 32 / 2004 §§ 126.2, 4.

⁸⁹ UU 23 / 2014 § 225.1 (a - i), 226.1 - 3, 25.6, PerPem 41 / 2007 § 17.2 - 4, PerPem 19 / 2008 §§ 15.1 - 2, 16 - 22. Compare UU 32 / 2004 §§ 126.2 - 3 (a - g).

⁹⁰ UU 23 / 2014 § 225.3, PerPem 19 / 2008 § 23.

⁹¹ UU 23 / 2014 §§ 229.1, PerPem 73 / 2005 §§ 2.1, 2.6, 3.1, 2, PerPem 41 / 2007 § 18.1, PerPem 19 / 2008 § 6, PerMen 31 / 2006 §§ 2, 5. Compare UU 32 / 2004 §§ 120.2, 127.1.

⁹² UU 23 / 2014 §§ 230.1, 2, PerPem 73 / 2005 §§ 4.4, 9.1, 9.2 a - f, PerMen 36 / 2007 § 4. Compare UU 32 / 2004 § 12.

⁹³ UU 23 / 2014 § 225.1, PerPem 73 / 2005 §§ 23 -27, PerPem 19 / 2008 §§15.1 (e), 16 (a - b), 21, PerPem 41 / 2007 § 17.3 (f), PerMen 31 / 2006 § 10, PerMen 36 / 2007 §§ 8, 9. Compare UU 32 / 2004 §§ 126.3, 217 - 223.

⁹⁴ UU 23 / 2014 §§ 228, 232.1, PerPem 73 / 2005 §§ 2.6, 4.5, 6.5, PerPem 41 / 2007 § 18.4.

Lurah

Kelurahan are led by a head (*lurah*). *Lurah* are part of the civil apparatus of the *kecamatan* (*perangkat kecamatan*) and are responsible to the *camat*. *Lurah* are appointed by the mayor upon recommendation of the municipal secretary and chosen from civil servants who meet the legal requirements.⁹⁵

Lurah have to assist the *camat* in conducting the administration of the *kelurahan*, the empowerment of the community, performing public services, maintaining public peace and order, maintaining infrastructure and public services facilities, and to perform other duties assigned by the *camat*, and duties as provided by legislation.^{96 97}

Lurah are assisted by a *kelurahan* secretariat and apparatus. Secretary and apparatus are accountable to the *lurah*. The apparatus is filled by civil servants, appointed by the secretary of the municipality upon recommendation of the *camat*.⁹⁸

Further provisions concerning the functions and functioning of the *lurah* are provided by municipal regulation and regulation of mayor.⁹⁹

Kelurahan community institutions

In *kelurahan*, community institutions (*lembaga masyarakatan kelurahan*, or: *LMK*) can be established to assist the *lurah*. Community institutions in a *kelurahan* include *kelurahan* community empowerment institutions (*lembaga pemberdayaan masyarakat kelurahan*, or: *LPMK*), *kelurahan* community resilience institutions (*lembaga ketahanan masyarakat kelurahan*, or: *LKMK*), citizen associations (*rukun warga*, or: *RW*), neighbourhood associations (*rukun tetangga*, or: *RT*), family empowerment and welfare organisations (*pemberdayaan dan kesejahteraan keluarga*, or: *PKK*), youth organisations (*karang taruna*), and other community institutions.¹⁰⁰

Kelurahan community institutions can be established, according to the need, on the initiative of the community or the municipal government, and have to be facilitated by the municipal government. Community institutions are established through deliberation and consensus. Their function is to assist the *lurah* in the implementation of administrative affairs, development, and social and community empowerment, and to ensure the smooth execution of the tasks of the *lurah*.¹⁰¹

The functions of community institutions are, among others, to gather and channel community aspirations, to improve government services to the community, to plan, implement and manage development, to increase community participation in development,

⁹⁵ UU 23 / 2014 §§ 229.2, 3, PerPem 73 / 2005 §§ 3.2, 3.3 - 4, PerPem 41 / 2007 § 18.2 - 3. Compare UU 32 / 2004 §§ 127.2, 4, 5.

⁹⁶ UU 23 / 2014 §§ 229.4 (a - g), PerPem 73 / 2005 § 4.1 - 5, 5.1 (a - e), 7, 8, PerMen 36 / 2007 §§ 2, 3. Compare UU 32 / 2004 § 127.2, 3.

⁹⁷ Pursuant to UU 32 / 2004, *lurah* were responsible for the management of administrative affairs within the *kelurahan*, development and community. In addition, they had to execute and implement administrative affairs delegated by the mayor. Functions of the *lurah* included the administration of the *kelurahan*, the empowerment of the community, providing public services, creating public peace and order, maintaining infrastructure and public service facilities, and the development of community institutions. UU 32 / 2004 § 127.2, 3, PerPem 73 / 2005 §§ 4.1 - 5, 5.1 (a - e), 7, 8, PerMen 36 / 2007 §§ 2, 3).

⁹⁸ PerPem 73 / 2005 § 6.1 - 4. Compare UU 32 / 2004 § 127.6 -7.

⁹⁹ UU 23 / 2014 § 232.1, 2, PerPem 73 / 2005 §§ 4.5, 6.4.

¹⁰⁰ PerPem 73 / 2005 §§ 10, 11, Explanation, PerMen 5 / 2007 §§ 2.1, 2.4, 3.3, 7 (a - f). Compare UU 32 / 2004 § 127.8.

¹⁰¹ PerPem 73 / 2005 §§ 10, 11, Explanation, PerMen 5 / 2007 §§ 2.1, 2.4, 3.3, 7 (a - f).

to promote community initiatives, participation and community self-organisation mutual cooperation (*swadaya gotong royong masyarakat*), and community empowerment. Working procedures with the *lurah* and between community institutions are consultative and coordinative in nature. With third parties in the *kelurahan*, community institutions are supposed to work in partnership.¹⁰²

LPMK and *LKMK* have, more in particular, the function to prepare the *kelurahan* development plan in a participatory way (*secara partisipatif*), to mobilise community self-organisation mutual cooperation and to implement and control development. *PKK* assist the *lurah*, as a partner (*mitra*) in the empowerment and improving the welfare of families. *Karang taruna* perform several duties on behalf of youth in the *kelurahan*.¹⁰³

The leadership, or board, of *kelurahan* community institutions is nominated through deliberation and consensus (*musyawarah dan mufakat*) by members of the community. Members are citizens residing in the *kelurahan* (*warga, penduduk kelurahan*). Candidates have to be resident of the *kelurahan*, to have 'will, ability and awareness', and should not have a concurrent position in other community institutions, nor being a member of a political party. Board members are appointed for three years and may be re-elected for another three years.¹⁰⁴

Kelurahan community institutions are funded by the community (*swadaya masyarakat*), and through the *kelurahan* budget (*anggaran pemerintah kelurahan*, or: *APK*). In addition, funding is provided by the government, provincial government, the municipality, and other sources.¹⁰⁵

Kelurahan community institutions are guided and overseen by the municipal government and the *camat*. Guidance is, furthermore, provided by the government and provincial government.¹⁰⁶

Further provisions concerning the formation, functions, functioning and funding of *kelurahan* community institutions, and community meetings, are established by municipal regulation.¹⁰⁷

RW and RT

In neighbourhoods, *RW* and *RT* are established to assist the *lurah* in the administration of administrative affairs in the neighbourhood. In addition to the functions of community institutions mentioned above, more specifically, *RW* and *RT* have the function to document residents and to perform other administrative services on behalf of the administration, to maintain security, peace and harmony among citizens, to do proposals with regard to the realisation of development by developing the aspirations and self-organisation of the community, and to drive the self-organisation mutual cooperation and participation of the community in the area. Their working procedures with the *lurah* and with other community organisations are also consultative and coordinative in nature. With third parties in the *kelurahan* they work in partnership.¹⁰⁸

¹⁰² PerPem 73 / 2005 §§ 12 – 14, 18, 19, PerMen 5 / 2007 §§ 4.2 (a – j), 5 (a – e), 22.

¹⁰³ PerMen 5 / 2007 §§ 8, 9 (a – f), 11, 12 (a – j), 13 (a – b), 16, 17 (a – k).

¹⁰⁴ PerPem 73 / 2005 §§ 15 – 17, PerMen 5 / 2007 §§ 19 (a – d), 20.1 (a – d), 20.2, 20.4.

¹⁰⁵ PerPem 73 / 2005 §§ 20, 21, PerMen 5 / 2007 § 29 a – d.

¹⁰⁶ PerPem 73 / 2005 §§ 23 – 27, PerMen 5 / 2007 §§ 23, 24 – 27.

¹⁰⁷ PerPem 73 / 2005 § 22.1, 22.2 (a – g), PerMen 5 / 2007 § 31.1 – 3.

¹⁰⁸ PerPem 73 / 2005 §§ 11, 12 – 14, 18, 19, PerMen 5 / 2007 §§ 14, 15 (a – d), 22.1 – 3.

RW and *RT* are administrated by a head of *RW* or *RT* (*kepala RW, RT*), and a board of *RW* or *RT*. The head and other members of the board are nominated by the residents in the area through deliberation and consensus (*musyawarah dan mufakat*). The requirements for nomination are similar to the requirements for nomination of board members of other *kelurahan* community institutions. Heads and other board members of *RW* and *RT* are also appointed for a term of 3 years, and may be re-elected for another term of 3 years.¹⁰⁹

RW and *RT* are funded by them selves through community self-organisation (*swadaya masyarakat*) and the *kelurahan* budget, and, in addition, by the government, provincial government and the municipality, and other sources.¹¹⁰

RW and *RT* are also guided and supervised by the municipal government and the *camat*, and, furthermore, by the government and provincial government.¹¹¹

Further provisions concerning the formation, functions, functioning and funding of *RW* and *RT*, and community meetings, are established by municipal regulation.¹¹²

Development Planning

Development planning process

Municipal development planning consists of an annual cycle of preparation, discussion and determination of development plans. As said above, the approach is 'bottom-up and top-down'. Results are harmonised, aligned and integrated with the overall municipal development planning and priorities through a discussion that is conducted starting from the 'village'. A series of development planning meetings (*musrenbang*) is held at different levels: in cities, from *RT*, *RW* and community institutions, *kelurahan* and *kecamatan*, up to the municipality. Annually, a series of meetings is held to discuss next years' plan. The community has the right to be involved in every process and each phase of the local development planning process. The meetings are 'a vehicle' for community participation in the area. They are an effort to gather community aspirations. Among others, they aim at accommodating the aspirations of communities that have no access to policy-making, inclusive of marginalised and vulnerable groups, through special channels of communication.¹¹³

A preliminary draft annual municipal development plan (*RKPD kota*) is conceived by the municipal planning board (*BAPPEDA*), on basis of the municipal mid-term development plan (*RPJMD kota*) and draft working plans of the municipal departments (*Renja SKPD*) and other draft plans. The draft plan includes, among others, funding, indicative ceilings and a funding framework to encourage community participation, and a design for the municipal development planning meetings. Plans have to be formulated in a transparent, responsive, efficient, accountable, participatory, measurable, equitable and sustainable manner. The draft plan will be discussed in *musrenbang*. The cycle of meetings has to be finalised no later than March. The final draft plan will be based on the results of the *musrenbang*. The draft plan serves as a guideline for the preparation of the municipal budget (*APBD kota*). The final plan will be determined by a regulation of the mayor on the municipal development plan, and has to be submitted to the governor and the minister. The plan will be

¹⁰⁹ PerPem 73 / 2005 § 16, PerMen 5 / 2007 §§ 19 (a – d), 20.1 (a – d), 20.2, 20.4.

¹¹⁰ PerPem 73 / 2005 §§ 20 - 21, PerMen 5 / 2007 § 29 (a – d).

¹¹¹ PerPem 73 / 2005 §§ 23 – 27, PerMen 5 / 2007 §§ 23, 24 – 27.

¹¹² PerPem 73 / 2005 §§ 22.1, 22.2 (a – g), PerMen 5 / 2007 § 31.1 – 3.

¹¹³ UU 25 / 2004 §§ 1.21, 9, 20 -27, PerPem 8 / 2008 §§ 1.16, 6, 13, 18, 20, PerMen 54 / 2010 (Phases National Development Planning) §§ 1.42, 3 (a – d), 4 (a – l), 5.6 (Principles), 6, 8, 10 (Approach).

disseminated to the public by the mayor. Process and procedures are provided for by government regulation.¹¹⁴

In urban areas, municipal spatial planning has to be aligned and integrated with the municipal development planning process, also seeking engagement of the community.¹¹⁵

The policy formulation and program planning process incorporates principles of empowerment (*prinsip pemberdayaan*). The process should be equitable, democratic, decentralised, participatory, responsive, transparent, and accountable. It is to be implemented with the involvement of all stakeholders. Stakeholders should be involved in the decision-making process at every stage. All segments of community should be represented, including vulnerable groups, marginalised and women. There should be equality between stakeholders from government and non-government elements in decision-making. Consensus or agreement in every important phase of decision-making should be achieved. A sense of belonging should be created.¹¹⁶

The municipal *musrenbang* cycle at *kelurahan* and *RW / RT* level is further detailed in the Technical Instructions on the organisation of *musrenbang* 2007, issued by ministerial joint circular. Initially, these instructions were issued pending the issuance of a ministerial regulation on phases, procedures for preparation, control and evaluation of implementation of development plans. According to the ministerial joint circular on the organisation of *musrenbang* 2008, the municipal development planning cycle in 2008 had to be organised conform these instructions, and / or local, municipal regulation. Since, this has remained standing practice.^{117 118}

The municipal planning process and the implementation of plans are controlled, evaluated and monitored by the government, the provincial government and the municipal government, and, particularly, by *BAPPEDA*. Reporting is done annually and quarterly, depending on the type of plan. Reports have to be sent to the mayor. The mayor shall provide information on the results of the evaluation of implementation of development plans to the public. The community is expected to monitor the implementation of plans. The community has to report on programs that are considered not being implemented according to the established plans. The municipal government has to report on the follow-up. Further regulation shall be provided for by the municipal government.^{119 120}

The funding of the development programs is based on a performance approach, the medium-term expenditure framework, integrated budgeting and planning and indicative ceilings and program priorities according to the actual conditions in the area and the community needs. Programs are financed through the municipal budget (*APBD kota*) and other legitimate sources.¹²¹

¹¹⁴ UU 25 / 2004 §§ 20 -27, PerPem 8 / 2008 §§ 3, 20.2 – 24, PerMen 54 / 2010 §§ 4 (a – i) (Principles), 121.1.

¹¹⁵ UU 26 / 2007 §§ 2 – 4, 4(b), 5, 5.4, 7.1, 20 – 25, 51.9, 65.1 – 3, PerPem 15 / 2010 (Implementation of Spatial Planning) §§-5.2, 6 (a - d), 6 – 17, PerMen 1 / 2008 (Guideline Planning Urban Areas) §§ 2 – 7, 8 – 14, 33, 33.1, PerPem 56 / 2014 (Role Community in Spatial Planning).

¹¹⁶ PerPem 8 / 2008 Explanation, General, PerMen 54 / 2010 §§ 4 (a – j), 5.6 (Principles), 6 – 10 (Approach).

¹¹⁷ UU 25 / 2004 § 27.2, PerPem 8 / 2008 § 20.1, 3, SEB Technical Instructions Musrenbang 2007 / Joint Circular), SEB / Technical Instructions Musrenbang 2008 / Joint Circular), PerMen 32 / 2012 – Annex I sub II C 4 (a, b) (Implementation RKPDP Musrenbang).

¹¹⁸ UU 25 / 2004 does not contain any provision regarding *musrenbang kelurahan* specifically, neither does PerMen 54 / 2010, nor PerMen 32 / 2012.

¹¹⁹ UU 25 / 2004 §§ 28 – 30, PerPem 8 / 2008 §§ 49, 52.1, 3, PerPem 39 / 2006 (Procedures Control and Evaluation Implementation Development Planning), PerMen 54 /2010 §§ 240 -281.

¹²⁰ PerMen 54 / 2010 does not include provisions regards control by the community. It provides for control, evaluation by government and local government.

¹²¹ PerPem 8 / 2008 § 36.1 – 3, PerMen 54 / 2010 § 11.1 – 6, SEB / Technical Instructions Musrenbang 2007, Introduction.

Musrenbang kelurahan

Musrenbang kelurahan, *kelurahan* development planning meetings, are held annually. They are intended as a discussion forum and have to be conducted in a participatory manner (*sekara partisipatif*). Meetings are open to 'all stakeholders' (*pemangku kepentingan*). Stakeholders are interested parties (*pihak yang berkepentingan*), who will be affected by the results of the deliberation. The purpose is to agree on the budget and plan for the activities in the next year. *Musrenbang kelurahan* are to be held no later than the second half of January.^{122 123}

Participants (*peserta*) in the *musrenbang kelurahan* are representatives of components of community (individual or group) in the *kelurahan*, such as *RT* and *RW* heads, religious leaders, traditional leaders, representatives of women groups, youth group leaders, leaders of community organisations, employers, school committees, marginalised, and others. Participants have the right to take decisions in the meeting in joint agreement through discussion (*melalui pembahasan yang disepakati bersama*).¹²⁴

Musrenbang kelurahan are, also, attended by informants (*narasumber*). Informants are officials, such as the *lurah*, *camat*, officials of the *kecamatan*, principals of schools in the *kelurahan*, the head of the *kelurahan* health care centre (*puskesmas*), and (other) community organisations in the *kelurahan*. Informants give information that participants in *musrenbang kelurahan* need for the decision-making process on the outcome of the meetings.¹²⁵

At the *musrenbang kelurahan*, the annual *kelurahan* development work plan (*rencana kerja pembangunan kelurahan*, or: *RKPK*) will be discussed. Also, the priority activities will be established according to the needs of the community, as derived from the community meetings that have been held prior at lower level, meetings of *RT*, *RW* and community groups. This, first, consists of activities to be realised by the *kelurahan* it self, funded by the *kelurahan* fund (*alokasi dana kelurahan*, or: *ADK*), funded by the municipal budget (*APBD kota*) and / or realised by mutual cooperation of the community in the *kelurahan* (*gotong royong masyarakat kelurahan*), or funded by other sources. This, secondly, consists of activities that will be proposed to the *kecamatan* and will be submitted for discussion in the *kecamatan* planning development meeting (*musrenbang kecamatan*), to be funded by the municipal budget, or provincial budget (*APBD provinsi*).¹²⁶

In the *musrenbang kelurahan*, participants will, also, elect representatives and a delegation to the *musrenbang kecamatan*.¹²⁷

Participants to *musrenbang* meetings in *kelurahan* are expected to adhere to a number of principles (*prinsip-prinsip musrenbang desa / kelurahan*): equality (*kesetaraan*) (participants

¹²² SEB / Technical Instructions Musrenbang 2007: §§ I. A 1, 2, 6, E 1, SEB / Organisation Musrenbang 2008: Annex (*Bagan Alur Proses*), Kementerian Dalam Negeri, Guidelines Implementation Musrenbang Desa / Kelurahan (*Panduan Penyelenggaraan Musyawarah Perencanaan Pembangunan Desa / Kelurahan, Buku 1, Bagian I, Pedoman Umum*, January 2008, p. 7.

¹²³ In Tuttle Compact Indonesian Dictionary '*pemangku*' is translated as '*functionary*'. According to PerPem 8 / 2008: '*Participants are those who directly or indirectly benefit from or are impacted by planning and implementation of regional development*'. According to PerMen 54 / 2010: '*Participants are those who directly or indirectly benefit from or are impacted by planning and implementation of regional development, among others (...) (officials, government, community leaders, representatives of women and marginalised and vulnerable communities)*'. PerPem 8 / 2008 § 1.17, PerMen 54 / 2010 § 1.6, Tuttle Compact Dictionary (2009), p.228.

¹²⁴ SEB / Technical Instructions Musrenbang 2007 §§ I A 4, I F, Guidelines Implementation Musrenbang Desa / Kelurahan p. 15.

¹²⁵ SEB / Technical Instructions Musrenbang 2007 §§ I A 3, I G.

¹²⁶ SEB / Technical Instructions Musrenbang 2007 §§ I. A 1, 2, 6, E 1, Guidelines Implementation Musrenbang Desa / Kelurahan p. 9, 1 – 4.

¹²⁷ SEB / Technical Instructions Musrenbang 2007 §§ I. A 6 (c), D 2 (j), E 2, Guidelines Implementation Musrenbang Desa / Kelurahan p. 9, 5.

have equal rights to express their views, to speak and to be respected in spite of difference of opinion. Conversely, they have an equal obligation to listen to the other, to respect differences of opinion and to respect decisions of the forum, even if they do not agree), dialogue (*musyawarah dialogis*) (participants have different levels of education, background, age group, gender, socio-economic position, and so on. Differences and different views are expected to result in the best decisions to the benefit of all), anti-domination (*anti-dominasi*) (in deliberations, there should be no individual group that dominates so that decisions would not be balanced), partisanship (*keberpihakan*) (in deliberation, encourage individuals and groups to express their aspirations and views, especially, poor, women and youth), anti-discrimination (*anti-diskriminasi*) (all residents have the same rights and obligations when participating), holistic development (*pembangunan secara holistik*) (to promote the welfare of the entire community, and not just of some sectors or areas only).¹²⁸

The outcome of the *musrenbang kelurahan* will be discussed in the *musrenbang kecamatan*. The *musrenbang kecamatan* is implemented for sharpening, alignment, clarification and agreement on the proposed *kelurahan* development work plans. The proposed plans will be integrated with the development priorities of the municipality. The plans, as set forth in the minutes of the *musrenbang kelurahan*, will be the priority of the development activities in the *kecamatan*. The *musrenbang kecamatan* have to be held no later than the second week of February.¹²⁹

Musrenbang kelurahan are prepared and organised by an organisation team (*tim penyelenggara*). The organisation team establishes the schedules and the agenda. It publicly announces the schedule, agenda and place of venue at least 7 days prior to the meetings, so that participants can register and be invited. The team takes care for the registration and invites potential participants. The *musrenbang kelurahan* are facilitated by a facilitation team (*tim fasilitator*). The organisation team assists the facilitation team. Both teams are established by the *lurah*. The *kelurahan* government can establish community institutions (*lembaga kemasyarakatan*, or *LKM*) to assist in the planning, implementation and management and as beneficiaries of development.¹³⁰

Musyawarah RW, RT and community groups meetings

Prior to the *musrenbang kelurahan*, *RT* and *RW* community meetings are held (*musyawarah RT / RW*) and, also, community group meetings (*musyawarah kelompok-kelompok masyarakat*). The purpose of these meetings is to facilitate the implementation of the *musrenbang kelurahan*. The discussions result in a list of priority issues, problems and needs, ideas and proposed priority activities of each *RT* and *RW* and community group for submission to the *musrenbang kelurahan*. In these meetings, participants will, also, nominate representatives of *RT* and *RW* and community groups to the *musrenbang kelurahan*.¹³¹

The *musyawarah RT / RW* and community group meetings are facilitated by the facilitation team. The organisation team assists the facilitation team and monitors the *musyawarah RT / RW* and community group meetings.¹³²

¹²⁸ Guidelines Implementation Musrenbang Desa / Kelurahan, p. 18.

¹²⁹ PerMen 54 / 2010 § 122, 123.1, SEB / Technical Instructions Musrenbang 2007 §§ II. A 1, B 1, C 1 (a), D, SEB / Organisation Musrenbang 2008, Annex (*Bagan Alur Proses*).

¹³⁰ SEB / Technical Instructions Musrenbang 2007 §§ I D 1 (a, c, d), H 1 – 10, Guidelines Implementation Musrenbang Desa / Kelurahan p. 11, 14, 17, 21.

¹³¹ SEB / Technical Instructions Musrenbang 2007 §§ I B 1, C 1 (a), D 1 (a, b), 2.

¹³² SEB / Technical Instructions Musrenbang 2007 §§ I D 1 (a), H 2.

4. *INSTITUTIONAL DESIGN OF URBAN GOVERNANCE IN SURAKARTA*

Introduction

Context

Surakarta has a long history of social and political engagement of citizens at grassroots, activism and even rebelliousness. The city has been early in promoting the participation of communities and citizens in municipal administration and development, also at ward and neighbourhood level, and to open new avenues for actual participation. The role of (then) mayor Joko Widodo in this has been widely acclaimed. Since, Surakarta has been in the process of step-by-step further developing and improving mechanisms for community participation, in development planning, particularly.¹³³

Legislation on urban governance in Surakarta

In section 3 we presented a brief overview of the institutional design of urban governance in wards and neighbourhoods in cities in Indonesia and the participation of community and citizens in the administration and development of their ward and neighbourhood as came into being after *reformasi* and the subsequent decentralisation of the Indonesian administration and relating national legislation.

In this section we will discuss the institutional arrangements as have been adopted over the past decade and still are developing today in Surakarta, and the conforming municipal regulation.

National legislation is implemented by a series of municipal regulations (*peraturan daerah*, or *PerDa*) and regulations of mayor (*peraturan walikota*, or *PerWal*). With regard to the general, day-to-day administration of wards (*kelurahan*), and neighbourhoods, (*RW* and *RT*), the relevant regulations are *PerDa* 4 / 2008 on the organisation of local administration affairs, *PerDa* 6 / 2008 on the organisation and working procedures of the municipal apparatus, *PerDa* 4 / 2009 on *kelurahan*, *PerDa* 11 / 2011 on *kelurahan* community institutions, *PerWal* 38 / 2008 on the duties, functions and working procedures of sub-districts (*kecamatan*), *PerWal* 39 / 2008 on the duties, functions and working procedures of *kelurahan*, *PerWal* 3 / 2012 on guidelines for *kelurahan* community institutions, and *PerWal* 20 / 2015 on *kelurahan* development fund budget 2015. Guidelines and instructions concerning the municipal development planning cycle (*musrenbang*) are given by *PerWal* 22/ 2014.¹³⁴

Whether the changes that may ensue from the new law on local administration, Law 23 / 2014, will substantially affect the municipal arrangements on the governance of *kelurahan* and *RT* and *RW* and the participation of citizens is yet too early to tell.

¹³³ Pratikno, Lay (2010), p. 6, 7, 13, 21, Pratikno, Lay (2013), p. 254, 263, Pratikno (2004), Rifai (2007), PRIA Global Partnership (2010), p. 26, Sumarto (2008), p. 13, Widianingsih (2005), p. 6.

¹³⁴ *PerDa* 4 / 2008 Surakarta on Organisation of Local Administration Affairs, *PerDa* 6 / 2008 Surakarta on Organisation and Working Procedures Local Apparatus (amended by *PerDa* 14 / 2011 Surakarta, *PerDa* 5 / 2013 Surakarta), *PerDa* 4 / 2009 Surakarta on *Kelurahan*, *PerDa* 11 / 2011 Surakarta on *Kelurahan* Community Institutions, *PerWal* 38 / 2008 Surakarta on Duties, Functions and Working Procedures *Kecamatan*, *PerWal* 39 / 2008 Surakarta on Duties, Functions and Working Procedures *Kelurahan*, *PerWal* 3 / 2012 Surakarta on Guidelines *Kelurahan* Community Institutions, *PerWal* 22/ 2014 Surakarta on Guidelines and Technical Instructions Development Planning Meeting, *PerWal* 20/ 2015 Surakarta on *Kelurahan* Development Fund Budget 2015.

Administration

Kelurahan

Wards (*kelurahan*) are established as part of a sub-district (*kecamatan*). *Kelurahan* are established by municipal regulation. *Kelurahan* are part of the municipal apparatus in the area. The principal functions of *kelurahan* are to organise the administration in their area, community development, and to execute administration affairs that are delegated by the mayor. The functions of *kelurahan* consist, more specifically, of the organisation of a *kelurahan* secretariat, the implementation of administration activities in the *kelurahan*, the empowerment of the community, public service, the implementation of peace and public order, the maintenance of infrastructure, public facilities and environment, and the fostering of community institutions. *Kelurahan* are led by a head (*lurah*). Currently, in Surakarta there are 51 *kelurahan* in 5 *kecamatan*. In 2013, *Kelurahan* consisted of about 2,100 up to over 53,000 residents, or over 10,000 on average.¹³⁵

Kelurahan are funded by the municipality through the municipal budget (*APBD kota*), and by other government entities and other sources. The delegation of functions by the municipality to *kelurahan* is accompanied by facilities, infrastructure, funding and personnel.¹³⁶

The government and provincial government provide general guidance. The municipality has to provide technical guidelines, to facilitate and to supervise. The head of *kecamatan* (*camat*) has to facilitate. The *camat* has, also to oversee the secretariat of *kelurahan* and to foster their administration. A part of the municipal apparatus, *kelurahan* are controlled, evaluated and audited by the municipal auditing office (*inspektorat*).¹³⁷

Further provisions concerning the formation, functions, and functioning of *kelurahan* are provided for by municipal regulation or regulation of mayor.¹³⁸

Lurah

Lurah are part of the municipal apparatus. *Lurah* are working under the mayor, and are accountable to the mayor through the *camat*. *Lurah* have to coordinate with the *camat* and the administration agencies in the *kelurahan*. *Lurah* are appointed by the mayor upon recommendation of the *camat*.^{139 140}

The *kelurahan* administration further consists of the *kelurahan* apparatus (*perangkat kelurahan*). The *kelurahan* apparatus includes a secretary and several sections. The *lurah* is in charge of the apparatus. The *kelurahan* apparatus is accountable to the *lurah*. The staff is appointed by the municipal secretary upon recommendation by the *camat*.¹⁴¹

¹³⁵ PerDa 6 / 2008 Surakarta §§ 1.23, 1.24, 2.1 (h), 69.1, 70, PerDa 4 / 2009 Surakarta §§ 1.7, 2.1, 2.5, 3.1, PerWal 39 / 2008 Surakarta §§ 1.7, 2, 3 (a – g), www.surakarta.go.id, www.solokotakita.org, Mini Atlas.

¹³⁶ PerDa 4 / 2009 Surakarta §§ 4.4, 10.

¹³⁷ PerDa 4 / 2009 Surakarta §§ 12, 13 (a – j), 14 (a – h), PerWal 38 / 2008 Surakarta § 3 (a, h), PerDa 6 / 2008 Surakarta §§ 1.14, 39.2 – 3 (a – g).

¹³⁸ PerDa 4 / 2009 Surakarta §§ 2.5, 4.5, 8.

¹³⁹ PerDa 6 / 2008 Surakarta §§ 69.3, 70, PerDa 4 / 2009 Surakarta § 3.1 – 3, PerWal 39 / 2008 Surakarta §§ 4, 5, 19.

¹⁴⁰ According to one observer, actually, the mayor selects and appoints *lurah* directly, by him selves.

Recommendation of the *camat* would not matter that much, or, would even not asked for at all. As he comments, the appointment of *lurah* has become part of politics. Fuad Jamil.

¹⁴¹ PerDa 4 / 2009 Surakarta §§ 6 – 9, PerWal 39 / 2008 Surakarta §§ 6 – 12, 19.

The *lurah* is responsible for the administration affairs, development and community. In addition, he is responsible for the administration affairs delegated by the mayor. The functions of the *lurah* include the administration of the *kelurahan*, community empowerment, to serve the community, the implementation of peace and order, the maintenance of infrastructure, public service facilities and the environment, the development of community institutions, and to facilitate the preservation of culture.¹⁴²

Further regulation with regard to the functions and functioning of the *lurah* is provided for by municipal regulation or regulation of mayor.¹⁴³

Kelurahan community institutions

In the *kelurahan* can be established community institutions (*lembaga kemasyarakatan*), such as *kelurahan* community empowerment institutions (*lembaga pemberdayaan masyarakat kelurahan*, or: *LPMK*), family empowerment and welfare associations (*pemberdayaan dan kesejahteraan keluarga*, or: *PKK*), youth associations (*karang taruna*), citizen associations (*RW*) and neighbourhood associations (*RT*). Community institutions may be established on the initiative of the municipal government through consultation and consensus (*musyawarah dan mufakat*) by decree of the mayor. In each *kelurahan*, only one community institution of each type will be established, save *RT* and *RW*. *RT* and *RW* will be established in each neighbourhood.¹⁴⁴

Kelurahan community institutions have to assist the *lurah* in the implementation of administration affairs. *Kelurahan* community institutions are entitled to give their opinion to and to advise the *kelurahan* administration concerning the implementation of administration, planning, development and community. The work relations of *kelurahan* community institutions with the *kelurahan* administration and with other community organisations within the *kelurahan* are of a consultative and coordinative nature.¹⁴⁵

The purpose of *kelurahan* community institutions is, more in particular, to better enable the cultivation and preservation of community values based on mutual support (*kegotong royongan*) and the family principle (*azas kekeluargaan*), the implementation of administration, development and community affairs, the realisation of the full potential of community self-organisation (*swadaya masyarakat*) to improve the welfare of the community, and the planning, execution and control of community-based development. The institutions have to promote the realisation of community welfare through improving public services, increasing community participation in development, developing partnerships and community empowerment.¹⁴⁶

The *LPMK* works as a partner of the *lurah* in the field of development and community empowerment. Its main functions are to compile the *kelurahan* development plan in a participatory way, to promote community mutual self-organisation (*swadaya gotong rotong masyarakat*) and to implement and oversee the development. The *LPMK* manages the *kelurahan* development fund (*dana pembangunan kelurahan*, or *DPK*) and the implementation of development activities financed by *DPK*. The *PKK* assists the *lurah* in the empowerment and improving the welfare of families. The *karang taruna* assists the *lurah* in

¹⁴² PerDa 4 / 2009 Surakarta § 4.1, 4.2, 5 (a – g), PerDa 6 / 2008 Surakarta § 69.2 (a – f).

¹⁴³ PerDa 6 / 2008 Surakarta § 72, PerDa 4 / 2009 Surakarta §§ 4.5, 8.

¹⁴⁴ PerDa 4 / 2008 Surakarta §§ 4.1 – 4.

¹⁴⁵ PerDa 11 / 2011 Surakarta §§ 5.1, 10.1, 13.1, 2, 16.1, 2, 22, 25, PerWal 3 / 2012 Surakarta § 10.

¹⁴⁶ PerDa 11 / 2011 Surakarta §§ 2 (a – d), 3 (a – e).

social welfare for the young generation and developing the potential of youth in the *kelurahan*.¹⁴⁷

Members of (the board of) *LPMK* are citizens who reside in the *kelurahan*. The board is elected in phases. Candidates are nominated through deliberation (*musyawarah*) by the heads of household (*kepala keluarga*) in *RT* meetings (*musyawarah RT*). At least two-thirds of the heads of household have to attend. Consequently, further selection of candidates is done at *RW* meetings (*musyawarah RW*). The meetings are organised and facilitated by the *lurah*. Candidate members of the board shall fulfil the legal requirements. They have to be resident of the *kelurahan* for more than 3 years, have the willingness, ability and awareness concerning community empowerment, and should not be a member of the board of other institutions, nor an official of a political party. Board members are appointed by decree of the mayor. They are elected for a term of 3 years and may be re-elected for another 3 years. Board members may be dismissed, among others, in the event they commit a wrong act (*perbuatan tercela*). With regard to the nomination of the board of the *PKK* and the *karang taruna* similar rules apply.^{148 149}

In Surakarta, municipal regulations do not, at least, not yet, provide for *musyawarah kelurahan*, or *kelurahan* meetings, as envisaged in national legislation concerning *kelurahan*. At the *kelurahan* level community consultation is arranged through *LPMK*, *RW* and *RT*, and the other community institutions in the *kelurahan*, and, more in particular, by consultation of and deliberation with their leaders.¹⁵⁰

The *kelurahan* community institutions are guided, supervised and monitored by the government, provincial government, municipal government and the *camat*.¹⁵¹

Funding is provided for by self-organisation of community (*swadaya masyarakat*), by contributions of members, by the *kelurahan* government budget (*anggaran pemerintah kelurahan (APK)*), the *kelurahan* development fund (*DPK*), the government, provincial government and municipal government respectively, and by other sources.¹⁵²

Further provisions are given by regulation of the mayor.¹⁵³

RW and RT

Within *kelurahan*, citizen associations (*RW*) and neighbourhood associations (*RT*) are established. *RW* consist of 3 *RT* at least and 9 *RT* at maximum. *RT* consist of residents of the *kelurahan* (*penduduk kelurahan*), and of 30 heads of households (*kepala keluarga*) at least and 50 heads of households at maximum.¹⁵⁴

RW have to assist the *lurah* in the management of administration affairs within their area. Their functions include the collection of data and administrative services, to cultivate security, order and harmony, to make plans with regard to the implementation of

¹⁴⁷ PerDa 11 / 2011 Surakarta §§ 5.1 – 3, 10.1 – 3, 19.1 – 3, PerWal 20 / 2015 Surakarta §§ 8.1, 16.1.

¹⁴⁸ PerDa 11 / 2011 Surakarta §§ 6 – 9, 12, 20 – 21, 24, PerWal 3 / 2012 Surakarta §§ 5.3, 6.1, 2, 7, 8 (a – e).

¹⁴⁹ Both the municipal regulation and the regulation of mayor are not clear and consistent concerning the membership (*keanggotaan*) of *LPMK* and the board of *LPMK* (*pengurus LPMK*). It is understood that in the paragraphs concerned 'LPMK' should be read as 'pengurus LPMK'.

¹⁵⁰ PerDa 4 / 2005 Surakarta, PD 11 / 2011 Surakarta, PerWal 39 / 2008 Surakarta, PerWal 3 / 2012 Surakarta.

¹⁵¹ PerDa 11 / 2011 Surakarta §§ 26 – 28, PerWal 3 / 2012 Surakarta §§ 11 – 13.

¹⁵² PerDa 11 / 2011 Surakarta § 29, PerWal 3 / 2012 Surakarta §§ 14, 24, PerWal 20 / 2015 Surakarta § 3 (c).

¹⁵³ PerDa 11 / 2011 Surakarta § 32.

¹⁵⁴ PerDa 11 / 2011 Surakarta §§ 4.1 - 3, 5, 7.

development in accordance with the aspirations and self-organisation (*swadaya*) of community, to arrange mutual self-organisation support (*swadaya gotong-royong*) and the participation of community.¹⁵⁵

RT assist the *lurah* in the management of administration affairs in the area of their neighbourhood. Their functions are the coordination of the community activities of their members in their area, the coordination of relations of their members with the government, data collection and administrative services, to cultivate security, order and harmony, to make plans with regard to the implementation of development in accordance with the aspirations and self-organisation (*swadaya*) of the community, to arrange mutual self-organisation support (*swadaya gotong-royong*) and the participation of the community in their area.¹⁵⁶

RW and *RT* have to work with the *kelurahan* administration and with other community organisations within the *kelurahan* in a consultative and coordinative manner. With third parties they have to work as partners.¹⁵⁷

All citizens in a neighbourhood are member of the *RT* in their neighbourhood. All members of the *RT* are member of the *RW* in the area of that *RW*. Members of the board of *RW* and *RT* are nominated in a *musyawarah RW* or *RT* by the citizens in the area or neighbourhood through deliberation and consensus (*musyawarah dan mufakat*) and / or by voting. Candidate members of the board need to meet similar legal requirements as apply to candidates for the board of the *LPMK*. Members of the board are appointed by decree of the mayor. Board members are elected for a term of 3 years and may be re-elected for another 3 years. They may be dismissed in the event of, among others, committing an act against the statutory provisions and / or norms that live in the community (*tindakan yang bertentangan dengan perundang-undangan dan / atau norma-norma kehidupan masyarakat*).¹⁵⁸

Municipal regulations do not, or, not yet, include express arrangements for *musyawarah RW* and *RT*, or *RW* and *RT* meetings. At the *RW* level, consultation is through the heads of *RT*, and other leaders. In *RT*, *musyawarah RT* are held, for instance, to elect a board and a head.¹⁵⁹

The government, provincial government, municipal government and the *camat* provide guidance and supervision. The municipality and the *camat* are responsible for the monitoring of *RW* and *RT*.¹⁶⁰

RW and *RT* are funded by the community it selves through self-organisation (*swadaya masyarakat*), membership dues, and by the government, provincial government and municipal government, and other sources as well.¹⁶¹

Further provisions regards *RW* and *RT* are given by regulation of mayor.¹⁶²

¹⁵⁵ PerDa 11 / 2011 Surakarta § 13.1, 2, 3 (a – d).

¹⁵⁶ PerDa 11 / 2011 Surakarta § 15.1, 2, 3 (a – f).

¹⁵⁷ PerDa 11 / 2011 Surakarta § 25.

¹⁵⁸ PerDa 11 / 2011 Surakarta §§ 14, 16, 24, PerWal 3 / 2012 Surakarta §§ 19, 20 (a - e).

¹⁵⁹ PerDa 11 / 2011 Surakarta, PerWal 3 / 2012 Surakarta.

¹⁶⁰ PerDa 11 / 2011 Surakarta §§ 26 – 28.

¹⁶¹ PerDa 11 / 2011 Surakarta § 29, PerWal 3 / 2012 Surakarta § 22, PerWal 20 / 2015 Surakarta § 3 (c).

¹⁶² PerDa 11 / 2011 Surakarta § 32.

Development planning

Development planning process

The municipal development planning process in Surakarta as it evolved gradually over the past decade partly diverges from the design proposed in the national guidelines, among others, at the *kelurahan* level.

In addition to the annual planning cycle, recently, as from 2014, a quinquennial planning cycle has been introduced at the *kelurahan* level, the community strategic plan development planning meeting (*musrenbang rencana strategis masyarakat*, or *musrenbang renstra masyarakat*). The *musrenbang renstra masyarakat* is a forum to discuss the framework for development activities in the *kelurahan* for a longer, medium-term period of five years. Meanwhile, such meetings have been held in all *kelurahan*. The *musrenbang renstra masyarakat* has been included in the development planning process in Surakarta as a result of an extended lobby by local NGO's. It is not part of the institutional design of municipal development planning as provided in the national guidelines. It is expected that the five-annual community strategic planning meeting may become the main forum for participation in development planning at *kelurahan* level and, gradually, the focus in development planning at that level may shift from the current short-term one year planning to a medium-term, five year planning.¹⁶³

The annual development planning process in Surakarta (*musrenbang*) is near similar to the design described in the national guidelines. It has some specific features, though, as will be discussed below. It is implemented in a series of consecutive phases.¹⁶⁴

The annual *musrenbang* cycle starts with a preparation phase (*persiapan pelaksanaan musrenbang*), prior to the start of the development planning meetings (*musrenbang*) at all levels.¹⁶⁵

The second phase, *kelurahan* development planning meeting (*musrenbangkel*), consists of the development planning meetings neighbourhood (*musyawarah lingkungan*, or *musling*), development planning meetings community institutions (*musyawarah lembaga kemasyarakatan*, or *MLK*), preparation meetings (*persiapan musrenbangkel*), *kelurahan* development planning meetings (*musrenbangkel*), and post *kelurahan* development planning meetings (*pasca musrenbangkel*).¹⁶⁶

The third phase, sub-district development planning meeting (*musrenbangcam*), consists of preparation meetings (*persiapan musrenbangcam*), *kecamatan* planning development meetings (*musrenbangcam*) and post *kecamatan* development planning meetings (*pasca musrenbangcam*)¹⁶⁷

The fourth phase, meeting development stakeholders – sector (*forum SKPD*) consists of a limited (focus) group discussion (*DKT*), a preparation meeting of development stakeholders

¹⁶³ PerWal 22 / 2014 Surakarta §§ 2, 30.1 – 3 (transitional regime), Annexes I *Musrenbang Renstra Masyarakat*, VIII *Bagan Mekanisme Musrenbang dan Forum SKPD*.

¹⁶⁴ PerWal 22 / 2014 Surakarta + Annexes: II – VII: II *Persiapan Pelaksanaan Musrenbang*, III *Petunjuk Teknis Pelaksanaan Musrenbangkel*, IV *Musrenbangcam*, V *Forum SKPD*, VI *Musrenbangkot*, VIII *Bagan Mekanisme Musrenbang dan Forum SKPD*, calendar (*jadwal proses*).

¹⁶⁵ PerWal 22 / 2014 Surakarta § 15, Annex II *Persiapan Pelaksanaan Musrenbang*, Annex VIII: *bagian mekanisme persiapan pelaksanaan musrenbang*.

¹⁶⁶ PerWal 22 / 2014 Surakarta § 16, Annex III *Petunjuk Teknis Pelaksanaan Musrenbangkel*, Annex VIII: *bagian mekanisme musrenbangkel*.

¹⁶⁷ PerWal 22 / 2014 Surakarta § 17, Annex IV *Musrenbangcam*, Annex VIII: *bagian mekanisme musrenbangcam*.

and sector (*persiapan forum SKPD*) and a meeting of development stakeholders and sector (*forum SKPD*).¹⁶⁸

The fifth phase, municipal development planning meeting (*musrenbangkot*) consists of a preparation municipal development planning meeting (*persiapan musrenbangkot*), a municipal development planning meeting (*musrenbangkot*) and a post municipal development planning meeting (*pasca musrenbangkot*).¹⁶⁹

The second and third phase (*musrenbangkel*, *musrenbangcam*) provide forums for participation on *territorial* basis (*RT*, *RW*, *kelurahan*, *kecamatan*), the fourth phase (*forum SKPD*, focus group discussion (*DKT*)) is intended to provide a forum for participation on *sectoral* basis, that is stakeholders from miscellaneous sectors cross-municipality, representing different interests.

In Surakarta, the development planning process and the planning and implementation of the *PNPM Urban* program (see hereinafter section 6) are increasingly synchronised and integrated. Also, spatial planning is being made part of the annual municipal development planning cycle.¹⁷⁰

At the municipal level, the development planning meeting cycle is prepared and organised by the municipal development planning board (*BAPPEDA*) jointly with the other concerned municipal departments (*SKPD*) and committees at each level. These committees consist of steering committees (*panitia pengarah*) and organising committees (*panitia pelaksanaan*).¹⁷¹

The development planning meeting cycle is funded through the municipal budget (*APBD kota*) on account of the respective budgets for public participation of the *kelurahan*, *kecamatan* and municipality, and other sources. The implementation of development activities is funded through the municipal budget (*APBD kota*), partly by allocation to the *kelurahan* development fund (*DPK*), community direct aid under the *PNPM Urban* program (*BLM*), community self-organisation (*swadaya masyarakat*), and other sources.^{172 173}

Musrenbang renstra masyarakat

The *musrenbang renstra masyarakat* is a forum for development stakeholders (*pemangku kepentingan pembangunan*) at *kelurahan* level to discuss the framework for development activities in the *kelurahan* for a longer, medium-term period of 5 years, considering the municipal medium-term development plan (*RPJMD*). The meetings are held every five years.^{174 175}

Participants in the *musrenbang renstra masyarakat* (*peserta*) are representatives of all elements of the community domiciled in the *kelurahan*, and include *LPMK*, leadership *RT* and *RW*, *PKK*, *karang taruna*, *LKM*, *kelurahan* administration, community and religious

¹⁶⁸ PerWal 22 / 2014 Surakarta § 18, Annex V *Forum SKPD*, Annex VIII: *bagan mekanisme Forum SKPD*.

¹⁶⁹ PerWal 22 / 2014 Surakarta § 19, Annex VI *Musrenbangkot*, Annex VIII: *bagan mekanisme musrenbangkot*.

¹⁷⁰ PerWal 22 / 2014 Surakarta miscellaneous §§, Annex idem, PerWal 20 / 2015 Surakarta § 10.

¹⁷¹ PerWal 22 / 2014 Surakarta § 20.1 - 4, Annex II § A, B 3 (a - c), Annex III § A 1, A 2.

¹⁷² PerWal 22 / 2014 Surakarta § 28.1 - 5, PerWal 20 / 2015 Surakarta §§ 1.18, 1.20, 3 (a).

¹⁷³ Until 2014, *DPK* used to be allocated on basis of allocation criteria, such as area, population, tax, poverty, community self-organisation. PerWal 3 / 2014 Surakarta § 9.5 (a- f), PerWal 3-B / 2015 Surakarta § 19.4.

¹⁷⁴ PerWal 22 / 2014 Surakarta § 2.

¹⁷⁵ *Pemangku kepentingan pembangunan*, or: development stakeholders, are those who have interest to address issues and who directly or indirectly benefit or are affected by the planning and implementation of municipal development, including the community and groups herein. PerWal 22 / 2014 Surakarta § 1.23.

leaders, delegates of social, arts, sports, spiritual, youth, women and other community organisations in the *kelurahan*, representation of children forum in the *kelurahan (forum anak)*, and (local) businesses. Participants have to register and / or to be invited by the organising committee. Aim is to have a 30 % women representation. The registration and invitation procedure is to be determined by the organising committee. Participants have the right to decide in meeting through agreement in joint discussion. ^{176 177}

In the *musrenbang renstra masyarakat* the community strategic plan (*dokumen renstra masyarakat*) will be prepared, discussed and determined. The plan will be based on issue mapping (*pemetaan masalah*) in *RW* and the *kelurahan*. The plan consists of data concerning the condition of the *kelurahan* and issues, a list of priorities in the *kelurahan*, a draft program / activities list and *kelurahan* 'flagship' activities for 5 years. ^{178 179}

Musrenbang renstra masyarakat have to be held at a time and place that allows all participants to optimally engage. Meeting schedule, agenda and place of venue have to be publicly announced no later than 4 days in advance. Meetings have to be held no later than one month after the municipal medium-term development planning meeting cycle (*musrenbang rencana pembangunan jangka menengah daerah*, or *musrenbang RPJM*) is implemented. ¹⁸⁰

Musrenbang renstra masyarakat (effectively) start with issue mapping at *RW* level. This is done in monthly meetings of *RW* attended by the leadership of *RW* and *RT*, and led by the head of *RW*. Other participants are the leadership of *PKK* in *RT* and representatives of poor residents (minimum 3). Data on the condition of and basic needs in the *RW* will be collected, and development issues in the *RW* for the coming 5 years will be discussed, prioritised and listed. ¹⁸¹

Subsequently, issues will be mapped at *kelurahan* level. The meetings will be led by *LPMK*. Elements of *LPMK*, *PKK*, *karang taruna*, management teams *PNPM (UP)*, *kelurahan* administration, community and religious leaders, delegates of social, sports, art, spiritual, women, youth and other community organisations in the *kelurahan*, children forum (*forum anak*) in the *kelurahan* participate. Data on the condition of the *kelurahan* will be discussed. Development issues at *kelurahan* level will be discussed, prioritised and listed. Also, the planning of activities that are part of the *PNPM* program in the *kelurahan (PJM Nankis PNPM)* will be discussed. ¹⁸²

In a focus group discussion (*FGD*), the results of the mapping in *RW* and *kelurahan* will be synchronised. A priority list of the *kelurahan* and cross - *RW* will be composed. Furthermore, a draft *renstra masyarakat* will be prepared. Participants include elements of *LPMK*, *LKM*, *kelurahan* administration, delegations of the issue mapping meetings in *RW* and *kelurahan*, and facilitators in *kelurahan* and neighbourhoods. The discussions will be led by the organising committee. ¹⁸³

¹⁷⁶ PerWal 22 / 2014 Surakarta § 22.1- 4, Annex I §§ B 1, 3, 5 (3), 6 (4).

¹⁷⁷ In Surakarta, in the *PNPM Urban* program, *BKM* are named *LKM*.

¹⁷⁸ PerWal 22 / 2014 Surakarta § 8, Annex I §§ C 3 (a, b 1 – 2), C 4, C 5 (c 1 – 6), C 5 (d 1 a – d).

¹⁷⁹ Alongside the community strategic plan (*renstra masyarakat*), there is the strategic plan made by the *kelurahan* government (*renstra kelurahan*).

¹⁸⁰ PerWal 22 / 2014 Surakarta - Annex I §§ A 2 (d), C 5 (b), F 1.

¹⁸¹ PerWal 22 / 2014 Surakarta - Annex I §§ B 2, C 2 (a, b 1 - 4, d 1 – 2), VIII: *bagan mekanisme musrenbang renstra masyarakat*, Forms XII, XIII.

¹⁸² PerWal 22 / 2014 Surakarta - Annex I §§ B 3, C 3 (a, b 1 - 3, d 1 – 2), VIII: *bagan mekanisme musrenbang renstra masyarakat*, Forms XIII, XIV.

¹⁸³ PerWal 22 / 2014 Surakarta - Annex I §§ B 4, C 4 (a, b 1 - 4, c 1 – 3), VIII: *bagan mekanisme musrenbang renstra masyarakat*, Form XIII.

In the *musrenbang renstra masyarakat*, *LPMK* will present the draft *renstra masyarakat*. This draft will be discussed and validated, including the data on the condition of the *kelurahan* and issues, the *kelurahan* priority list, and the draft program and activities for the next 5 years. Also, the flagship activities in the *kelurahan* for this period will be determined. Participants include elements of *LPMK*, leadership *RT* and *RW*, *PKK*, *karang taruna*, *LKM*, *kelurahan* administration, community and religious leaders, delegates of social, arts, sports, spiritual, youth, women and other community organisations in the *kelurahan*, representatives of the children forum in the *kelurahan*, and local businesses. The meeting is led by the organisation committee. Aim is to have a women representation up to 30 % of the number of participants.¹⁸⁴

Based on the results of the *musrenbang renstra masyarakat*, a drafting team (*tim penyusun dokumen renstra masyarakat*) will compile and complete the draft document *renstra masyarakat*. The team will be established in the forum group discussions (*FGD*) and will be composed of participants.¹⁸⁵

The *musrenbang renstra masyarakat* is prepared and directed by an organising committee (*panitia penyelenggara*). The committee is established by the *lurah* along with *LPMK*. Members include elements of *LPMK*, community leaders, representatives of the *kelurahan* administration, and the *kelurahan* facilitator. Aim is to have a women representation up to 30 % of the members of the committee.¹⁸⁶

The process is facilitated by facilitators who work on behalf of the *kelurahan* and the neighbourhoods. Their function is to assist in all phases of the *musrenbang renstra kelurahan*, in sorting issues and in drafting the document *renstra masyarakat*. Facilitators are appointed by the *lurah*, together with *LPMK*. They are trained by *BAPPEDA*, assisted by others.¹⁸⁷

Musrenbang kelurahan

The *musrenbang kelurahan* (*musrenbangkel*) is an annual forum of development stakeholders (*pemangku kepentingan pembangunan*) at the *kelurahan* level to discuss and determine the development activities and priorities in the *kelurahan* in accordance with the community strategic plan (*rencana strategis masyarakat*, or *renstra masyarakat*) and / or priorities at *kelurahan* level, and synchronised with the municipal development priorities (*prioritas pembangunan daerah*, or *PPD*) as a reference for the implementation of the *kecamatan* development planning meeting (*musrenbangcam*) and the development activities in next year.¹⁸⁸

Participants in the *musrenbang kelurahan* (*peserta*) are representatives of all elements of the community domiciled in the *kelurahan*. Participants include the *LPMK*, *LKM*, representatives of boards of *RW* and *RT*, community institutions in the *kelurahan*, such as the *PPK* and *karang taruna*, community and religious leaders, local businesses, representatives of other organisations in the *kelurahan*, such as social, sports, spiritual, youth and women organisations, representatives of the children forum in the *kelurahan*, and officials of the *kelurahan* administration. Participants have to register and / or have to be invited by the organising committee. The registration and invitation procedure will be determined by the

¹⁸⁴ PerWal 22 / 2014 Surakarta - Annex I §§ B 5 (3) (a – j), B 6 (4), C 5 (a, c 1 - 4, d 1), VIII: *bagan mekanisme musrenbang renstra masyarakat*, Forms XIII, XIV, XV.

¹⁸⁵ PerWal 22 / 2014 Surakarta - Annex I §§ C 4, 5, 6 (a), D 1, 2 (a – b), 4.

¹⁸⁶ PerWal 22 / 2014 Surakarta - Annex I §§ A 1, 2 (a -e).

¹⁸⁷ PerWal 22 / 2014 Surakarta - Annex I §§ E 1, 2 (a -c).

¹⁸⁸ PerWal 22 / 2014 Surakarta § 4.

steering committee. Aim is to have a 30 % women representation. Participants have the right to decide in the meeting through agreement in joint discussion (*melalui pembahasan yang disepakati bersama*).¹⁸⁹

Meetings are also attended by informants (*narasumber*), or, experts. Informants include the *lurah*, elements of the *LPMK*, the *camat* and officials of the *kecamatan*, principals of schools in the *kelurahan*, the head of the health care centre (*puskesmas*) in the *kelurahan*, other officials, and non-governmental organisations. Informants provide information that participants in *musrenbang kelurahan* need for the decision-making process, including an analysis of development priorities and an evaluation of the development in the *kelurahan* in the previous year.¹⁹⁰

In the *musrenbang kelurahan*, the *kelurahan* development work plan (*dokumen rencana kerja pembangunan kelurahan*) will be compiled and determined. The document includes a list of the development activities that will be proposed to the *kecamatan* development planning meeting (*musrenbangcam*) and that have to be implemented by *SKPD*'s, the draft *kelurahan* work plan of the *kelurahan* administration (*renja kelurahan*), the priority development activity list (*daftar skala prioritas kegiatan*, or *DSP*), including 'flagship' (*unggulan*) activities, to be funded by budget allocation in the *kelurahan* development fund (*DPK*), community direct aid (*BLM*) that is part of the *PNPM Urban* program, community self-organisation (*swadaya masyarakat*), and / or other sources and Corporate Social Responsibility programs. The results will be forwarded to the *kecamatan* development planning meeting.¹⁹¹

In the meeting, also, the delegation of the *musrenbang kelurahan* to the *musrenbang kecamatan* is nominated. The delegation comprises of 7 participants at maximum. A representation of 30 % women is aimed for. Also, representatives of poor have to be included.¹⁹²

Musrenbang kelurahan have to be held at a time and a place that allows participants to engage optimally. The schedule, agenda and place have to be announced publicly no later than 4 days prior to the meeting. Preparation meetings will be held in the first week of October. Meetings have to be held no later than the second week of January.¹⁹³

The meetings consist of plenary meetings and dedicated (sub-) committee meetings. In the first plenary meeting the *lurah* will present an analysis of development issues and the potential of the *kelurahan*, an overview of development targets, priorities and planned flagship activities in the *kelurahan*, and a draft *kelurahan* work plan (*renja kelurahan*) for the coming year. Further discussion and decision-making is in the committee meetings and the second plenary meeting. Plenary meetings are chaired by the steering committee, unless the meeting has agreed to have another participant to chair the meeting.¹⁹⁴

Following the second plenary meeting, in the post *musrenbang kelurahan* phase (*pasca musrenbang kelurahan*), a 'perfection' team (*tim penyempurna rumusan kegiatan*) composed of a number of participants, will further process, edit and synchronise the results of the *musrenbang kelurahan*.¹⁹⁵

¹⁸⁹ PerWal 22 / 2014 Surakarta § 24.1 – 4, Annex III § E 2 (a – j), E 3.

¹⁹⁰ PerWal 22 / 2014 Surakarta - Annex III § B 1, B 2.

¹⁹¹ PerWal 22 / 2014 Surakarta § 4, 10.1, 2, Annex III §§ F 5 (e 1 a – e), Annex VIII: *bagan mekanisme musrenbangkel*, forms IV A – E.

¹⁹² PerWal 22 / 2014 Surakarta - Annex III §§ F 1 - 2, F 5 (c 3 f), F 5 (e 4), F 5 (e 3), G.

¹⁹³ PerWal 22 / 2014 Surakarta - Annex III §§ A 2 (b 2), F 1 (b), F 4 (b 13), F 4 (c), F 5 (a), F 5 (b).

¹⁹⁴ PerWal 22 / 2014 Surakarta - Annex III § F 5 (c 1 c 1 – 4), F 5 (c 1 a).

¹⁹⁵ PerWal 22 / 2014 Surakarta - Annex III §§ F 5 (c 3 e), H 1 – 4.

Musrenbang kelurahan are prepared and organised by a steering committee (*panitia pengarah*) and an organising committee (*panitia pelaksana*). These committees are established in a preparation meeting by the *lurah*. Members of the steering committee are elements of the *LPMK*, community leaders, officials from the *kelurahan* administration, and facilitators. In the organising committee are appointed members from the community other than those who are members of the steering committee. It is aimed at having at least 30 % women represented in the committees.¹⁹⁶

The process is facilitated by facilitators. Their function is to assist the steering committee in the management of the process, to facilitate and assist the community and participants, to assist in compiling the results of the meetings, to monitor and evaluate the implementation of the process, and to disseminate the results of the meetings to the community. The facilitators are appointed by the *lurah*, and trained by *BAPPEDA*, assisted by others. Further assistance is provided by the municipal government. It also monitors and evaluates the process.¹⁹⁷

As mentioned above, *LPMK* manage and oversee the development activities that will be financed through the *kelurahan* development fund (*DPK*) in the coming year as determined in the *musrenbang kelurahan*. This includes the administration and control of the fund, the planning of the development activities, and the monitoring and evaluation, and the supervision of the implementation of the activities. *LPMK* can establish a technical execution team (*tim teknis pelaksana DPK*) to assist in the implementation, consisting of planning, implementation, and monitoring and evaluation teams. *Lurah* oversee and guide *LPMK* and the implementation of activities funded by *DPK*. Municipality and *camat* monitor and evaluate the implementation. *LPMK* have to report annually.^{198 199}

Musyawah RW, RT and community groups meetings

As the guidelines provide, as a part of the *musrenbang kelurahan*, in an early phase, meetings at neighbourhood level (*RT* and *RW*) and with community institutions in the *kelurahan* will be held (*musyawah lingkungan*, or, *musling*, and *musyawah lembaga kemasyarakatan*, or *MLK*).^{200 201}

The *RT* meeting (*musyawah RT*) is a regular monthly meeting of the residents in the *RT*, dedicated to development planning. In the *RT* meeting, the issues of the *RT* as result from monthly meetings of residents will be identified, prioritised and recorded. The meeting will be chaired by the head of the *RT*. The meeting will be held no later than the second week of October.²⁰²

Consequently, a *RW* meeting (*musyawah RW*) will be held. The *RW* meeting is a regular monthly meeting of the *RW* and *RT* leadership. In this meeting, the results of the issue identification and prioritisation in the *musyawah RT* will be compiled and discussed, reviewed considering the community strategic plan (*renstra masyarakat*) for next years'

¹⁹⁶ PerWal 22 / 2014 Surakarta §§ 20.3, 5, Annex III §§ A 1 (a, b), A 2 (a, b).

¹⁹⁷ PerWal 22 / 2014 Surakarta § XX, Annex II §§ C 1, 2 (a – f), D 1 – 3.

¹⁹⁸ PerWal 20 / 2015 Surakarta §§ 8.3, 12.4, 14, 15, 26, 27, Letter BAPPEDA 24 November 2015, 050/ P/ 1254.

¹⁹⁹ Until the *musrenbang* cycle 2014 the management of the *DPK*, the planning and implementation of activities funded by *DPK*, and the monitoring and evaluation were assigned to a *kelurahan* development committee (*panitia pembangunan kelurahan (PPK)*) established by *lurah* and *LPMK*. PerWal 22 / 2014 Surakarta - Annex III § G 1 – 6, 7, PerWal 8 / 2012 Surakarta §§ 1.16, 1.24, 4, 14 – 17, PerWal 3-B / 2015 Surakarta §§ 8.1, 12.4, 14 (a – b), 15 (a – c), 29.

²⁰⁰ PerWal 22 / 2014 Surakarta - Annex III §§ F 2 (a 1 – 3), F 2 (b 1 – 4), F 3 (a – d).

²⁰¹ *Lingkungan* is actually to be understood as 'kampung', neighbourhood, group of *RW*, *RT*, within a *kelurahan*.

²⁰² PerWal 22 / 2014 Surakarta - Annex II §§ F 2 (a 1, 2 a – c), 3, Annex VIII: *bagan mekanisme musrenbangkel*, Form I.

activities, the issues at the level of the *RW* will be discussed and prioritised based on the community strategic plan, and a list of priority activities of the *RW* (*daftar scala prioritas RW*, or *DSP RW*) will be determined, including a maximum of six proposals. The proposals have to conform to the basic needs criteria. The head of the *RW* will chair the meeting. The meeting has to be held no later than the first week of December.²⁰³

In addition, a meeting of the community institutions in the *kelurahan*, (*musyawarah lembaga kemasyarakatan*, or: *MLK*) will be held. This meeting is a regular meeting of institutions and groups in the *kelurahan*. The meeting is attended by *LPMK*, *PKK*, *karang taruna* and other institutions in the *kelurahan*, such as the children forum (*forum anak*) and religious groups. In this meeting activities for next year will be discussed and reviewed considering the community strategic plan, priority issues and the potential of solving problems will be identified, and a list of priority activities (*DSP stakeholders*) will be determined conform main needs based on the community strategic plan. The chairmen of the respective community institutions will chair the meetings. The meetings have to be held no later than the first week of November.²⁰⁴

²⁰³ PerWal 22 / 2014 Surakarta - Annex III §§ F 2 (b 1, 2 a – d), 3, 4, Annex VIII: *bagan mekanisme musrenbangkel*, Form II.

²⁰⁴ PerWal 22 / 2014 Surakarta - Annex III § F 3 (a – d), Annex VIII: *bagan mekanisme musrenbangkel*, Form III.

5. *INSTITUTIONAL DESIGN OF URBAN GOVERNANCE IN BANDA ACEH*

Introduction

Context

Banda Aceh, too, has a long history of social and political engagement of citizens at grassroots. The Acehese society is perceived to being more egalitarian, than, for instance, the Javanese society, citizens being on a more equal footing with government officials. Also, there is a tradition of women leadership and participation of women in community and in public and social life. After four decades of enduring conflict, ending with the Helsinki peace agreement and the autonomy of the province of Aceh in 2005, and the devastating earthquake and tsunami disaster December 2004, Banda Aceh, over the last decade has been rebuilding its society and governance structures. Traditional, indigenous institutions have been reinstated in wards that offer promising opportunities for community and citizen participation in the administration of their ward and neighbourhoods.²⁰⁵

Legislation on urban governance in Banda Aceh

In the above sections we presented an overview of the institutional design of urban governance in wards and neighbourhoods and community and citizen participation in the administration and development of their ward and neighbourhood and relating legislation and regulations. They can be seen as representative of the arrangements in most cities in Indonesia, as these arrangements have been evolving. In this section we will discuss the institutional arrangements that exist in Banda Aceh, and the relating municipal regulation.

As mentioned, and, in particular, ensuing the arrangement on autonomy as laid down in the law on the administration of Aceh, law 11 / 2006, the municipal administration in the province of Aceh, and in the municipality of Banda Aceh, is structured partly different compared to what has been discussed regarding the structure of municipal administration and community and citizen participation elsewhere in Indonesia in the preceding sections. The legal and institutional arrangements concerning the administration of wards, *gampong*, and neighbourhoods, *jurong*, and the participation of communities and citizens in Aceh, and likewise in Banda Aceh, differ considerably from the arrangements elsewhere in Indonesia.²⁰⁶

In Banda Aceh, national legislation on municipal administration is implemented, by a series of provincial and municipal regulations (*qanun*), and regulations of mayor (*peraturan walikota*, or *PerWal*). The most relevant provincial *qanun* concerning the general, day-to-day administration of *gampong* and *jurong* are *Qanun 3 / 2003* on the administration of *kecamatan*, *Qanun 4 / 2003* on the administration of *mukim* (see hereinafter), *Qanun 5 / 2003* on the administration of *gampong*, *Qanun 10 / 2008* on indigenous institutions, or *lembaga adat*, and *Qanun 4 / 2009* on the election and dismissal of heads of *gampong*, or *keuchik*. The most relevant, currently valid municipal regulations are *Qanun 10 / 2005* and *Qanun 3 / 2010* on the deletion of *kelurahan*, and the establishment of *gampong*, *Qanun 2 / 2008* on the organisation and working procedures of the municipal apparatus, *Qanun 6 / 2005* on the *gampong* representative council, or *tuha peuet gampong*, *Qanun 7 / 2005* on *gampong* regulations, *Qanun 9 / 2005* on the election and dismissal of *keuchik*, *PerWal 46 /*

²⁰⁵ Samadhi, Warouw (2009), p. 41, Wahid (undated), p. 5, Schröter (2012), Lay, Mundayat.

²⁰⁶ UU 11 / 2006, Administration of Aceh.

2009 on the duties and functions of *kecamatan*, *PerWal* 38 / 2010 on the devolution of authority to *camat*, and *PerWal* 71 / 2010 on guideline management of finance of *gampong*, *PerWal* 2 / 2014 on guideline on allocation *gampong* fund (ADG), *PerWal* 7 / 2015 on allocation village fund to *gampong* fiscal year 2015 (ADD)).²⁰⁷

In addition, the municipality is in the process of preparing and enacting a number of draft *qanun*, including *qanun* on the administration of *gampong* and *mukim*, and a revision of the *qanun* on the organisation of the municipal apparatus.^{208 209 210 211}

Whether the changes that may ensue from the new law on local administration, Law 23 / 2014, will substantially affect the municipal arrangements on the governance of *gampong* and *jurong* and the participation of citizens remains to be seen.

A draft municipal *qanun* and regulations on the municipal development planning cycle, *musrenbang*, are in the process of preparation. Currently, the *musrenbang* process is

²⁰⁷ Provincial legislation: Qanun 3 / 2003 Aceh (Administration of *Kecamatan*), Qanun 4 / 2003 Aceh (Administration of *Mukim*), Qanun 5 / 2003 Aceh (Administration of *Gampong*), Qanun 10 / 2008 Aceh (Indigenous Institutions, *Lembaga Adat*), Qanun 4 / 2009 Aceh (Election and Dismissal of *Keuchik*). Municipal legislation: Qanun 10 / 2005 Banda Aceh (Establishment, Merger and Deletion of *Gampong*), Qanun 3 / 2010 Banda Aceh (Deletion of *Kelurahan*, Establishment of *Gampong*), Qanun 2 / 2008 Banda Aceh (Organisation and Working Procedures Local Apparatus), Qanun 6 / 2005 Banda Aceh (*Tuha Peuet Gampong*), Qanun 7 / 2005 Banda Aceh (*Gampong* Regulations), Qanun 9 / 2005 Banda Aceh (Election and Dismissal of *Keuchik*), *PerWal* 46 / 2009 Banda Aceh (Duties and Functions of *Kecamatan*), *PerWal* 38 / 2010 Banda Aceh (Devolution of Authority to *Camat*), *PerWal* 71 / 2010 Banda Aceh (Guideline Management of Finance of *Gampong*), *PerWal* 2 / 2014 Banda Aceh on Guideline Allocation *Gampong* Fund (ADG), *PerWal* 7 / 2015 Banda Aceh on Allocation Village Fund to *Gampong* Fiscal Year 2015 (ADD).

²⁰⁸ Draft legislation: PROLEG Banda Aceh 2014 No. 9: draft Qanun on Administration of *Gampong* (status: (discussed in) DPRK), PROLEG 2014 No. 25: draft Qanun on Administration of *Mukim* (SEKDA), PROLEG 2014 No. 16: Organisation (etc.) of Apparatus (revision of Qanun 2 / 2008 Banda Aceh).

²⁰⁹ Draft Qanun Banda Aceh concerning the administration of *gampong* is an initiative / proposal of DPRK. Copy of the draft is not yet available. It is not yet disclosed and disseminated by DPRK. The draft is still under discussion and not yet determined. Also, the draft Qanun Banda Aceh on administration of *mukim* is still in the process of being discussed.

²¹⁰ In the context of the new Qanun on the administration of *gampong* that is now under discussion in DPRK, the question has been raised, whether the law on *desa* (UU 6 / 2014) would be applicable on *gampong* in Banda Aceh. Within government circles a leading view would be that the law on *desa* would be applicable to *gampong* in Banda Aceh, or, at least, to make it applicable, for other reasons. According to officials, the intention would be to include the new legislation on *desa* in the draft Qanun.

A *prima vista*, in legal terms this seems not correct, nor desirable. UU 6 / 2014 on *desa* does not apply to *gampong* in cities in Aceh. It does not necessitate to adapt local - provincial or municipal - legislation and regulations concerning *gampong* in cities:

(1) UU 6 / 2014 on *desa* applies to rural villages. It does expressly not concern *kelurahan* - urban villages, or wards - in cities. By implication, it does not concern *gampong* in cities in Aceh. In cities in Aceh, *gampong* are to be considered as the equivalent of (or, at least, coming most close to) *kelurahan* elsewhere in Indonesia. The law on *desa* only concerns *desa* in rural areas (and, possibly, rural areas in cities). UU 6 / 2014 only replaces Section XI, §§ 210 – 216 on *desa* of UU 32 / 2004 on local administration (replaced by UU 23 / 2014). *PerPem* 43 / 2014 only replaces *PerPem* 72 / 2005 on *desa*. Concerning *kelurahan* in cities, UU 32 / 2004 (now UU 23 / 2014) and *PerPem* 73 / 2005 (not yet replaced) on *kelurahan* remain either way applicable. See: UU 6 / 2014, § 121, *PerPem* 43 / 2014, § 158. A possible exception may concern areas in cities that still have a rural nature (*bersifat perdesaan*). These *kelurahan* may be converted in *desa*. See: *PerPem* 43 / 2014, § 24.

(2) In addition, and apart from the above, UU 6 / 2014 on *desa* does not apply to *gampong* in Aceh pursuant to the special arrangements on autonomy in Aceh as laid down in UU 11 / 2006 on the administration of Aceh. In this law, provisions have been included concerning the status and governance of *gampong*, urban and rural alike. These special arrangements prevail over the general arrangements in other, national legislation. See: UU 11 / 2006, §§ 115 - 117, and specifically relating to *gampong* in cities in Aceh: UU 11 / 2006, § 267.1 (transitional provision).

(3) The nature of *gampong* as they have come into being over the ages and just have been re-instated in Banda Aceh is unique. The institutional design differs considerably from *desa* elsewhere in Indonesia. Nevertheless, it may of course be considered to borrow and adopt notions and mechanisms in UU 6 / 2014 that are useful and fit with the specific nature and institutional design of *gampong*, and to include them in the draft Qanun.

UU 6 / 2014 (*Desa*), *PerPem* 43 / 2014 (*Desa*), UU 11 / 2006 (Administration of Aceh), UU 32 / 2004 (Regional administration), UU 23 / 2014 (Regional Administration), *PerPem* 72 / 2005 (*Desa*), *PerPem* 73 / 2005 (*Kelurahan*).

²¹¹ The draft Qanun Banda Aceh on municipal apparatus, *perangkat kota*, concerns revision of current Qanun 2 / 2008 Banda Aceh to implement changes in *DINAS* / addition of *DINAS*. No further changes are envisaged.

implemented on basis of the ministerial regulation on the regional development planning system, *PerMen* 54 / 2010, and (draft) standard operation procedures (SOP). A regulation of mayor, *PerWal* 52 / 2009, and (draft) standard operation procedures (SOP) provide guidelines for the implementation of the women development planning forum, *musrena* (see below).²¹²

Administration

Indigenous institutions

Pursuant to the law on the administration of Aceh, UU 11 / 2006, in Aceh and Banda Aceh the traditional, indigenous governance institutions in wards and neighbourhoods, established by their communities under *adat* law, *gampong* and *jurong*, have been reinstated and the arrangements that had been introduced during the '*orde baru*' era by prior national legislation, *kelurahan*, *RW* and *RT*, have been abolished, in as far as they had actually been implemented.²¹³

As legislation provides, similar to municipalities elsewhere, the municipality (*kota*) is divided in sub-districts (*kecamatan*), in Aceh customary, also, named *sagoe cut*, having similar functions and powers. Differently, though, *kecamatan* are divided in *mukim* (hard to translate), *mukim* are divided in what is to be considered as wards (*gampong*), and *gampongs* are divided in sections, or hamlets (*jurong*, or: *dusun*). In Aceh, pursuant to legislation, *kelurahan* have gradually been dissolved to become *gampong*. Funds, facilities and staff of the former *kelurahan* have been transferred to the newly established *gampong*.^{214 215}

Mukim, *gampong*, and *jurong* are not part of the municipal apparatus. Other than elsewhere in Indonesia, the municipal apparatus consists of the municipal secretariat (*sekretariat kota*), the secretariat of the municipal council (*sekretariat DPRK*), departments and technical institutions (*dinas kota*, *lembaga teknis kota*), and *kecamatan* only.²¹⁶

Mukim, *gampong* and *jurong*, and their heads and councils are indigenous community institutions (*lembaga adat*). Indigenous institutions serve as a vehicle for community participation (*partisipasi masyarakat*) in administration, development and community development. Their functions are to guard peace, public order and harmony, to assist the municipal government in the implementation of development and to develop and encourage community participation. In addition, their more specific functions are to uphold indigenous law and customs (*adat*), and values and customs that do not conflict with Islamic Shari'a, to solve social problems of the community and to reconcile disputes that arise within the community. Indigenous institutions are autonomous and independent (*otonom dan independen*) as partners (*mitra*) of the government, and have the right to participate in the government policy process in accordance with their function.²¹⁷

²¹² PerMen 54 / 2010 on Phases (etc.) Regional Development Planning, PerWal 52 / 2009 Banda Aceh on *Musrena*, Draft Qanun (2012) Banda Aceh on Procedures Municipal Development Planning, PROLEG 2014 No. 12, (Draft) SOP on *Musrenbang*, *Musrena*.

²¹³ UU 11 / 2006, Administration of Aceh §§ 98, 115, UU 5 / 1979 on Village Administration §§ 22 – 31 (*Kelurahan*).

²¹⁴ UU 11 / 2006 §§ 2.2 – 4, 98, 100, 114, 115, 267, Qanun 2 / 2008 Banda Aceh § 2.1, Qanun 6 / 2006 Banda Aceh § 1.4, Qanun 3 / 2010 Banda Aceh §§ 2 - 26, Qanun 3 / 2003 Aceh § 2.1, 2, Qanun 4 / 2003 Aceh § 2, Qanun 5 / 2003 Aceh §§ 2, 7.

²¹⁵ See with concern to *gampong* in Aceh, among others: Gayatri (2009), p. 203, IDLO (undated), Tripa (2011).

²¹⁶ UU 11 / 2006 § 100, Qanun 2 / 2008 Banda Aceh § 2.1.

²¹⁷ UU 11 / 2006 § 98, Qanun 10 / 2008 Aceh §§ 1.9, 2, 3, 4 (a – h), 6, Qanun 5 / 2003 Aceh §§ 61, 63.

The *gampong* is considered to being the lowest administrative entity under the *kecamatan* in the organisational structure of municipal administration in Aceh, notwithstanding that it is not part of the municipal apparatus. *Jurong*, also, traditionally have administrative functions. The functions of *mukim*, and *imeum mukim*, in particular, concern social and religious matters. Currently, *mukim* have no functions in general, day-to-day administration, or development planning.^{218 219}

Gampong

In Banda Aceh, in 2010, by municipal regulation, 18 *kelurahan* that had replaced former *gampong* pursuant to prior national legislation on municipal governance, have been dissolved and *gampong* have been re-established in the areas of these *kelurahan*. 72 *gampong* at that time still existed, not yet having been converted in *kelurahan*, in spite of the above national legislation. These *gampong* remained *gampong*, as they were, established by their communities under *adat* law, and acknowledged and codified by the law on the administration of Aceh and provincial and municipal legislation as well.^{220 221}

As an indigenous institution, *gampong* in Banda Aceh are autonomous institutions, legal entities of the community in the area of a *mukim*, that are entitled to manage their domestic affairs by them selves.²²²

The administration of a *gampong* (*pemerintahan gampong*) consists of a head of *gampong* (*keuchik*) and a *gampong* consultative council (*badan permusyawaratan gampong*), or *gampong* elders (*tuha peuet*) ('wise four'). The *gampong* is led by the *keuchik*. *Gampong* are established upon the initiative of the community and merged, split or dissolved by municipal regulation. *Gampong* consist of 500 households, and 3 *jurong* at minimum. At present, *gampong* in Banda Aceh have a population of less than 1,000 up to about 6,500 people, or, on average, about 3,000 people, and consist of about 5 *jurong*. Currently, in Banda Aceh, there are 90 *gampong* in 9 *kecamatan*.²²³

²¹⁸ Qanun 5 / 2003 Aceh § 2, Qanun 3 / 2010 Banda Aceh §§ 1.6, Qanun 10 / 2005 Banda Aceh § 1.6, Draft Qanun on *mukim*.

²¹⁹ *Mukim* is a legal entity of community below the *kecamatan* that consists of several *gampong* and is led by a head (*imeum mukim*) placed directly under the head of *kecamatan* (*camat*.) Currently, in Banda Aceh, there are 17 *mukim*, each consisting of about 4 to 5 *gampong*. *Mukim*, and the *imeum mukim*, are to coordinate the *gampong* in its area, in particular, in social and religious matters, to foster community peace, and to solve disputes in community, between residents, and between *gampong*. At present, in Banda Aceh, a draft Qanun is being discussed on the administration of *mukim*. It seems to aim to extend the functions of the *mukim* beyond the, particularly, social and religious matters, mentioned above. It is not clear yet whether the current draft actually will be adopted, and how *mukim* actually will develop over time, and what position and functions within the municipal administration they will have. Qanun 3 / 2010 Banda Aceh §§ 1.6, Draft Qanun on *mukim* §§ 1.9, 2, 3, 4 (a – f).

²²⁰ UU 5 / 1979 § 22, Qanun 3 / 2010 Banda Aceh §§ 2, 3, Explanatory notes sub 1 (*Penjelasan Umum*), Qanun 10 / 2005 Banda Aceh § 3, UU 11 / 2006 §§ 115.1, 117, Qanun 5 / 2003 Aceh §§ 6.1 – 8.

²²¹ Qanun 3 / 2010 Banda Aceh (Abolition of *Kelurahan*, Establishment of *Gampong*. Implementation of article 267.1, 4. UU 11 / 2006 on Administration of Aceh) refers to UU 32 / 2004 on Regional Administration, PerPem 72 / 2005 on *desa*, PerPem 19 / 2008 on organisation of regional apparatus. No reference is made to PerPem 73 / 2005 on *kelurahan*. In view of what is argued above with regard to the applicability of legislation on *desa* to *gampong* in cities in Aceh this seems not to be correct concerning urban *gampong*. According to officials, the reference in Qanun 3 / 2010 to legislation on *desa* only would be intentionally. *Gampong* in Banda Aceh, urban *gampong* too, would have been assigned a status similar to *desa* elsewhere in Indonesia. What this exactly would imply, is not very clear. Would, for instance, PerPem 72 / 2005 on *desa* (now: PerPem 43 / 2014, UU 6 / 2014) apply to *gampong*? In the Qanun there is no reference to PerPem 72 / 2005.

²²² UU 11 / 2006 § 1.20, Qanun 5 / 2003 Aceh § 1.5, Qanun 3 / 2010 Banda Aceh § 1.9, Qanun 10 / 2005 Banda Aceh § 1.6.

²²³ UU 11 / 2006 §§ 115.1, 2, 3, 117.1, Qanun 3 / 2010 Banda Aceh §§ 1.9, 2, 3 (a – t), 4, 5 (a – t), 6 – 26, Qanun 10 / 2005 Banda Aceh §§ 1.8 – 1.11, 3.1 (a, c), Qanun 5 / 2003 Aceh §§ 2, 6.1, 8.1 – 3, Qanun 10 / 2008 Aceh §§ 2, 3, Banda Aceh Dalam Angka 2013 / BAPPEDA, Statistik Banda Aceh 2014 / BAPPEDA, Kecamatan Meuraxa (etc) Dalam Angka 2014 / BPS Kota Banda Aceh, www.bpmkotabandaaceh.go.id, www.bandaacehkota.bps.go.id.

The main function of a *gampong* is to regulate and organise the administration affairs that are its authority. Pursuant to legislation, this authority includes: its pre-existing authority under *adat*, the authority conferred by legislation and the authority related to the implementation of assistance tasks (*tugas pembantuan*). Accordingly, the *gampong* has to organise its administration based on the principles of decentralisation, de-concentration and assistance tasks affairs (co-administration), as well as to implement other administration affairs in the area of the *gampong*, to implement development, to foster community, to maintain peace and order in the *gampong*, to improve public service, and to resolve legal disputes according to customs and tradition. In addition, the *gampong* has socio-cultural and religious functions, such as to improve the implementation of Islamic Shari'ah.²²⁴

The *gampong* administration can enact *gampong* regulations (*reusam gampong*) concerning miscellaneous administration affairs. Draft regulations can be proposed by the *keuchik* or the *tuha peuet*. Draft regulations have to be discussed jointly and agreed upon by the *keuchik* and the *tuha peuet*. Regulations are established by the *keuchik* upon approval of the *tuha peuet*. Regulations need the approval of the mayor.²²⁵

The *gampong* is funded through its own *gampong* revenue from wealth and assets of the *gampong*, self-organisation (*swadaya*) and participation, community mutual assistance (*gotong royong masyarakat*), alms (*zakat*), and other sources. In addition, *gampong* are funded through assistance and grants from the municipal government and in addition, recently, through grants from the national government. As mentioned above, assets have been transferred and funds have been re-allocated from the former *kelurahan* to the newly (or, re-) established *gampong*. Assistance tasks assigned to the *gampong* are accompanied by funding, facilities and infrastructure, and staff. Municipal grants (*alokasi dana gampong*, or ADG) are allocated to *gampong* according to formula (socio-economic, poverty, education and health, population, area, land-tax). Government grants (*alokasi dana desa*, or ADD) are allocated according to a similar formula (population, poverty, area, geographical hardship). The annual *gampong* budget (*anggaran pendapatan dan belanja gampong* (APBG)) is established by *gampong* regulation.²²⁶

The provincial, municipal, *kecamatan*, and *mukim* governments facilitate the administration of *gampong*. The mayor and the *camat* have to provide guidance, supervision, and evaluation. The *camat* is responsible for guiding the administration of *gampong*. These duties include the fostering and development of the administration of *gampong*, the facilitation and supervision of *gampong* regulations and the *gampong* budget and overseeing the spending of funds. The municipal auditing department (*inspektorat*) has, also, to supervise the conduct of the *gampong* administration. This includes control, auditing, reporting and evaluation.²²⁷

Further provisions concerning the establishment, functions and functioning of *gampong* will be given by municipal regulation and / or regulation or decree of mayor.²²⁸

²²⁴ Qanun 3 / 2010 Banda Aceh §§ 27.1, 2, Qanun 5 / 2003 Aceh §§ 3, 4 (a –f), 5.1 (a –d).

²²⁵ Qanun 6 / 2005 Banda Aceh § 14 (g), Qanun 7 / 2005 Banda Aceh §§ 2, 3 (a – c), 4 – 10, Qanun 5 / 2003 Aceh §§ 53 – 56.

²²⁶ Qanun 3 / 2010 Banda Aceh §§ 36, 36, UU 11 / 2006 § 200.1, Qanun 5 / 2003 Aceh §§ 5.2, 42 – 52, Perwal 71 / 2010 Banda Aceh, § 59, PerWal 2 / 2014 Banda Aceh, Appendix I Section I, PerWal 7 / 2015 Banda Aceh § 3, Appendix.

²²⁷ UU 11 / 2006 § 112.3 (b), Qanun 2 / 2008 Banda Aceh §§ 152.1, 153 (c), Qanun 3 / 2010 Banda Aceh § 31.3, Qanun 3 / 2003 Aceh § 5 (b), Qanun 5 / 2003 Aceh §§ 65 – 66, PerWal 38 / 2010 Banda Aceh §§ 2.2 (b), 4 (b, c, d), PerWal 46 / 2009 Banda Aceh §§ 3.1 (f), 3.2 (e), Qanun 4 / 2003 Aceh §§ 2, 3, 4, Qanun 2 / 2008 Banda Aceh §§ 84 – 86, PerWal 71 / 2010 Banda Aceh §§ 124, 125.3, PerWal 2 / 2014 Banda Aceh, Appendix I Section II, § 6 (1), (2), PerWal 7 / 2015 Banda Aceh §§ 9, 10.

²²⁸ Qanun 3 / 2010 Banda Aceh § 27.2, Qanun 5 / 2003 Aceh §§ 8.1, 29, 45.2, 47.1, 52, 56.1.

Keuchik

As mentioned above, the administration of a *gampong* is formed by the *gampong* government and the *tuha peuet*. The *gampong* government (*pemerintah gampong*) is led by the *keuchik*, and further consists of the *gampong* religious official (*imeum meunasah*) and the *gampong* apparatus (*perangkat gampong*). The *gampong* apparatus consists of a secretary and further staff. The secretary and staff are accountable to the *keuchik*.^{229 230}

The functions of the *keuchik* are to manage the administration of the *gampong*, to mobilise and encourage community participation (*partisipasi masyarakat*) in the development of the *gampong*, to foster the economy of the community and to maintain environmental sustainability, to maintain security, peace and order in the community, to be a judge of peace in the community in the *gampong*, to draft and file *gampong* regulations and the *gampong* budget for approval by the *tuha peuet* and to enact *gampong* regulations, and to represent the *gampong* in and outside court. In addition, the *keuchik* is to foster religious life and the implementation of Islamic Shari'a in the *gampong*, and to maintain and preserve *adat* as lives and strives in the community. The *keuchik* leads the implementation of the *gampong* administration based on policies determined with approval of the *tuha peuet*. The *keuchik* is accountable to the people (*rakyat*) in the *gampong* at the end of his term and at all times whenever requested by the *tuha peuet*.²³¹

The *keuchik* is elected directly by and from among the community in the *gampong* through democratic elections. Candidates have to be a resident of the *gampong* for over 5 years, have to know the conditions of the *gampong*, have to be widely known by the local community, and have to resign from concurrent positions within the *gampong* apparatus. They, also, have to fulfil the further legal requirements. Candidates will be selected by a *gampong* election committee, which is composed of members of the community. The *tuha peuet* will nominate at least 3 candidates and at maximum 5 candidates after deliberation and in consultation with the *imeum mukim* and *camat*. Candidates have to present a work plan to the *tuha peuet*. The elections are free, general, secret, honest and fair. Residents of the *gampong* (*penduduk gampong*) who are registered as a voter are entitled to vote. The candidate – elect will be appointed *keuchik* by the mayor. The tenure is 6 years and another 6 years if re-elected. The *keuchik* can be dismissed or suspended, among others, in the event of a loss of public confidence (*krisis kepercayaan publik*) established by the *tuha peuet*, an abuse of office, or a neglect of duties.²³²

The *keuchik* and the *gampong* apparatus, such as the *gampong* secretary who is a municipal civil servant, will be given a monthly income that is to be charged to the *gampong* budget. The income is to be determined by decree of mayor.²³³

Further regulation regarding the functions and functioning (etc.) of the *keuchik* and the *gampong* apparatus will be provided by municipal regulation and decree of mayor.²³⁴

²²⁹ UU 11 / 2006 § 115.3, 116, Qanun 5 / 2003 Aceh §§ 9 - 11, Qanun 3 / 2010 Banda Aceh §§ 31.3, 33, Qanun 10 / 2005 Banda Aceh §§ 1.10, 1.11.

²³⁰ *Imeum meunasah* is the official leading religious activities in *gampong* and responsible for the implementation and enforcement of Islamic Shari'a in *gampong*. Qanun 10 / 2008 Aceh §§ 1.21, 22, 23.

²³¹ Qanun 5 / 2003 Aceh §§ 11, 12.1 (a - i), 14.1, 2, Qanun 3 / 2010 Banda Aceh §§ 31.1, 33, Qanun 10 / 2008 Aceh § 15.1 (a - k), Qanun 9 / 2008 Aceh §§ 13 - 15, PerWal 71 / 2010 Banda Aceh § 6.1 - 2, PerWal 2 / 2014 Banda Aceh, Appendix I Section II, §§ 2, 6 (3), III A (4).

²³² UU 11 / 2006 § 115.3, Qanun 9 / 2005 Banda Aceh §§ 2, 7, 11, 12.1, 13.4, 15 (a - m), 16.1, 37, 39, 43, 46.1, 47.1, Qanun 3 / 2010 Banda Aceh §§ 31.1, Qanun 5 / 2003 Aceh § 15 - 24, Qanun 10 / 2008 Aceh § 16, Qanun 4 / 2009 Aceh §§ 5 - 10, 11.1 (a - d), 13 (a - r), 18, 29.

²³³ Qanun 5 / 2003 Aceh § 30.

²³⁴ Qanun 5 / 2003 Aceh §§ 23, 29,

Tuha Peuet Gampong

The *tuha peuet gampong* is a deliberative, or consultative council. As a *gampong* representative body (*badan perwakilan gampong*) the *tuha peuet* functions as a vehicle to achieve democratisation, transparency, and popular participation (*partisipasi rakyat*) in the implementation of the administration of the *gampong*, having a coordinate, equivalent position (*berkedudukan sejajar*) towards the *gampong* government and acting as a partner (*mitra*) of the *gampong* government in the implementation of the administration of the *gampong*.²³⁵

The *tuha peuet* has legislative, budget, supervisory, and judicial functions, along socio-cultural and religious functions. It has to discuss and approve *gampong* regulations, proposed by it selves or by the *keuchik*, to discuss and approve the *gampong* budget, to accommodate and channel the aspirations of the community concerning the administration and development of the *gampong*, to formulate the policy of the *gampong* together with the *keuchik*, to give advice and opinions to the *keuchik*, requested or un-requested, and to oversee the *gampong* administration, including the supervision of *gampong* regulations, the *gampong* budget, and decisions and other policies of the *keuchik*, and their implementation. It has the right to ask the *keuchik* to render account, and to propose the dismissal of the *keuchik*. In addition, its function is to settle disputes within the community. Furthermore, the *tuha peuet* is expected to promote and implement Islamic Shari'a and *adat* in community, and to sustain customs, traditions and culture. Rules of procedure of the *tuha peuet* are provided for by general guidelines by decree of mayor.²³⁶

The *tuha peuet* meets at least once a year at the end of the fiscal year, and at any time when needed. At least 2/3rd of the members have to attend. Decisions are taken in consensus (*musyawarah mufakat*), and if no consensus is reached by majority-vote. The meeting is chaired by the chairman of the *tuha peuet*.²³⁷

The *tuha peuet* is composed of elements of the cleric in the *gampong*, community leaders, including youth and women, traditional leaders, and wise and capable persons (*cerdik pandai*) in the *gampong*. The *tuha peuet* consists of 7 up to 15 members. The number is determined on basis of the population of the *gampong*. The *tuha peuet* is headed by a chairman and a secretary / member. The members are elected by and from within the community in the *gampong*. Candidates are nominated by an election committee that consists of members of the *gampong* community. Candidates have to be resident in the *gampong* for over 5 years, and have to meet the further legal requirements. The requirements are mutatis mutandis similar to the requirements that apply to candidates for the position of *keuchik*. Members will be elected through deliberation and consensus (*musyawarah mufakat*) in a *gampong* community meeting, which will be organised to elect the *tuha peuet* (*musyawarah pemilihan tuha peuet gampong*). If no consensus is reached, members will be elected by voting. The meeting is attended by representatives of each *dusun* (or: *jurong*) in the *gampong*. The meeting is led by the *keuchik* and the secretary of the *gampong*. The members of the *tuha peuet* are appointed by the mayor. Their tenure is 6 years and another 6 years if re-elected. Members of the *tuha peuet* can be dismissed by the mayor, among others, in the event of deeds that are obviously detrimental to the *gampong* community (*tindakan yang nyata-nyata merugikan masyarakat gampong*) upon the proposal of the *tuha peuet* together with the *imeum mukim* and *camat*. Members are not allowed to have concurrent positions in the *gampong* government.²³⁸

²³⁵ Qanun 3 / 2010 Banda Aceh §§ 1.14, Qanun 6 / 2005 Banda Aceh §§ 2, 5, Qanun 5 / 2003 Aceh § 34.

²³⁶ Qanun 6 / 2005 Banda Aceh §§ 14 (a – g), 15 (a – c), 16 (a, b), Qanun 5 / 2003 Aceh §§ 34 - 35.1 (a – f), 2, Qanun 10 / 2008 Aceh § 18 (a – g), Qanun 9 / 2008 Aceh §§ 13 – 15, PerWal 71 / 2010 Banda Aceh §§ 53.2 - 59.2, 90 – 91, 99.1, 117.1, 119.1, 126.1, 2), PerWal 2 / 2014 Banda Aceh, Appendix I Section II, §§ 2, 6 (3).

²³⁷ Qanun 6 / 2005 Banda Aceh § 18.1 – 6, 19.

²³⁸ Qanun 3 / 2010 Banda Aceh §§ 1.14, 30.1 – 4, Qanun 6 / 2005 Banda Aceh §§ 1.8, 3.2, 3.3, 4, 6 – 13, 17 (a), 22, 24, Qanun 5 / 2003 Aceh §§ 31 – 33, 37, Qanun 10 / 2008 Aceh §§ 17.2, 3, 19.

The *tuha peuet* is assisted by a secretariat according to the needs of the *gampong*. The secretariat is accountable to the *tuha peuet*. Members of the *tuha peuet* are entitled to an allowance and benefits in accordance with the financial capacity of the *gampong*. The secretariat and staff will be given a monthly income and can be compensated for expenses. The allowances, benefits and compensations will be determined in the annual *gampong* budget.²³⁹

Further provisions regarding the establishment, functions, functioning and rules of procedure of the *tuha peuet* are given by municipal regulation and decree of mayor, and may also be enacted by the *tuha peuet* it selves.²⁴⁰

Musyawah Gampong

The *musyawarah gampong* is a forum for discussion and deliberation concerning various activities, the administration, development and community. As yet, there are no (further) (specific or dedicated) municipal regulations applicable to the *musyawarah gampong*, its constitution, functions and powers, and functioning, save for special meetings held to elect *tuha peuet*. These meetings, *musyawarah pemilihan*, are attended by a number of representatives from each *jurong* elected in that capacity in *musyawarah jurong* and chaired by the *keuchik*. It is left to *gampong* to make further arrangements.^{241 242}

Other gampong institutions

In *gampong*, the *gampong* government can establish other institutions, such as religious institutions (*lembaga keagamaan*), indigenous or traditional institutions (*lembaga adat*), and community institutions (*lembaga kemasyarakatan*). The function of religious institutions is to improve the implementation of Islamic Shari'ah in the *gampong*. The function of indigenous institutions is to improve the implementation of *adat* in the *gampong*. Community institutions foster and develop community participation. Community institutions are established on the initiative of the community. The institutions serve as a partner (*mitra*) of the *gampong* government, to gather peoples' participation in development in all sectors. Further regulation concerning the establishment, functions and functioning of these institutions is provided by *gampong* regulation.²⁴³

One such indigenous *gampong* institution, which may be established, is a council that is called *tuha lapan* ('wise eight'). The *tuha lapan* can be established in addition to the *tuha peuet*, according to the needs of the community. The *tuha lapan* is elected in a *musyawarah gampong*. The *tuha lapan* consists of elements of the *tuha peuet* and persons with expertise as needed. The appointment and dismissal of the *tuha lapan* and its assignment and functions are established by the *musyawarah gampong*.^{244 245}

²³⁹ Qanun 6 / 2005 Banda Aceh §§ 15 (c), 25, 26, Qanun 5 / 2003 Aceh §§ 30, 39 – 40.

²⁴⁰ Qanun 6 / 2005 Banda Aceh § 21, Qanun 5 / 2003 Aceh §§ 35.2, 41.1, 2.

²⁴¹ Qanun 6 / 2005 Banda Aceh §§ 3.1, 12.2, Qanun 3 / 2010 Banda Aceh §§ 1.11, 30.1, 4, Qanun 5 / 2003 Aceh §§ 33.1, 41.2 (a), Qanun 10 / 2008 Aceh §§ 17.2, 21.4, 22.1, 3.

²⁴² Municipal regulations appear not to be entirely consistent with regard to *musyawarah gampong*. According to another regulation, *musyawarah gampong* are attended by indigenous institutions and religious leaders in the *gampong* and chaired by the *keuchik* and the *tuha peuet*. Qanun 3 / 2010 Banda Aceh §§ 1.11, 30.1, 4.

²⁴³ Qanun 5 / 2003 Aceh §§ 60 – 64.

²⁴⁴ Qanun 10 / 2008 Aceh § 21.1 – 3.

²⁴⁵ According to observers, this does not occur, or, at least, not very often.

Jurong

As mentioned above, within the area of *gampong* are established *jurong* (or: *dusun*). Considering its size, *jurong* is most equivalent to *RW* elsewhere in Indonesia. Considering its functions, it comes more close to *RT*. Other than *RW* and *RT*, as mentioned above, *jurong* is an indigenous community institution. In Banda Aceh, most *gampong* consist of about 5 *jurong*. Based upon the numbers mentioned above, this would imply the population of *jurong* is about 300 to 1200 people, 800 people on average, or, about 200 to 250 households.^{246 247}

Jurong are headed by a head (*kepala jurong*, or: *ulee jurong*). The head of *jurong* assists the *gampong* government in the area of the *jurong*. The head of *jurong* is nominated by the community of the *jurong* through deliberation and consensus.²⁴⁸

Jurong (and *dusun*) is referred to in provincial and municipal legislation. As yet, there are no (further) (specific or dedicated) municipal regulations applicable to its functions and powers, and functioning. This is left to the *jurong* them selves, and entirely ensues from custom.

Development planning

Development planning process

Municipal development planning in Aceh has to be arranged as a part of the national development planning, heeding, among other, Islamic values, culture, justice and fair distribution. The community is entitled to be involved in municipal development planning through bottom-up collection of aspirations (*penjaringan aspirasi dari bawah*).²⁴⁹

Up to present, in Banda Aceh, the annual development planning cycle has been implemented on basis of the national directives. A draft municipal regulation on the procedures for municipal development planning is in the process of being prepared. It has not yet been discussed in the municipal council (*DPRK*). The draft regulation is to establish the general framework concerning the various levels of development planning, from long-term, mid-term and strategic plans (*RPJP, RPJM, RenStra SKPD*), to the annual municipal development planning work plan (*RKPK*), and, also, the participation of community in the preparation of these plans through development planning meetings, *musrenbang*.²⁵⁰

To support a smooth implementation, *BAPPEDA* has conceived a (draft) Standard Operating Procedure (*Standard Operating Procedure Musyawarah Perencanaan Pembangunan (Musrenbang)*, or: *SOP Musrenbang*) as a reference. The *SOP* includes work procedures for the development planning meetings (*musrenbang*), criteria for determining priorities and proposed activities and result report formats. The *SOP* reflects the current

²⁴⁶ Qanun 3 / 2010 Banda Aceh §§ 1.18, 6 – 25, Qanun 5 / 2003 Aceh § 7.

²⁴⁷ *RW* and *RT* have been established in Banda Aceh in *gampong* that, as discussed above, pursuant to (then) national legislation on municipal administration were converted in to *kelurahan*. In the *gampong* that were not converted, they have never been introduced. According to sources, *RW* and *RT* have not been accepted that much in society, and have not acquired the position and meaningful function *RW* and *RT* elsewhere in Indonesia have. Later, *RW* and *RT* have been dissolved pursuant to the law on the administration of Aceh and further provincial and municipal legislation, and *jurong* were reinstated.

²⁴⁸ Qanun 3 / 2010 Banda Aceh §§ 1.18, 6 – 25, Qanun 5 / 2003 Aceh § 7.

²⁴⁹ UU 11 / 2006 § 141.1 (a – e), 3.

²⁵⁰ UU 25 / 2004 on national development planning system, PM 54 / 2010 on phases (etc.) regional development planning, Draft Qanun Banda Aceh (draft 2012), procedures for municipal development planning Kota Banda Aceh, PROLEG 2014 No. 12.

development planning process and its functioning in Banda Aceh. The *SOP* does not include material changes to the latest municipal development planning cycles. The *SOP* is to be considered as current practice 'put on paper' by *BAPPEDA*. The intention is to further develop and detail the *SOP* over time, accommodating changes to the process, such as *E-musrenbang* and the *gampong* medium-term development plan (*rencana pembangunan jangka menengah gampong*, or: *RPJMG*), that have been introduced recently.²⁵¹

In Banda Aceh, in each phase of the municipal development planning space has to be provided for community participation (*ruang partisipasi masyarakat*). *Musrenbang* are the main medium of public consultation for all actors that have interest (*pelaku kepentingan*) to align the development priorities of the *kecamatan* and *gampong* with the municipal development priorities and objectives, to clarify the proposed programs and activities that have been submitted by the community in the *musrenbang* in each phase, from the *musrenbang gampong*, *musrenbang kecamatan*, the sector meeting (*forum SKPD*), to the *musrenbang kota*, and to agree on development programs and priority activities in each phase of the *musrenbang* cycle, and resulting in the determination of the annual municipal development work plan (*RKPK*). The principle to agree on the priorities, programs and activities is deliberation to reach consensus (*musyawarah untuk mencapai mufakat*) through a top-down and bottom-up approach in accordance with the authority of the concerned local administrations. Further provisions, guidelines and procedures have to be given by regulation of mayor.²⁵²

Part of the annual *musrenbang* cycle in Banda Aceh, is the women action planning meeting process (*musyawarah rencana aksi perempuan*, or: *musrena*). The *musrena* is a forum for women to express their aspirations and to communicate their needs to be accommodated in the municipal development planning. Aim is, also, to initiate a dialogue between women groups, municipal legislators and executive officers. The meetings are implemented to strengthen the capacity of women to participate in the local development planning process, to learn them to be able to participate actively, and to address and express their actual problems and needs. Objective is to create a gender-based municipal planning. The *musrena* process has been initiated by the municipal government as a special effort to ensure the participation of women in the planning, implementation, monitoring and evaluation of development planning, and to have women enjoy the results of development.

²⁵³ ²⁵⁴

Musrena are held at *kecamatan* level. There will be three meetings, each clustering three *kecamatan*. The guideline provides that the results of the *musrena* will be discussed and consolidated in the municipal integration forum (*forum integrasi*, or: *forint*) and the (regular) sector meeting (*forum SKPD*). Preparatory meetings will be organised at *gampong* level (*persiapan tingkat gampong*).²⁵⁵

The *musrena* process is not initiated to create a planning process for women separated from the regular municipal *musrenbang* process. Women are expected to participate in the *musrenbang* process as equal partners in community. As soon as the *musrena* process has

²⁵¹ (Draft) *SOP* on *musrenbang* (2012).

²⁵² (Draft) Qanun (draft 2012) Banda Aceh §§ 1.15, 1.17, 46.1, 51.1.2, 58.2, 62, (Draft) *SOP* *musrenbang* p. 1. Introduction.

²⁵³ PerWal 52 / 2009 Banda Aceh § 1.4, Guideline *musrena* 2010, I, Introduction, Background, Objectives and Benefits, II (7), Results, (Draft) *SOP* *musrena*, p. 1, Introduction, Purpose, (Draft) Qanun (draft 2012) Banda Aceh §§ 1.16, 59.

²⁵⁴ See also: IGI - UGM (undated), p.6: Detailed description of purpose *musrena* and process.

²⁵⁵ PerWal 52 / 2009 Banda Aceh – Guideline *musrena* 2010 sub II (1), (2), (4), (5), (Draft) *SOP* *musrena*, p. 2, 3, Implementation (A), (B)), (Draft) Qanun (draft 2012) Banda Aceh § 59.

been successful in improving gender equality, particularly in the planning process, it will be merged with the regular *musrenbang* process.²⁵⁶

The *musrenbang* process in Banda Aceh is increasingly supported by IT applications that have become available and have been developed over the last years. One application that supports the *musrenbang* process and may promote substantial participation that has been introduced in last years' *musrenbang* cycle in Banda Aceh is *E-musrenbang*. It builds on the *E-musrenbang* application that has been developed by the municipality of Surabaya. In the coming years the application will be further developed. Another application that has recently been introduced is '*E-planning*'. The *E-planning* link on the *BAPPEDA* website aims, among others, to facilitate the public in following the progress of the development planning cycle. It shows which plans, or proposals are prioritised, specified for each *kecamatan* and *gampong*. This allows residents and the general public as well to witness what has been proposed, and what progress has been made. It, also, lists the planning, time and venue of *musrenbang gampong* and *musrenbang kecamatan*. In addition, information and data are offered by the '*GIS*' link on the same website.²⁵⁷

Over the last years, the municipality has been in the process of further integrating and synchronising the *PNPM Urban* program in the *musrenbang* cycle. The aim is to eventually merge all programs and to have just one planning cycle.^{258 259}

At the municipal level, the *musrenbang* and the *musrena* processes are coordinated and organised by *BAPPEDA* jointly with other concerned municipal departments and representatives from community institutions.²⁶⁰

The *musrenbang* and *musrena* processes are funded through the municipal budget. The implementation of plans is funded by the municipality, among others through the *gampong* fund (*alokasi dana gampong*, or *ADG*), community direct aid (*BLM*) under the *PNPM Urban* program, community self-organisation, and by other sources.²⁶¹

Musrenbang gampong

The *musrenbang gampong* is a forum discussion for all stakeholders (*pemangku kepentingan*) in the *gampong* to discuss and determine the priority activities program on basis of the priority activities proposed by the *dusun (jurong)* and groups (*kelompok*) that have to be integrated with the development priorities of the *gampong*.²⁶²

Participants (*peserta*) in the *musrenbang gampong* are the heads of *dusun*, the *keuchik*, the *gampong* secretary, or the head of general affairs, the *imeum meunasah*, elements of the *tuha peuet*, community leaders, women leaders, family empowerment and welfare groups (*PKK*), and 'marginalised' (read: 'disabled') community and other stakeholders at *gampong* level. The *musrenbang gampong* are, furthermore, attended by informants (*narasumber*),

²⁵⁶ PerWal 52 / 2009 Banda Aceh § 1.4, Guideline musrena 2010 sub I, Introduction, Background, (2) Objectives and benefits, (Draft) SOP musrena, p.1, Introduction.

²⁵⁷ www.bappeda.bandaacehkota.go.id, under E-PLANNING / Agenda, WEBGIS.

²⁵⁸ (Draft) Qanun 2012 § 3.1).

²⁵⁹ The *PNPM Urban* program in Banda Aceh ran until 2015. As mentioned above the *PNPM Urban* program has now been replaced by a new program, *P2KKP*.

²⁶⁰ (Draft) SOP musrenbang p. 1, 2, 3, (Draft) Qanun (draft 2012) Banda Aceh § 43.2(d), PerWal 52 / 2009 Banda Aceh § 1.4, Guideline musrena 2010 sub II (1), III, III (3), Annex 2 (Committees)), (Draft) SOP musrena, p.2, Implementation, (B).

²⁶¹ (Draft) SOP musrenbang (Not indicated regards process as a whole), PerWal 52 / 2009 Banda Aceh - Guideline musrena 2010 § III (2), (Draft) SOP musrena, p. 2, Introduction, Implementation (4).

²⁶² (Draft) SOP musrenbang, p. 1, musrenbang gampong.

such as the *camat*, and representatives of vertical municipal agencies and other necessary elements, and facilitators.²⁶³

Objective of the *musrenbang gampong* is, amongst other, to establish and to agree on the priority activities of the *gampong* according to the needs of the community, that will be financed through the *gampong* fund (*ADG*), consisting of a maximum of three activities in the field of infrastructure / physic, economy, or socio-cultural. In the meeting, also, the priorities will be established that will be submitted for discussion in the *musrenbang kecamatan*, and priority *gampong* activities will be grouped and agreed upon. The proposed activities have to adhere to criteria. Activities have, amongst other, to be across the *dusun*, to benefit the *gampong* and the *gampong* community, to have a high urgency and to develop the local economic potential, or to address socio-cultural issues in the *gampong*. In addition, in the *gampong* meeting the delegation to the *musrenbang kecamatan* will be discussed and determined.²⁶⁴

In *musyawarah gampong*, also, the *gampong* medium-term development plan (*rencana pembangunan jangka menengah gampong*, or: *RPJMG*) will be discussed and agreed upon. The *RPJMG* is a plan for a period of 5 years. The plan has to be revised every year. It integrates development and general administration issues and is intended as a basis for setting priorities for a longer term. The plan, also, aligns the regular development planning process and the *PNPM Urban* program. It, also, facilitates integration of spatial planning and development planning at the *gampong* level. The plans are relevant in the next year's development planning cycle. The draft plan is prepared by the *gampong* secretariat and apparatus. The *keuchik* presents the draft plan after discussion and agreement with the *tuha peuet*. After agreement in *musyawarah gampong*, the plan is proposed to the *kecamatan*. *BAPPEDA* provides technical assistance to *gampong* and *kecamatan*. Starting in 2012, a pilot has been implemented in 9 *gampong* in the *kecamatan* Lueng Bata. In the 2014 *musrenbang* cycle, the *RPJMG* process has been implemented in all other *gampong* in Banda Aceh. By the end of 2015, all *gampong* had completed plans.²⁶⁵

Musrenbang gampong are to be organised by the *keuchik*. The process is coordinated by the *kecamatan* and supervised by *BAPPEDA*. Prior to the meeting participants will be sent an invitation. Attached to the invitation they will find the required information. Meetings will be facilitated by a facilitator. The facilitator guides the discussion and decision-making process in group discussions. *Musrenbang gampong* are held in January.²⁶⁶

Musyawarah dusun

Prior to the *musrenbang gampong*, community meetings will be organised in the *dusun* (*musyawarah (...) masyarakat di tingkat dusun*, or *pra-musrenbang*) to discuss and reach consensus on the priority activities that will be proposed to the *musrenbang gampong*. The results will be compiled in the *musrenbang gampong*.²⁶⁷

Musrena

In the preparatory meeting at *gampong* level (*persiapan tingkat gampong*), representatives to the *musrena* at *kecamatan* level will be elected. Each *gampong* will delegate two

²⁶³ (Draft) SOP *musrenbang*, p. 2, Elements involved.

²⁶⁴ (Draft) SOP *musrenbang*, p. 1, 2, Results, Discussion, Forms A1, A3.

²⁶⁵ PerWal 71 / 2010 Banda Aceh § 1.7.

²⁶⁶ (Draft) SOP *musrenbang*, p. 1, 2, Elements involved, Phases c, e.

²⁶⁷ (Draft) SOP *musrenbang*, p. 1, Phases a, b.

representatives. In the same meeting, the (regular) *musrenbang gampong* will be prepared. Preparatory meetings will be held one day prior to the *musrenbang gampong*.²⁶⁸

Participants to the preparatory meetings at *gampong* level are women leaders in the *gampong (tokoh perempuan digampong)*. They are invited upon the order of the *camat*.²⁶⁹

The participants who will represent the *gampong* in the *musrena kecamatan* have to be able to represent the interests of their *gampong*. They are expected to be active in community activities, to have good knowledge, and to have understanding and knowledge of the situation and aspirations of the women in their *gampong*. The representatives collect the aspirations, input and ideas from the women in the *gampong* to bring them to the *musrena kecamatan* later.²⁷⁰

The principles (*prinsip dasar*) governing the *musrena* process are: equality (*kesetaraan*) (participants have equal rights to express their views, to speak and to be respected in spite of difference of opinion. Conversely, they have an equal obligation to listen to the other, to respect differences of opinion and to respect decisions of the forum, even if they do not agree), gender justice (*berkeadilan gender*) (in determining the priority program or issues to refer to the interests and needs of women and men, respecting the available budget and to maximise a gender fair use), dialogue (*musyawarah dialogis*) (participants have different levels of education, background, age group, gender, socio-economic position, and so on. Differences and different views are expected to result in the best decisions to the benefit of all), anti-domination (*anti-dominasi*) (in deliberations, there should be no individual group that dominates so that decisions would not be balanced), partisanship (*keberpihakan*) (in deliberation, encourage individuals and groups to express their aspirations and views, especially, women and other vulnerable groups), anti-discrimination (*anti-diskriminasi*) (all residents have the same rights and obligations when participating in the *musrena*), holistic development (*pembangunan secara holistik*) (to promote the welfare of women and the entire community, and not just of some sectors or areas only).²⁷¹

The preparatory *musrena* meeting at *gampong* level is prepared and organised by the organisation team (*tim pelaksana musrena*), consisting of *BAPPEDA* officers and representatives of the office of women empowerment and family planning (*KPPKB*), together with the team that organises the regular *musrenbang* (*tim musrenbang*). The meetings are monitored and evaluated by a monitoring and evaluation team (*tim monitoring dan evaluasi*). This team consists of *BAPPEDA*, the Women Development Center (*WDC*), and a representative from each *musrena kecamatan*.²⁷²

²⁶⁸ PerWal 52 / 2009 Banda Aceh – Guideline musrena 2010 sub II (1), (Draft) SOP musrena, p. 2, 3, Implementation (A).

²⁶⁹ PerWal 52 / 2009 Banda Aceh – Guideline musrena 2010 sub II (1), (Draft) SOP musrena, p. 2 Implementation (A).

²⁷⁰ PerWal 52 / 2009 Banda Aceh - Guideline musrena 2010 sub II (1), (Draft) SOP musrena, p. 2 Implementation (A).

²⁷¹ PerWal 52 / 2009 Banda Aceh - Guideline musrena 2010 sub I (2), Basic Principles.

²⁷² PerWal 52 / 2009 Banda Aceh - Guideline musrena 2010 sub II (1), (6), III (1), (3), Annex 2 (Committees), (Draft) SOP musrena, p 2, 5, 6 Implementation, sub B, musrena, C. Monitoring and Evaluation (b).

6. *INSTITUTIONAL DESIGN OF PNPM URBAN PROGRAM*

Introduction

Context

In addition to the development planning process, discussed in the above sections, another, partly parallel, development program has been initiated by the government, the national community empowerment program (*Program Nasional Pemberdayaan Masyarakat Mandiri*, or: *PNPM Mandiri*). The program is considered being one of the most successful development programs worldwide. The program is supported by the WorldBank and a number of other donors.

The *PNPM* program consolidates and integrates the various community development and empowerment programs that existed at the time of its inception in 2007. The national program is structured as a policy framework, which serves as a basis and reference for the implementation of poverty reduction programs based on community empowerment. The program is aligned with the regular development planning process.²⁷³

The program attempts to create and enhance the capacity of communities, individually and collectively. Its purpose, in general, is to increasing prosperity. To this end, it aims to increase empowerment and community self-reliance, social capital and innovation. It aims to improve the participation of the whole community, including poor, women, and other groups in community that are vulnerable and are marginalised in decision-making processes and implementing development. It, furthermore, aims to increase the capacity of community institutions, making them more representative and accountable. In addition, the program promotes a greater involvement of local government and other stakeholders to provide opportunities and to better ensure the sustainability of results. It, also, aims to increase the capacity of local government to deliver services, especially to the poor, and to increase the synergy of community, local government and others that are involved.²⁷⁴

Legislation on PNPM program

The legal basis of the program ensues from the presidential decree on the acceleration of poverty reduction, PerPres 15 / 2010, and the presidential instruction on an equitable development program, InPres 3 / 2010. The overall design of the program is found in the general guidelines issued by ministerial decree, KepMen 25 / 2007.²⁷⁵

PNPM Urban program

One of the programs within the *PNPM* framework has been the *PNPM* Urban program (*PNPM Perkotaan*). The program was, particularly, directed at the urban poor. Its main purpose was to build self-reliance and to reduce poverty in a sustainable manner, and to have urban poor in *kelurahan* benefit from improved environmental conditions and good

²⁷³ KepMen 25 / 2007 General Guidelines §§ 1.1, 1.2 (a – b), 3.3, 3.4.

²⁷⁴ KepMen 25 / 2007 General Guidelines §§ 1.3.1, 1.3.2 (a – g).

²⁷⁵ PerPres 15 / 2010 (Acceleration of Poverty Alleviation), InPres 3 / 2010 (Program Equitable Development), KepMen 25 / 2007 (General Guidelines National Community Empowerment Program (PNPM Mandiri)).

governance. The program aimed to better empower communities in *kelurahan* and to strengthen the capacity of local government to deal with the root causes of poverty.²⁷⁶

In municipalities that participated in the *PNPM Urban* program, the program has been implemented in conformity with the general guidelines and instructions issued by the government. Commonly, no additional, specific municipal legislation or guidelines have been enacted. As the guidelines did provide, in municipalities, the process was synchronised and partly integrated with the regular municipal development planning process (*musrenbang*). Locally, municipalities have been further integrating and synchronising the *PNPM Urban* program with the municipal development planning cycle, among others, in Surakarta and Banda Aceh. Some aim to eventually merge all programs and to have just one planning cycle.

Over the past years, the government has been in the process of developing and implementing policies to optimise the *PNPM* program to make community development more sustainable. Reference is made to the Roadmap *PNPM (Peta Jalan PNPM Mandiri)*. The policies build on 5 'pillars': integration of community empowerment programs, sustainability of mentoring, institutional strengthening of communities, strengthening the role of local government, and realising good governance.²⁷⁷

The *PNPM Urban* program that was part of the policy program of the previous government has not been continued by the new government. The *PNPM Urban* program has been phased out by April 2015.

The government has launched a new program that focuses on the development and upgrading of slums in cities, named *Program Peningkatan Kualitas Kawasan Permukiman 2015 – 2019*, or *P2KKP Perkotaan (P2KKP Urban)*. The program aims, among others, at having cities without slums in 2019 ('0 slums') by upgrading slums and preventing the coming into being of new slums. Cities in Indonesia now have about 12 % slums. The program provides for a more comprehensive and integrated planning. The program will be embedded in the municipal system. The implementation will be further decentralised and integrated with *musrenbang*. Local government will be leading (*panglima*) in planning and managing the program. The community is supposed to participate. Processes, from planning, implementation to supervision, will be participatory (*proses partisipatif*). The program is to facilitate self-organisation (*swadaya*) of development, and to expand access to finance. The program should, furthermore, ensure the rights of all, '*Housing is a basic human right, and people who live and inhabit a house, both legal and illegal, obtain protection from arbitrary eviction treatment.*'²⁷⁸

The institutional design and arrangements for community participation in *kelurahan* that have been applied in the *PNPM Urban* program will continue to be used in the new *P2KKP Urban* program and will not substantially change, at least, for the time being.²⁷⁹

²⁷⁶ Guideline Implementation PNPM Urban 2012 §§ 1.1, 1.2, 1.4.

²⁷⁷ Roadmap PNPM, September 2012, Surat Menteri 8-32 MENKO KESRA / III / 2013.

²⁷⁸ www.p2kp.org, Kementerian Perencanaan Pembangunan Nasional (PPN), BAPPENAS, presentation Kebijakan dan Program Penanganan Permukiman Kumuh 2015 – 2019, 14 December 2014.

²⁷⁹ Kementerian Pekerjaan Umum dan Perumahan Rakyat / DirJen Cipta Karya, presentations Rapat Koordinasi Nasional Program Kualitas Permukiman di Perkotaan (P2KP) Tahun 2015, Jakarta, 15 – 16 Juni 2015, Kementerian Pekerjaan Umum dan Perumahan Rakyat / DirJen Cipta Karya, Surat No. PR.01.03 – DC / 544 27 October 2015, Operational Procedures Baseline Data 100 – 0 – 100 P2KP, p. 1, Introduction.

PNPM Urban program

Process

As briefly discussed above, core of the *PNPM* program is community-based development. The planning process is participatory. According to the general guidelines, the community is considered being the main actor of development. The program prioritises universal values and local culture in the participatory development process alike. The way the community is empowered should be in accordance with the social, cultural and geographical characteristics of that community. The program involves community, private sector and government in the decision-making process on development, each according to their functions. It aims to provide the widest possible space to citizens (*warga*), both men and women, especially to poor households, to engage actively in discussions and decision-making, needs identification and planning.²⁸⁰

At the *kelurahan* level, the *PNPM Urban* program has been implemented in a series of consecutive, annual cycles, a first, initial cycle at the start of the program in a *kelurahan*, and cycles in the following three years. The duration of a program in a *kelurahan* was four years.²⁸¹

The first cycle, in the first year of a program in a *kelurahan*, started with a preparation phase. In this phase, the program was introduced to the community and public awareness was raised through dissemination in community meetings (*rembug*), and by other means (*sosialisasi*). Also, the commitment of the community was built to adopt the program, and volunteers were being mobilised to participate in next phases (*rembug kesiapan masyarakat, RKM*).²⁸²

In the second phase, the planning phase, community meetings were held to reflect on poverty (*refleksi kemiskinan, RK*), to identify poverty issues and to map problems, needs and potentials of the community (*pemetaan swadaya, PS*). Next, there were community meetings to establish a representative institution that had to oversee the program on behalf of the community (*badan keswadayaan masyarakat, or lembaga keswadayaan masyarakat (BKM or LKM)*, hereinafter: *BKM*), and to select its leadership. In this phase, also, *kelurahan* development plans, consisting of a medium term poverty alleviation program for three years, or community development plan (*CDP*), (*program jangka menengah penanggulangan kemiskinan, PJM Pronangkis*), and an annual plan (*rencana tahunan, Renta*), were prepared and determined.²⁸³

The medium term plan and the annual plan were prepared by a participatory planning team (*tim perencana partisipatif (TPP)*), established by *BKM*. The planning team consisted of members of *BKM*, volunteers and concerned citizens. The planning team prepared the plans in close consultation with the local government and the wider community. The plans consisted of infrastructure investment and small-scale infrastructure development activities proposed by community groups, lending and microcredit, and social assistance.²⁸⁴

The third phase, the implementation phase, consisted of enlisting volunteers to implement the plans, and establishing community self-organisation groups (*kelompok swadaya*

²⁸⁰ KepMen 25 / 2007 General Guidelines §§ 2.3, 4.2.1, Guidelines Implementation PNPM Urban 2012 § 1.3.2.

²⁸¹ KepMen 25 / 2007 General Guidelines §§ 2.3 A, 4.2.1, Annex 3, Guidelines Implementation PNPM Urban 2012 § 3.1.

²⁸² KepMen 25 / 2007 General Guidelines § 4.2.1, Annex 3, Guidelines Implementation PNPM Urban 2012 § 3.1, Figure 3.1: *Siklus Tingkat Masyarakat*, Annex 3 § 2.3.1.

²⁸³ KepMen 25 / 2007 General Guidelines § 4.2.1, Annex 3, Guidelines Implementation PNPM Urban 2012 § 3.1, Figure 3.1: *Siklus Tingkat Masyarakat*, Annex 3 § 2.3.1.

²⁸⁴ Guidelines Implementation PNPM Urban 2012 § 3.1.2.

masyarakat, KSM) that actually had to realise the plans. Also, the disbursement of community direct aid, or block grants (*bantuan langsung masyarakat, BLM*) then started.²⁸⁵

In the fourth phase, the monitoring and evaluation phase, processes for the periodical and independent monitoring of the implementation of the program by the community were institutionalised. Also, the implementation of the program was evaluated by the community it selves.²⁸⁶

In the second and the third year of the program, the annual cycle started with a review by the community of the implementation of the program in the preceeding year. The review included an assessment of the institutional performance of the *BKM*, the results of the annual plan, and the financial performance of the *BKM* (*tinjauan partisipatif*, or, *TP*). The review was discussed in the annual community meeting (*rembug warga tahunan, RWT*). Also, the annual plan for the next year was prepared.²⁸⁷

In the fourth and final year of the program, the cycle run in the first year was repeated. Among others, reflection and mapping meetings (*RKM, RK*) were held, a new board of the *BKM* elected, a medium term poverty alleviation program for the next three years prepared, as well as an annual plan for the next year.²⁸⁸

As mentioned above, over the past years, the *PNPM* process and cycles have increasingly been aligned with the regular municipal planning process (*musrenbang*). The medium term poverty alleviation programs and the annual plans have more and more become incorporated in the discussion and documents in the annual municipal development planning cycle, through the *musrenbang kelurahan* and the *musrenbang kecamatan*. The Roadmap *PNPM* envisaged to further align the *PNPM* processes with and to integrate these processes in the regular municipal development planning processes. The Roadmap did recommend that the plans of community institutions in *kelurahan* be included in the *kelurahan* development plan and municipal planning ('one village / ward, one plan', *satu desa / kelurahan, satu perencanaan*). Also, planning and funding were to be integrated.²⁸⁹

The *PNPM Urban* program strongly relied on a number of basic principles (*prinsip dasar*). These principles were: autonomy (the community is entitled to participate in determining and managing development activities in self-management (*swakelola*)), decentralisation (authority and activities are devolved to the local government and communities in accordance with their capacity), participation (the community is actively involved in all decision-making processes and to pursue mutual cooperation (*gotong royong*) in development), gender equality and justice (men and women have an equal role in all phases of development and should equally benefit of development activities), democratic (all decisions are made by deliberation and consensus (*musyawarah dan mufakat*)), transparent and accountable (community is to have adequate access to information and decision-making processes), collaboration (all whom have interest have to cooperate and to realise synergy), simple (all rules, mechanisms, procedures have to be simple, flexible, and easily to understand, to manage and to be accounted for). In addition, all activities have to prioritise the interests and needs of poor and disadvantaged groups in the community (pro-poor) and poverty reduction, and must be sustainable, while protecting the environment.²⁹⁰

²⁸⁵ KepMen 25 / 2007 General Guidelines § 4.2.1, Annex 3, Guidelines Implementation PNPM Urban 2012 § 3.1, Figure 3.1: *Siklus Tingkat Masyarakat*, Annex 3 § 2.3.1.

²⁸⁶ KepMen 25 / 2007 General Guidelines § 4.2.1, Annex 3, Guidelines Implementation PNPM Urban 2012 § 3.1, Figure 3.1: *Siklus Tingkat Masyarakat*, Annex 3 § 2.3.1.

²⁸⁷ Guidelines Implementation PNPM Urban 2012 § 3.1, Annex 3 §§ 2.3.2, 2.3.3.

²⁸⁸ Guidelines Implementation PNPM Urban 2012 § 3.1, Annex 3 § 2.3.4.

²⁸⁹ KepMen 25 / 2007 General Guidelines § 4.2.1, Guidelines Implementation PNPM Urban 2012 §§ 1.3.2, 3.1, 3.1.2, Annex 3 §§ 2.3.2, 2.3.3, 2.3.4, Roadmap PNPM (2012), p. 9 – 11, 13.

²⁹⁰ KepMen 25 / 2007 General Guidelines § 2.2, Guidelines Implementation PNPM Urban 2012 §§ 1.3.1.

The participation of women in the implementation of the program has strongly been promoted. Aim was to have at least 30 % female representation in community meetings, and to have at least 30 % female community volunteers. Women were to have priority over equally qualified male candidates. Also, it had to be ensured that women could participate in meetings. To strengthen the participation of women, in communities separate women meetings could be held.²⁹¹

At municipal level the program was coordinated by the mayor. A coordination team (*tim koordinasi pelaksanaan PNPM (TKPP)*) consisting of officers from *BAPPEDA* and other municipal departments had to coordinate, facilitate, monitor and evaluate the implementation of the program in the municipality. A municipal coordinator (*koordinator kota (korkot)*) actually managed the program on behalf of the municipality, assisted as needed by other consultants (*team korkot*), providing technical assistance to the municipality. *Camat* were responsible for the coordination, support and monitoring of the implementation of the program in the *kecamatan*. An operational managing entity (*penanggung jawab operasional kegiatan (PJOK)*) consisting of officers from the *kecamatan* was tasked to administrate, monitor and control the implementation of the program and the use of funds. The *lurah* was obliged to support and facilitate the implementation of the program in the *kelurahan*. A team of facilitators was assigned to assist the community in the implementation of the program. The community could, also, assign consultants, them selves. As set out in in the Roadmap *PNPM*, an increased involvement of local government in the implementation of the program was recommended. Local government was expected to take the initiative in developing local community empowerment programs that would fit local circumstances and needs. To this end, the coordination, monitoring and evaluation at municipal level should be enhanced, and the functions of *kecamatan* in the implementation of the program should be extended. It was, also, considered to strengthen the role and capacity of facilitators.²⁹²

Funding was provided for through the *PNPM* program, by the government, provincial government, municipal government, and other sources, such as private, social and other funds, and community, through self-funding (*swadaya*). With regard to the management of funds, irrespective of their source, the *PNPM* rules concerning the management of community block grants (*BLM*) did apply. In coherence with the above, the Roadmap *PNPM* included policies that aimed to change and improve budgeting and fund allocation mechanisms. It did propose, among others, that the local government allocate funds for community development programs, to enable the integration of budgeting of the *PNPM* program and the regular local development plans, and to increase the fiscal capacity of local government to fund community empowerment programs.²⁹³

Badan keswayadaan masyarakat (BKM)

The planned activities had to be executed by the community it selves through self-management (*swakelola*), based on the principle of autonomy. To this end, as mentioned above, in *kelurahan*, the community had to establish a community self-organisation institution, *badan keswayadaan masyarakat* or *BKM*, to implement and manage the activities. Alternatively, an existing community institution could be assigned. *BKM* had to be representative of the community, impartial, and not representing any class, group or area

²⁹¹ Guidelines Implementation PNPM Urban 2012 § 2.2, Annex 4 (Strategy to Ensure Equality and Gender Mainstreaming PNPM Urban 2012 – 2014).

²⁹² KepMen 25 / 2007 General Guidelines §§ 2.3 A, 4.2.1, Guidelines Implementation PNPM Urban 2012 §§ 2.1.1, 2.2, 4.1, 4.2, Roadmap PNPM, p. 12, 15 (Pillar 1), p. 21 (Pillar 2), p. 40 – 43 (Pillar 4).

²⁹³ KepMen 25 / 2007 General Guidelines § 6.1 (a – e), Guidelines Implementation PNPM Urban 2012 § 2.1.2(b), Roadmap PNPM, p. 5 (Introduction), p. 13, 14 (Pillar 1), p. 41 - 43 (Pillar 4).

within the community in particular. According to the guidelines, *BKM* had to be considered as a citizen council or assembly (*dewan, majelis warga*).²⁹⁴

BKM had to meet a number of criteria. As guidelines and instruction stipulate, they should be established by the community it selves, they had to derive their authority and legitimacy from the community, they should serve as a collective leadership, their decision-making process should be collective, democratic and participatory, they should function inclusive and impartial, their leadership should be elected directly by the community, they should work transparent and accountable, and they should be able to stay independent from government institutions, politics, religion, business, and family. Whether to assign an existing institution as a *BKM*, or to establish a new institution to that end, should be discussed in *rembug warga* in *RT* and *kelurahan*, that were part of the cycle briefly outlined above. Also, the articles of association (*anggaran dasar (AD)*) governing the *BKM* had to be discussed. These meetings had to be jointly prepared and led by facilitators and volunteers from community.²⁹⁵

The function of *BKM* was to manage the implementation of development and poverty reduction plans in *kelurahan* on behalf of the community. In this, they acted as a partner of the *kelurahan* government in an effort to reduce poverty, increase prosperity, and in building community capacity. Their main tasks consisted of organising community to develop a strategic plan and an annual plan (*PJM Pronangkis, Rentas*), coordinating, monitoring and overseeing the implementation of plans and the use of funds, making policies and rules with regard there-to, coordinating plans and policies with programs and policies of the local government, and advocating with the local government the needs and aspirations of community. *BKM* were supposed to work in a participatory and democratic manner, transparent and accountable. They had to foster a process of participatory development, and had to ensure and encourage the participation of all elements of the community, in particular the poor, in all phases of the process and in decision-making. They, furthermore, were expected to promote 'noble values' (*nilai-nilai luhur*) in community, such as human, social and democratic values.^{296 297}

BKM consisted of an odd number of 9 to 13 members. Members of *BKM* were volunteers. The tenure of members was three years. Members could be re-elected. Members had to be evaluated each year and could be recalled. Members of *BKM* were elected in a direct, general, free and secret election. All adult citizens residing in the *kelurahan* that did meet the agreed leadership criteria were eligible. It was aimed for to have at least 30 % female members. All adult citizens in the *kelurahan* were entitled to vote. The election process was conducted in stages. Residents in *RT* would first reflect on leadership and set criteria that candidate members would have to meet. They would then elect delegates (*utusan RT*) that would represent them in the *kelurahan* meeting. In the *kelurahan* meeting the delegates would elect the members of *BKM* from among them selves. In large *kelurahan* that consist

²⁹⁴ KepMen 25 / 2007 General Guidelines § 4.3, 5.1, 5.1.2 (d), Figure: Organisational Structure, Guidelines Implementation PNPM Urban 2012 § 3.1.1 (a), Technical Instruction BKM / LKM §§ 1.1, 2.8.

²⁹⁵ Guidelines Implementation PNPM Urban 2012 § 3.1.1 (b), Technical Instruction BKM / LKM §§ 2.2, 2.3, 4.1, stages 1-3.

²⁹⁶ KepMen 25 / 2007 General Guidelines § 4.3, 5.1, 5.1.2 (d), Guidelines Implementation PNPM Urban 2012 § 3.1.1D, Technical Instruction BKM / LKM §§ 2.1.2, 2.5, 2.6 (a - n), 2.7 (a - h).

²⁹⁷ As mentioned above, in the *PNPM* Urban program, works and other activities were actually executed by so-called community self-organisation groups, *kelompok swadaya masyarakat* or *KSM*. *BKM* only managed the program and plans in the *kelurahan*. *KSM* were formed by residents in a particular area, *RT* or *RW*, who did want to work together, sharing a vision and having mutual interest and needs to jointly achieve a common goal. *KSM* relied on mutual trust and support. Real participation of all members was important. *KSM* were supposed to act independent in decision-making and determining needs. *KSM* could be existing community groups rooted in the community, such as women groups, or development groups, whose objectives and activities were directed to reduce poverty and involving the poor and women in their activities as primary beneficiaries. Also, residents could establish new groups on their initiative. KepMen 25 / 2007 General Guidelines § 4.3, 5.1, 5.1.2 (d), Figure: Organisational Structure, Technical Instruction *KSM* §§ 1 A, B, C (a - e), E, F (a - d), 2 A (*Alur Pengembangan KSM*), 2.4 (a), (c1).

of too many *RT*, residents in *RT* would first elect delegates to a *RW* meeting. The delegates would then elect from among them selves delegates to the *kelurahan* meeting (*utusan RW*) who would elect the members of *BKM*. There would be no nomination process, nor was any campaign or effort to elect a particular person envisaged. Delegates and members of *BKM* were elected by writing 3 to 5 names on a list. The persons mentioned most often would be elected. The process was intended to provide opportunities for residents, especially the poor, to choose freely, and to choose leaders who could be trusted, who are honest, sincere and selfless, fair, and willing to sacrifice, committed and highly concerned for the poor ('finding good and pure people' (*mencari orang baik dan murni*)).^{298 299}

BKM were envisaged as collective leadership institutions. All decisions had to be made jointly. *BKM* did not have any formal hierarchy. All members of *BKM* had equal rights. *BKM* were led by one of its members, acting as a coordinator. *BKM* were supposed to meet regularly, once a month. Decisions had to be disseminated to *KSM*, community and the local government. In addition, each quarter, *BKM* were expected to hold a coordination meeting with those from community who were involved in the implementation of the program and plans, including *KSM* and the volunteer forum (*forum relawan*). On decisions that would affect the wider public interest *BKM* had to consult the community. Decisions would be made on basis on the input received. *BKM*, also, could convene consultation meetings with groups of stakeholders. At least once a year, *BKM* had to meet with community, the annual citizens meeting (*rembug warga tahunan (RWT)*) (see below).³⁰⁰

For the day-to-day management and to administer the funds, *BKM* could establish a secretariat. If desired, *BKM* could also appoint advisors. In addition, according to the need, units could be formed to implement plans and activities (*unit pelaksana (UP)*), such as a financial management unit (*unit pengelola keuangan (UPK)*).³⁰¹

BKM were governed by institutional rules, the articles of association (*anggaran dasar (AD)*). As mentioned above, these rules were prepared by the community it selves and adopted at the time of establishment of the *BKM*. The rules contained further provisions concerning the establishment, functions, governance and funding of the *BKM*. The *AD* were often formalised by notarial deed, together with the establishment of the *BKM*. As a part of the policies included in the Roadmap *PNPM* to strengthen community institutions, further institutionalisation of *BKM* and related entities, such as *UPK* and *KSM*, has been contemplated. Legislation had to provide arrangements concerning the establishment of community institutions, their legal status, their functions in the implementation of community empowerment programs, the community ownership of assets, such as infrastructure and funds, and the revolving loan fund.³⁰²

The implementation of the program and plans, and the spending of funds in accordance with the goals and objectives set by *BKM* was monitored and controlled by both the community it selves and the government, and by independent parties as well. The guidelines and instructions did provide for participatory monitoring and inspection by the community. *BKM*, *UP* and *KSM* were obliged to accommodate community initiatives to control, inspect and audit the implementation of the program and plans and the spending of funds. To this end, the community could establish an independent monitoring group. Arrangements, furthermore, provided for the option of community complaints. A community complaints management system (*pengelolaan pengaduan masyarakat (PPM)*) could be established.

²⁹⁸ Guidelines Implementation PNPM Urban 2012 §§ 3.1.1 (c) 1 – 6, 3.4.1 (f), Technical Instruction BKM / LKM §§ 2.9, 4.1 (phase 4).

²⁹⁹ According to Technical Instruction BKM / LKM, *BKM* § 2.9 is to consist of 7 – 15 members. Elsewhere in the instructions is mentioned a number of 9 – 13. See § 4.1. See also Guidelines Implementation.

³⁰⁰ Technical Instruction BKM / LKM § 2.8, Guidelines Implementation PNPM Urban 2012 § 3.4.1 (c - g).

³⁰¹ Technical Instruction BKM / LKM §§ 2.11, Technical Instruction Organisation and Financial Control UPK.

³⁰² KepMen 25 / 2007 General Guidelines § 5.2, Technical Instruction BKM / LKM §§ 2.10, 4.1 phase 3, tables, Model Articles of Association BKM (*contoh AD BKM*) ver 7 jan 2005, Roadmap PNPM, p. 30, 31 (Pillar 3).

Also, the local government, facilitators and consultants were supposed to monitor and inspect the implementation of the program. In addition, *BKM* and all its units had to be audited annually by independent auditors. Furthermore, as with other government programs, independent inspection, including an annual financial assessment and audit, was also conducted by the finance and development inspectorate (*BPKP*) and the regional inspectorate (*BAWASDA*). Arrangements, also, provided for program evaluation by program managers and independent parties, routinely and regularly, and in conformity with the guidelines on monitoring and evaluation, to assess the performance of the implementation and the benefits, impact and sustainability of activities.³⁰³

Furthermore, guidelines and instructions included elaborate procurement and administrative requirements.³⁰⁴

Reporting had to be done periodically by *BKM*, the government, and by facilitators and consultants. *BKM* had to prepare monthly financial statements, to issue quarterly reports and the annual audit report. In addition, *BKM* had the obligation to provide access and to provide information concerning the implementation of the program and plans and the spending of funds for inspection and auditing by community, government, program management, and other interested parties. This included information from other actors at project level and from community. As a general rule, all relevant operational and financial information concerning the program and plans, and their implementation had to be made public and disseminated to the community, the wider public, media, and other parties, as early as possible, by notice board and bulletins in *kelurahan*, print and electronic media, and website.³⁰⁵

Policies as set out in the Roadmap *PNPM* aimed at a continuous improvement of good governance, transparency and accountability. Final goal was to internalise the principles of transparency and accountability in the community it selves. Improvement had, among others, to be realised by strengthening transparency and accountability mechanisms, also, as part of the implementation of the public information disclosure law, increasing mainstreaming of social accountability, and an increased awareness of rights and legal empowerment of community, improving access to justice.³⁰⁶

Funding of *BKM* was provided for through the *PNPM* program, by the government, provincial government and municipal government, and by private sources. *BKM* activities could, also, be funded through other sources, such as dues, donations, and grants by others.³⁰⁷

Rembug warga

The supreme forum of community in *kelurahan* within the *PNPM Urban* program was the citizen meeting (*rembug warga (RW)*). The *rembug warga* did oversee the *BKM* that derived its mandate to manage the implementation of the program and plans, and funds in the *kelurahan* from the community in the *kelurahan*. *BKM* were accountable to the *rembug warga*. Decisions of the *rembug warga* were binding and had to be implemented by the *BKM*.^{308 309}

³⁰³ Guidelines Implementation PNPM Urban 2012 §§ 3.1.3, 3.4.1 (a, b, i), 3.4.2 (a), 3.5, 3.5.1 (a, b), 3.5.3, 3.7.1.

³⁰⁴ KepMen 25 / 2007 General Guidelines § 4.3, Guidelines Implementation PNPM Urban 2012 § 3.1.3.

³⁰⁵ KepMen 25 / 2007 General Guidelines § 4.3 – 4.8, 6.2.1 – 6.2.6, 6.3, Guidelines Implementation PNPM Urban 2012 §§ 3.1.3, 3.4.1, 3.4.1 (a, b, i), 3.4.2 (a), 3.5.1 (b), 3.5.3.

³⁰⁶ Roadmap PNPM, p. 52 – 54, 57 (Pillar 5).

³⁰⁷ KepMen 25 / 2007 General Guidelines § 6.1 (a – e), Technical Instruction BKM / LKM § 2.12.

³⁰⁸ Guidelines Implementation PNPM Urban 2012 § 3.4.1 (f), Technical Instruction BKM / LKM §§ 2.6 (j), 2.11, Technical Instruction TP / RWT, RWT Definitions § 1, General Provisions §1.

The functions of the *rembug warga* were, among others, to decide whether to participate in the program, to establish or to assign the *BKM* and to maintain or re-assign the *BKM* for a next period, to adopt and revise the articles of association (*anggaran dasar*) of the *BKM*, to elect, re-elect and to recall the members of the *BKM*, to determine the medium term poverty alleviation plan (*PJM Pronangkis*), the annual plan (*Renta*) and the work plan of *BKM*, to evaluate these plans, to determine the proposed program for *musrenbang*, and to evaluate and control the implementation of the program and plans, the management of funds by *BKM*, and the institutional performance of *BKM*.³¹⁰

In the early phase of the program, *rembug warga* were held as a part of the first cycle, as described above. In the consecutive years, *rembug warga* were supposed to be held at least once a year (*rembug warga tahunan (RWT)*), or, when deemed necessary, in the event that matters occurred that needed the agreement of the community, such as irregularities, or financial abuse.³¹¹

Participants in the (annual) *rembug warga* in *kelurahan* were citizens, adult residents in the *kelurahan*, both men and women, who had previously been elected as delegates from the community in each *RT* or *RW*. As 'active participants' (*peserta aktif*) delegates had the right to vote. *Rembug warga* could, also, be attended by officials, such as the *lurah* or *camat*, representatives of institutions in the *kelurahan*, *BKM*, facilitators and consultants, volunteers, members of *KSM*, poor families, media, and adult citizens who wished to attend. As 'passive participants' (*peserta pasif*) they were only entitled to speak.³¹²

(Annual) *rembug warga* were prepared and led by a committee (*panitia RWT*). The committee consisted of representatives of *BKM*, officials from *kelurahan*, leaders of institutions in the *kelurahan*, volunteers, and representatives of poor families (*keluarga miskin*). *Rembug warga* generally were held in the *kelurahan* community meeting hall, or at another place that had sufficient capacity.³¹³

An important instrument of the community in the *kelurahan* was the participatory review (*tinjauan partisipatif (TP)*). It comprised of an evaluation of the entire cycle of all activities in the *kelurahan* that were part of the *PNPM* program, the outcome of the program and plans, the financial management, and the institutional performance of the *BKM*. It had to be done at least once a year prior to the annual *rembug warga*, starting the second year of the cycle in the *kelurahan*. The results of the review were discussed in the annual *rembug warga*. The review was prepared and implemented by a team of volunteers (*tim tinjauan partisipatif (TTP)*). The review team included representatives of all stakeholders in the *kelurahan*, and was assisted by the team of facilitators. The review team was divided in two teams, an institutional review team and a financial review team. The review team was supposed to engage all parties that were involved in or affected by the implementation of the program and plans in the *kelurahan*.³¹⁴

³⁰⁹ In this paper, *rembug warga* will be understood as the complex of citizen (or: community) meetings held at *kelurahan* level and at *RT / RW* level as well that result in final deliberation and decision-making by (or: on behalf) the community in the *kelurahan* concerning the implementation of the program and plans in the *kelurahan*.

³¹⁰ Guidelines Implementation PNPM Urban 2012 § 3.4.1 (f), 4.1, Annex 3 § 1.2 (cycles, agenda), Technical Instruction BKM / LKM §§ 2.4, 2.9, 2.11, 4.1 (phases 3, 4, schedules), Technical Instruction TP / RWT, RWT Definitions § 1, General Provisions §§1, 4, 5, Purpose, Results and Actors §§ 1, 2.

³¹¹ Technical Instruction BKM / LKM §§ 2.11, 4.1 (phases 3, 4, schedules), Technical Instruction TP / RWT, RWT Definitions § 1, General Provisions § 3, schedule (*Alur proses pelaksanaan RWT*).

³¹² Guidelines Implementation PNPM Urban 2012 § 3.4.1 (f), Technical Instruction BKM / LKM § 4.1 (phases 3, 4, schedules), Technical Instruction TP / RWT, RWT Purpose, Results and Actors § 3.

³¹³ Technical Instruction TP / RWT, RWT General Provisions § 6, Purpose, Results and Actors § 3.

³¹⁴ Technical Instruction TP / RWT, TP §§ 1, 2, 3, 6, 7 (*Bagan alur tinjauan partisipatif*), 8 (explanation), RWT Purpose, Results and Actors § 2.

(Annual) *rembug warga* and related activities were funded through the program, by the government and *BKM*, through the budget for operational costs, and by donations and voluntary contributions.³¹⁵

Neighbourhood Development program

In addition to the regular *PNPM Urban* program, in 2008, a follow-up program has been launched as a pilot, the *Neighbourhood Development Program (ND)*. Key element of this program was a more comprehensive and integral approach to neighbourhood development. In addition to economic and social development, the program also concentrated on environmental development, and, in this context, included spatial planning. Furthermore, the program did provide for planning with a longer time horizon, and a considerably increased size of grants. This allowed communities to develop and implement projects with a larger scale and impact. Objective was to improve the living conditions of the poor community through rearranging and redevelopment of settlements. Specific objectives were to encourage and enable community to plan and manage their settlements, to develop partnership between community and the government based on mutual respect and recognition of the capacity of the community, to integrate the process and the outcome of settlement development plans initiated by community into the official development planning mechanism endorsed by government, and to encourage good governance at community and *kelurahan* level. In 2015, *ND* pilot programs had been implemented in about 2,5 % of urban *kelurahan*.³¹⁶

The *ND* program has only been implemented in cities that participated in the *Poverty Alleviation Partnership Grant program (PAPG)*, another pilot program within the *PNPM Urban* program, or that had implemented similar activities. In cities, the *ND* program targeted *kelurahan*, or even, more in particular, *RT*, that did have an urban slum area, or urbanising *kelurahan* characteristic. Also, to enter the program, *BKM* had to meet a number of additional criteria, qualifying as 'empowered to independent' *BKM*. Among others, *BKM* had to be representative, members having been elected by more than 30 % of the adult voters in the *kelurahan*, *BKM* had to show a good performance in previous years in financial management, operating in a transparent and accountable manner. Priority was given to *BKM* that, among others, had shown sufficient concern for marginalised groups, such as poor and disabled, and that involved women in the decision-making processes, having realised a level of participation of at least 30 %.^{317 318}

The *ND* program was implemented in a number of consecutive phases, running from preparation, participatory planning and 'marketing' to implementation. In the preparation phase a *Community Development Plan (CDP)* was prepared, discussed and established. The *CDP* included a range of poverty alleviation activities that resulted from an extensive participatory process, led by *BKM*. In the planning phase, a *Community Settlement Plan (CSP)* was developed and determined. The *CSP* had to include a detail settlement action plan for a period of 5 years. The plan, furthermore, would include a building lay out and site

³¹⁵ Technical Instruction TP / RWT, RWT General Provisions § 7.

³¹⁶ Guidelines Neighbourhood Development (ND) (Summary) §§ 1.1, 1.2, 1.4, 2.1.2, WorldBank, Schuler and Dwiyani (2012), Rapid Appraisal PNPM ND (and PAPG) March 2012 § 1 (Introduction), p. 9, WorldBank, WorldBank, Ochoa (2011), The Community-based Neighbourhood Development Program. Evaluation, Definition, and Key Aspects. Moving Forward, p. 3, 16.

³¹⁷ Guidelines Neighbourhood Development (ND) (Summary) § 1.5.

³¹⁸ Initially, the *ND* program was aimed at *kelurahan* that had a poverty level of over 20 %. Peripheral, less urban, more rural, or semi-urban areas at the outskirts of cities may have had about or over 20 % poor. More urbanised areas, though, have considerably lower poverty levels, often below 10 %. In these areas, slums seem often rather small in size, grown on left over, un-used plots of land, and situated in more prosperous *kelurahan*. For this reason, the threshold percentage has been deleted for urban and metropolitan areas, and, only, 'slum' characteristics applied, as to be established in consultation with local government. The threshold of 20 % remained applicable to semi-urban areas.

plan, and rules and regulations concerning building, environmental management, spatial planning and public services. The *CSP* was understood as the main development planning document of the *kelurahan*. The *CSP* was prepared by a participatory planning core team (*TIPP*), consisting of members of *BKM*, local stakeholders and other concerned groups in the *kelurahan*, and officials from the *kelurahan* administration. The planning team was supported by a technical team (*TT*) of the municipal administration. The community could, also, appoint a planning expert of its own to assist in the preparation of the *CSP*. In the planning phase, also, priority areas would be selected, determined by community.³¹⁹

Implementation of the *ND* program and plans was funded through the *PNPM Urban* program by community direct aid (*BLM*). Funds were disbursed in phases, upon progress of the preparation, planning and implementation.³²⁰

³¹⁹ Guidelines Neighbourhood Development (ND) (Summary) §§ 1.3, 1.6.3, 2.1.2, WorldBank, Ochoa (2011), p.

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³²⁰ Guidelines Neighbourhood Development (ND) (Summary) §§ 1.6.1 (b) (a, b1 – b3).

7. ASSESSMENT: SURAKARTA

Introduction

Assessment: organising principles

In section 3 we presented a description of the institutional design of urban governance in wards and neighbourhoods in cities in Indonesia and participation of community and citizens in the administration and development of their ward and neighbourhood and relating national legislation. In section 4 we discussed the institutional arrangements and municipal regulations as have been implemented and currently develop in Surakarta.

In this section we will assess these arrangements and regulations. We will concentrate on the actual functioning of forums for citizen participation in the day-to-day administration and development planning of wards and neighbourhoods. Applying the analytical framework developed in section 2, we will consider in succession the five sets of organising principles for participation and engagement: Do legislation and institutional arrangements create participatory processes? Do they promote openness? Do they ensure that 'We' are represented? Do they optimise empowerment? Do they improve responsibility?

Forums for participation

As discussed in sections 3 and 4, in Surakarta and in most parts of Indonesia as well, in wards, the *kelurahan* community empowerment institution (*LPMK*), and, to a lesser extent, the *kelurahan* community meeting (*musyawarah kelurahan*) are commonly considered the main forums for participation of residents in the general, day-to-day administration of the *kelurahan*. In neighbourhoods, the neighbourhood association (*RT*) and neighbourhood community meeting (*musyawarah RT*) and, to a lesser extent, the citizen association (*RW*) and meeting (*musyawarah RW*) serve as main forums for participation.

At ward level, at present, the main forum for participation in the annual municipal development planning cycle is the *kelurahan* development planning meeting (*musrenbang kelurahan*). In neighbourhoods, this is the neighbourhood community meeting (*musyawarah RW, RT*). In addition, recently, in Surakarta a new forum for participation in development planning has been introduced, the five-annual community strategic plan development planning meeting (*musrenbang rencana strategis masyarakat, or musrenbang renstra masyarakat*).

In addition, in *kelurahan* there are the forums that are part of the *PNPM Urban* program (now: *P2KKP*). These forums will be discussed in section 9.

Kelurahan

Creating participatory processes.

Realising appropriate opportunities to participate

As appears from what is said in section 4, in Surakarta, as in most other municipalities in Indonesia, there is no standing representative or consultative council or alike in *kelurahan*. The institution that comes most close to what could be considered as a forum for

participation of residents in the general, 'day-to-day' administration of the *kelurahan* is the *LPMK*. In *kelurahan*, the *LPMK* is the community institution that has to assist the *lurah* in the field of development and community empowerment, and, among others, has to compile the draft *kelurahan* development plan and to oversee the implementation of development. Also, *LPMK* manage the *kelurahan* development fund (*DPK*) and development activities financed by *DPK*. Apart from this, *LPMK* have no legislative, budget, or oversight powers. Their formal functions are limited. Notwithstanding, observers concur that *LPMK* have an important function in the administration of *kelurahan*. Some even speak of a key role. It is expected that this role in future will further evolve. Other community institutions, such as the family welfare and empowerment institution (*PKK*) and the youth organisation (*karang taruna*) have more limited functions.³²¹

Another forum for participation that is often referred to is the *musyawarah kelurahan*, the *kelurahan* community meeting. The *musyawarah kelurahan* is not a standing forum, though, and meetings are held in-frequently. Also, it has no clear legal basis. At present, other than stipulated in national legislation, municipal regulations in Surakarta do not expressly provide for such meetings. It is left to the discretion of *lurah* and *LPMK* to convoke a *musyawarah*, and to determine its functions and functioning. Whether *musyawarah* do actually offer substantial opportunities to residents to participate very much depends on the commitment of *lurah* and *LPMK*, and differs locally.

Regulations, furthermore, do not include mechanisms that enhance substantial participation in the day-to-day administration of the *kelurahan*, such as participatory budgeting, planning, or monitoring and evaluation. The municipality is considering and in the process of developing such mechanisms.

Equal opportunities to participate for all, as equals

The current municipal regulations do not include provisions that aim to ensure equal opportunity to participate for all residents in the general, day-to-day administration of the *kelurahan*. There are no express provisions that entitle all residents to participate, to speak and to take part in discussions in meetings of the board of *LPMK*, or in *musyawarah kelurahan*. Neither do regulations provide that all residents are entitled to take part in decision-making and to vote in meetings in which they participate or that they attend. Furthermore, it is not provided for that residents are entitled to demand that issues be put on the agenda, or to call for a meeting, nor that they have to be consulted regarding issues that affect them. Beyond the above mentioned municipal regulations, according to information, *LPMK* have not adopted any further rules, or *tata tertib*, to that end.

Rules that ensure that residents who participate do participate as equals are not provided for. At present, there are no rules that ensure the due process and fair course of the discussion and decision-making in *LPMK* board meetings, or *musyawarah kelurahan*. This has to be ensured by officials leading meetings. By a tradition that is deeply ingrained, and that is considered being conducive to participation as equals, decisions tend to be taken after deliberation and in consensus (*musyawarah dan mufakat*). This is, however, not expressly provided for. Also, as an observer mentions, in *kelurahan*, the level of boards of *LPMK* and their members tend to be quite differing. In a number of *kelurahan* the level would be quite good, in other *kelurahan* members of the board may be mere 'figureheads'.

³²²

³²¹ In contrast to *kelurahan*, villages in rural areas, *desa*, that can be seen as the equivalent of *kelurahan*, have a standing consultative council, *badan permusyawaratan desa*. See UU 6 / 2014. *Kelurahan* in Yogyakarta once, in the early years of the Republic, had representative councils. Concerning *desa*, as observers emphasise, it should be noted that *desa*, in contrast to *kelurahan*, have their own resources and means, whereas *kelurahan* have nearly no resources and means themselves and, for the most part, are funded through the municipal budget (*APBD*), and, also for that reason, their autonomy is limited. Lay, Santoso.

³²² Fuad Jamil.

Promoting openness

Establishing easy access, proximity

Forums for participation in the *kelurahan* are, without any doubt, proximate. Considering the size of *kelurahan*, in Surakarta, about 10,000 people on average, *LPMK* are really close to the residents. Also, the *kelurahan* administration, *lurah* and *kelurahan* officials as well, are proximate. Members of the board of *LPMK* are commonly well known to their constituency, and tend to be easily accessible, also at their homes, as are most *lurah*, or, as one observer adds, 'at least, good *lurah*'. The *kelurahan* community hall, most often managed by the *LPMK*, and office of the *lurah* are easy to find in almost every *kelurahan*.

Realising forums open to all

Regulations, however, do not provide whether meetings of the board of *LPMK* are open to all residents, other interested parties, the general public, or media. Actually, meetings of the board of *LPMK* are not open to public, or only limited. Others, leaders of other organisations, officials and the like, may be invited to participate.

Neither are *musyawarah kelurahan* open to all residents, or heads of all households in the *kelurahan*. In most *kelurahan*, only heads of *RW* and *RT* will be invited, along with other leaders, 'elders'. Women leaders will be invited, also, in particular members of *PKK*. Who will be invited, also depends on the issues that will be discussed. Regulations do not provide how meetings are to be announced, by public notice, in media, or otherwise, and where and when, and in what frequency they should be held. Mostly, this would be by notification to those who are invited. Meetings are held in-frequently. Commonly, this would be at the community center in the *kelurahan*.

Information allowing to participate

Regulations do not provide how information pertaining to what will be discussed, or has been discussed in *LPMK* board meetings and *musyawarah kelurahan* is to be disseminated and to whom, whether it has to be made timely available, in simple and accessible format and wording, and to all residents, the general public and media. Commonly, what will be and has been discussed, and the decisions made in *LPMK* board meetings is only communicated to heads of *RW* and *RT*. They are supposed to disseminate the information within their *RW* and *RT*. The municipal regulations concerning public information disclosure would apply. Residents may request the *kelurahan* administration to provide information. Residents may, also, ask the municipal public information officer (*PPID*) to mediate. Similar, would apply to the disclosure of information by *LPMK*.³²³

Ensuring 'We' are represented

Representative composition of forums for participation

Regulations aim, or, at least, allow, for a representative composition of the board of *LPMK*. At *kelurahan* level, indirect representation in standing forums, such as *LPMK*, may be considered appropriate. Direct representation would reasonably not be practicable in view of their functions and the size of their constituencies. Members of *LPMK* are elected. As mentioned above in section 4, all residents that live in the *kelurahan* for more than 3 years,

³²³ It is argued that the municipal regulations concerning public information disclosure may be applicable with respect to the dissemination of information by *LPMK*. The regulations apply to information generated, stored, managed, delivered or received by the municipal government, other public bodies, and non-governmental organisations that perform administration functions, or are (partly) funded by the municipal budget or by community contributions. A community institution, *LPMK* perform a number of administration functions and, recently, are partly funded by the municipal budget and by community means. PerDa 11 / 2013 Surakarta § 1.8 - 1.10.

and qualify according to the legal requirements, are eligible. Candidates are nominated in *musyawarah RT*. A further selection is done in *musyawarah RW*. Members will be elected after deliberation and consensus (*musyawarah dan mufakat*) between the representatives of the *RW* in the *kelurahan*.

Observers qualify the election process as a '*guided process*'. Boards of *LPMK*, predominantly, consist of more senior residents, often retired civil servants, teachers, and, also, religious leaders, *ulama*. Also, notwithstanding that they are not allowed to have concurrent positions, often, chairmen of the *LPMK* are also members of the municipal council (*DPRD*), or other bodies. According to one observer, political parties would gradually become more influential. They would increasingly get involved to have members of 'their color' elected. As another observer confirmed, *LPMK* are increasingly becoming contested space. According to information, currently, in Surakarta, the number of women in boards of *LPMK* is low, less than 14 %. None of the *LPMK* is chaired by a woman. As one observer adds, women participate in and through the *PKK*. Women who are a member of *LPMK* often have an 'activist' background, and are more senior and prominent residents. Most of them belong to wealthier families. Some, mostly activists, are less wealthy. Similar, younger residents seem to be underrepresented in boards of *LPMK*. Available time would be one of the restraining factors. Also, younger residents increasingly work or study elsewhere in the city. They seem less engaged in ward or neighbourhood matters. Recently, though, in Surakarta, the number of younger residents in *LPMK* seems to be rising. This would concern younger residents in their thirties who are already active in the *kelurahan* and in community and civil society organisations, as one observer said, 'activists', and younger, starting politicians. Furthermore, younger residents would be active in and through the *karang taruna*. In poor *kelurahan*, *LPMK* also have poor members. However, they would not consider, nor present themselves as being poor, or representing the poor residents in the *kelurahan*. In *kelurahan* that are more wealthy, poor residents are not involved. Discussions are said to be about them, for instance in the context of poverty alleviation programs, not with them.^{324 325}

Regulations do not provide guidance concerning *musyawarah kelurahan*. It is left to *kelurahan* themselves to set rules. In forums like these, both direct and indirect representation may be appropriate and feasible, dependent on their actual functions. *De facto*, in Surakarta, *musyawarah kelurahan* have indirect representation. Representatives are not elected, though. As appeared above, meetings are not open to all residents, or all heads of households in the *kelurahan*. Usually, only those who are invited to attend a *musyawarah* are supposed to participate. Only heads of *RW* and *RT*, and other leaders, elders, and, depending on the subject, also, women leaders, will be invited. As a result, women, poor, and younger residents tend to be under-represented, or even not represented at all.

Representation of interest groups and others that have interest

Regulations do not provide for the participation of interest groups, such as civil society organisations, or community-based organisations, other than the 'official' community institutions in the *kelurahan*, in *LPMK* board meetings, or *musyawarah kelurahan*. Nor do regulations provide for the participation of local businesses, both formal and informal, such as street vendors and *becak* drivers, or occupational groups, or others that have interest. They are not entitled to be invited, and to attend meetings, to participate in meetings, to speak, or to take part in discussions. Generally, interest groups and others that have interest are indeed not invited, and they do not attend or participate in meetings in the *kelurahan*.

³²⁴ Rifai.

³²⁵ Currently, according to the Daftar *LPMK* 2011 – 2015, Surakarta, the number of women in *LPMK* is 168 out of 1209 members. None of the 51 *LPMK* has a woman as chairperson.

As appeared in the above, women tend to be under-represented in boards of *LPMK* and in *musyawarah kelurahan*. Currently, regulations do not provide for affirmative measures, promoting the representation and participation of women in boards of *LPMK* and in *musyawarah kelurahan*. According to some observers, affirmative measures, for instance, quota, would improve the participation of women, and are needed. Others doubt whether such measures would be effective and desirable. In their opinion, '*culturally sensitive measures to overcome this problem are needed, (...) pushing what is acceptable to society*'. Gradually alleviating cultural and institutional barriers that prevent women to participate may be more effective. The formal setting of meetings would withhold women who do attend from actually participating in discussions. They would not dare to speak. Women would benefit from a less formal venue. Meetings may better be held late afternoon, instead of evening time. This would allow both men and women to attend. Furthermore, for women, *kelurahan* would be quite distant. '*Creating space*' for women may foster their participation.^{326 327}

The current rules do not ensure, nor promote the inclusion of other under-represented or excluded, 'marginalised' groups, such as poor, or disabled.

Optimising empowerment

Creating capacity to act

Kelurahan are part of the municipal apparatus. As such, *kelurahan* have little autonomy, and their capacity to act as centres of local self-government is weak. According to one observer, they even have '*no significant functions*'. *Kelurahan* have functions that are or delegated, or de-concentrated. Substantive matters with regard to relevant areas of the administration of *kelurahan* are not devolved. As described in section 3, the principal function that is assigned to the *kelurahan*, and to the *lurah* as the head of its government, is to implement the administration within the area of the *kelurahan*. In Surakarta, as observers state, most *kelurahan* are top-down driven and controlled by *perangkat kota*, the municipal apparatus. A municipal officer, the *lurah* has to act according the instructions of the mayor and the *camat* and to coordinate with the *camat* and the municipal agencies. His functions and powers can be qualified as being mixed. They are partly decision-making within a limited mandate, partly supportive, for instance, whereas it concerns the delegated assistance tasks, and consultative as well.³²⁸

As mentioned above, the *LPMK* has 'to assist' the *lurah* in the implementation of the administration of the *kelurahan*. It has to work as a 'partner' of the *lurah*. Its capacity to act is limited. As one observer stated, its capacity to act is insufficient. Its functions have to be qualified as pre-dominantly consultative and supportive. *Musyawarah kelurahan* too, when convened, have a consultative function only. Reference is made to the brief description of its functions and powers in sections 3 and 4 above. Potentially meaningful functions of *LPMK* are the conception of the draft *kelurahan* development plan, the control of development in the *kelurahan*, the management of the *kelurahan* development fund (*DPK*) and the implementation of development activities funded by *DPK*. Notwithstanding the limited powers and functions of the *LPMK*, according to an observer, its chairman, actually, is often powerful in the *kelurahan*, exercising informal influence. *Lurah* heavily depend on the support of the *LPMK*, and, so, *lurah* have to consult the *LPMK*, and to cooperate closely with its chairman. In this, personal relations are essential. As one observer says, '*A good*

³²⁶ Santoso, Mundayat.

³²⁷ As one observer added, in Java, '*formality matters*'. Where meetings are held matters. Currently, venues are formal places, often offices. Also, the setting of meetings is formal. This, in particular, inhibits women to actually engage in discussions. Lay.

³²⁸ Rifai.

lurah is somebody who can embrace'. Furthermore, as discussed above, observers expect the role of *LPMK* in the administration of *kelurahan* to become more important.^{329 330}

Providing adequate resources

Kelurahan are funded through the municipal budget (*APBD*) by allocation to, among others, the *kelurahan* development fund (*DPK*), and through other sources. The funding is implemented on basis of allocation criteria. In addition, functions that are delegated by the municipality are also funded. The *kelurahan* apparatus consists of civil servants that are part of the municipal apparatus. Facilities, such as the *kelurahan* office, are provided by the municipality. See above section 4. According to observers, the funding of *kelurahan* is not sufficient to discharge the mandate. In particular, the funding of staff and operational costs of larger *kelurahan* would be inadequate, whereas, due to the allocation formula that is applied, smaller *kelurahan* seem overstaffed. Also, the means to actually implement and realise development and other programs, including projects run by the community themselves, would be insufficient. For instance, at present, *DPK* and other sources would only cover about 35 % of what is proposed and actually would be needed on average.³³¹

LPMK, nowadays, are increasingly funded through the municipal budget and *DPK*. Funding through government sources would, currently, often amount to more than 30 %. Additionally, a community institution, *LPMK* are funded by the community it selves through contributions of its members, and other revenues, for instance, from the exploitation of the community hall in the *kelurahan*, and, also, by other sources. In business areas, *LPMK*, quite often, are also sponsored by local businesses. Its staff consists of volunteers. *LPMK*, often, have their offices in the community hall, run by *LPMK*, or at the *kelurahan* office.³³²

Improving responsibility

Enhancing responsiveness to actual needs

The current institutional design does not enhance responsiveness of *kelurahan* administrations to the actual needs of residents. Opportunities of *kelurahan* residents to participate in its day-to-day administration are little. The functions and powers of *kelurahan*, and those of *lurah* and *LPMK*, are limited. Substantive matters have not been devolved, or delegated. Also, the funding and resources of *kelurahan* are actually not sufficient to discharge even its limited mandate. At the same time, *kelurahan* are the face of local administration, and residents expect quite a lot from the *kelurahan* administration. As most matters are actually beyond the power of *kelurahan*, according to one observer, '*this is an awkward position. Kelurahan can actually never do well*'. Much depends on the ability and drive of *lurah* and *kelurahan* administrations, as well as *LPMK*, to effectively address community needs, even within their limited mandate.³³³

³²⁹ Fuad Jamil.

³³⁰ According to observers, some tension exists between *LPMK* and *BKM*, who organise the *rembug warga* that are part of the *PNPM* program. As an observer comments, '*LPMK and BKM are competing structures*'. Also, the administration and development planning at *kelurahan* level have become '*more political*'. *Musrenbang* and *PNPM* should be more integrated and synchronised, but this is not how it actually works now, at least, not yet. In a few *kelurahan* this functions well. Rifai, Lay.

³³¹ Analysis Solo Kota Kita, period 2009 – 2011.

³³² Observers have some doubt whether (co-) sponsoring of *LPMK* by local businesses is proper and desirable. Often, such sponsoring is not transparent. '*Hiding behind Corporate Social Responsibility, businesses protect their interest, and buy off protest*'. Apart from this, *LPMK* themselves do not need much funding, taking into consideration the functions that are assigned to them. Also, most of the work is done by volunteers. Rifai.

³³³ Fuad Jamil.

Arrangements that establish downwards accountability of the *kelurahan* administration, that is accountability towards the *kelurahan* community, direct and indirect as well, seem still to be weak. The institutional design does not include mechanisms that enable the community to monitor and control the *kelurahan* administration in the general day-to-day administration of the *kelurahan*. The functions of *LPMK* are limited. The *LPMK* is only to control the development of the *kelurahan*. In this context, the functions of *LPMK* are to monitor, evaluate and audit the implementation of development activities by the *kelurahan* administration. Conceiving the draft *kelurahan* development plan, the *LPMK* is nowadays also involved in planning and budgeting. The *LPMK*, furthermore, oversees its implementation. *LPMK* them selves manage the *DPK* and the activities financed by *DPK*. Civil society organisations, or other interested parties, may at their own initiative do an audit, or may assign third parties to do so. Social audits and the like are not provided for in regulations, though, and the cooperation of the *kelurahan* administration would not be enforceable. However, in some *kelurahan*, this is facilitated.

Grievance redressal mechanisms are developing. Complaints procedures have just recently been established. At the *kelurahan* level, community complaints posts (*pos pengaduan masyarakat*, or *posdumas*) have been created. The *posdumas*, in particular, deals with complaints relating to the poverty alleviation program (*RASKIM*). At the municipal level residents may file complaints concerning all administration matters and services with the service complaints units (*unit layanan aduan Surakarta* or *ULAS*). *ULAS* resort under the municipal *inspektorat*. Complaints can be filed electronically, or through texting. Residents filing a complaint may seek assistance by the Heads *RT* and *RW*, or at the *kelurahan* office. According to observers the system has had quite a good start and functions satisfactory. Complaints are dealt with proper and fair, and within reasonable time. A municipal ombudsman is not yet provided for. Disputes between community, or individual residents and the *kelurahan* administration are predominantly solved in the traditional way, through mediation (*musyawarah*, *rembug*) by the *lurah*, or the *LPMK*, and in second instance by the *camat*, and, sometimes, even by the mayor, or by members of the municipal council (*DPRD*). A proximate and easily accessible independent forum for dispute resolution is not provided for.

Direct recall mechanisms are not provided for regards the *kelurahan* administration. *Lurah* and *kelurahan* administration are not elected by the *kelurahan* constituency, but appointed by the mayor, and can only be dismissed by the mayor. Being civil servants they are hard to dismiss. Incidentally, officials are transferred to another post. In contrast, members of the board of *LPMK* are elected by the *kelurahan* residents. Residents have the option not to re-elect a member of the board. In addition, a member of the board may be dismissed in the event, among others, of a wrongful act.

Mechanisms for upward accountability, both direct and indirect, seem stronger. *Lurah* are working under the mayor and are accountable to the mayor through the *camat*. The *kelurahan* apparatus is accountable to the *lurah*. The municipality and the *camat* guide and supervise the *kelurahan* and the *lurah*, and, also, the *LPMK*. *Lurah* have to report to the mayor through the municipal finance department (*DPPKA*). *Lurah* also report in the context of the annual development planning cycle. *Lurah* oversee and guide *LPMK* and the implementation of activities funded by *DPK*. Municipality and *camat* monitor and evaluate the implementation. *LPMK* have to report annually. The reports and evaluation are not made public, though. This is not provided for in regulations. Some *kelurahan* do make reports available to the public. In addition, regulations provide for an annual audit of the *kelurahan* and *lurah* by the municipal *inspektorat*. The inspectorate reports to the mayor. Reports are not made available to the public. Progress reports are sent to *DPRD*. An external, independent audit of the *kelurahan* is not provided for.

RW / RT

Creating participatory processes

Realising appropriate opportunities to participate

At neighbourhood level, *RT* and, to a lesser extent, *RW* provide forums for participation to residents of the *RT* and *RW*. The *musyawarah RT* and *RW (RT and RW meetings)* are not standing forums, though. Whether to convene a meeting and when, is commonly up to the head or the board of *RT* or *RW* to decide. In Surakarta, in many *RW*, *musyawarah RW* seem to be held irregularly, and less frequent. In some *RW*, meetings would be held more frequent. In 'better' *RW*, meetings are held every 3 months, in other *RW* only once a year. In contrast, in many *RT*, *musyawarah RT* are frequently held, even monthly, year round. Residents would, also, participate in special task forces. The legal status of the *musyawarah RW* and *RT* is not very clear, though. Regulations refer to *musyawarah RW* and *RT*. Further arrangements regarding its functioning are not provided for.

Equal opportunities to participate for all, as equals

Similarly, regulations that apply to *RW* and *RT* do not include provisions that ensure an equal opportunity to all residents to participate in the *RW* and *RT* in their neighbourhood, or in *musyawarah RW* or *RT*, nor do they ensure that participants do participate as equals. However, as one observer emphasises, in *musyawarah RT*, participants feel more equal, and they feel better at ease to actually participate in discussions and to express themselves. Also, the setting of the meetings is more informal. Commonly, decision-making is by deliberation and consensus (*musyawarah dan mufakat*). This is seen as conducive to the above. In addition, in some *RT*, also, separate meetings for women are held.

Promoting openness

Establishing easy access, proximity

RW and *RT* may be considered even more proximate and accessible than *kelurahan*. With a size of 90 to 450 households (*RW*), respectively 30 to 50 households (*RT*), as municipal regulations provide for, these forums are absolutely proximate. Also, the heads of *RW* and *RT* are well known to the residents and easily accessible, also at their homes.

Realising forums open to all

All residents in the area of a *RT* are member of the *RT*, as a household. Actually, membership is limited to households of residents in the *RT* who are registered and have an ID card (*KTP*) in the *RT (penduduk RT)*. All members of the *RT* are member of the *RW* in the area. *Musyawarah RT* are open to the heads of all households in the area. Only residents who are registered and have an ID card in the *RT* would be invited, though. In addition, in Surakarta, also temporary residents who have been granted an ID card in the *RT (kartu boro)* by the head *RT* may be invited to attend. Depending on the matter at hand, even squatters residing in the *RT* may be invited. This is, however, not provided for in regulations, or guidelines, and these residents are not entitled to being invited. As one observer said, this practice is based on 'local wisdom'. *Musyawarah RW*, in practice, seem not open to all households. They are open to invited participants only. As observers state, commonly, are invited *RT* heads, *RW* board members, other leaders and 'respected people', 'elite'. Sometimes, by exception, all households will be invited to *musyawarah RW*, dependent on the issues to be discussed, and, also, the availability of facilities to seat and cater all participants. It is not provided for that *musyawarah RW* and *RT* are open to other interested parties, the general public, or media. Regulations do not provide how *musyawarah RW* and *RT* have to be announced, and where and when, and in what frequency they should be

held. As said above, in 'better' RW, meetings are held every 3 months, in other RW only once a year. In many RT, meetings are held frequently, even every month, at fixed dates, and announced to the heads of households. In some RT, they are held once a year only.³³⁴

Information allowing to participate

Similar applies to information pertaining to *musyawarah RW* and *RT*. In some *RT*, 'active' *RT*, information is made timely available and in an accessible way. In other *RT*, information is not made timely available, or not at all.

Ensuring 'We' are represented

Representative composition of forums for participation

Arrangements regarding the functioning of *musyawarah RW* and *RT* are not provided for. Dependent on their functions and scale, direct representation would seem feasible and appropriate. *Musyawarah RT* have direct representation indeed. *Musyawarah RT* are open to all heads of households registered in the neighbourhood. Differently, *musyawarah RW* have no direct representation. They seem to be open to invited participants only, not to all heads of households. According to observers, as cited above, *musyawarah RW* are generally attended by heads of *RT*, *RW* board members, other leaders, 'respected people' and 'elite'. It may be argued that *RW* have a limited function, that is, primarily, coordinative and organising. Also, for this reason, this form of representation, that is indirect in nature, may be seen as fitting. However, only part of the representatives, the neighbourhood officials that attend *ex officio*, have actually been elected.³³⁵

In neighbourhoods, commonly, participation still is considerable. As one observer said, residents, and, in particular, educated middle class residents, have 'a real, authentic feeling of community. (...) This feeling is still strong. It is a matter of culture. Social responsibility goes with the place one has in society'. As other observers add, 'at present, residents, and in particular, older residents, still have a certain sense of belonging (in Javanese: *handar ben*), and will attend'. However, as some observers feel, this might change. Particularly, upcoming and educated middle class residents in a more urban environment, who have their work outside their neighbourhood, feel less neighbourhood bound and tend to participate less actively, leaving matters to others who have more time. Their participation, in particular the participation of younger residents, may become more accidental and issue-based. Also, women participate less and seem substantially underrepresented. In *musyawarah RT*, the head of the household represents the household. In most households, men are still being considered to be its head. Even today, quite commonly, women are not expected to attend and to participate. As discussed, there are cultural barriers that prevent women who attend from actually participating and representing them selves. As one observer asserts, 'The participation of women who attend *musyawarah RT*, often, is limited to serving snacks'. Also, meetings are often held at times that prevent women to attend. In a number of *RT*, women do attend *musyawarah*, and meetings are mixed. Depending on the issue, in *RT*, also, separate meetings for women are held, for example concerning *posyandu*, neighbourhood basic health care posts. Furthermore, younger residents appear to be less represented. Issue, one observer said, is how to engage young people, not only youth that is organised in the *karung taruna*, but also young people in *mushollah*, church, students and the like.^{336 337}

³³⁴ Fuad Jamil, Sitaresmi.

³³⁵ The notion of household, or head of household, as a basis for representation ensues from custom and tradition, and is, often, codified in local regulations.

³³⁶ Santoso, Tetanel, Fuad Jamil.

³³⁷ As one observer told about her own experiences in *musyawarah RT* in her neighbourhood, notably in one of the major and most urbanised cities, when she wanted to speak at the meeting, this was not accepted by the

Similar to what is said above regarding the composition of the boards of *LPMK*, the regulations aim to foster a representative composition of the boards of *RW* and *RT*. These boards consist of residents in the area of the *RW* or *RT*. The boards are elected by the heads of households in the *RW* and *RT* through deliberation and consensus, or by voting. All residents who qualify conform to the legal requirements are eligible. In some *RW*, heads and / or board members of the *RT* elect or nominate the *RW* head and board. Few of them are women, or younger residents. Most of them are more senior, retired residents. It should be noted that the heads of *RW* and *RT* are volunteers. Even if operational costs and expenses are paid, as is more and more is provided for, it appears not always easy to find suitable candidates. As one observer says, '*Who wants to be head? Nobody wants to be a leader.*'^{338 339}

Representation of interest groups and others that have interest

As ensues from the above, regulations do not provide for the participation of other groups, local community organisations, local businesses, or others that have interest, in *musyawarah RW* and *RT*. Local businesses indeed do not often attend meetings in *RT* or *RW*, but liaise directly with the *RT* head whenever they so desire.

Representation of under-represented or excluded groups

With concern to the participation and representation of women in *musyawarah RW* and *RT* reference is made to what is said above. Regulations do not provide for affirmative measures to promote the participation and representation of women, or other under-represented or excluded groups. As said above, in some *RT*, though, separate women meetings are organised, for instance, by *PKK*. The participation and representation of residents living in the *RW* or *RT*, who are not registered and have no ID card in the *RW* or *RT*, or have a temporary card, is not provided for. However, in many *RT*, the head invites them to attend.

Optimising empowerment

Creating capacity to act

The functions of the *RW* and *RT*, and the *RW* and *RT* head are, also, merely supportive and consultative. They have to 'assist' the *lurah* in the management of the administration affairs within their area. See sections 3 and 4 above. However, the importance of *RT* in the day-to-day administration of the *kelurahan* should not be under-estimated. The *RT* head has a major role in the implementation of a number of government programs, including programs of the central government. As one observer states, *RT*, in a way, are the '*face of the local government, the direct contact.*'³⁴⁰

Providing adequate resources

RW and *RT*, also, are predominantly funded by the community it selves. *RW* and *RT* increasingly rely upon government funding through block grants, such as the *kelurahan* development fund (*DPK*), and other grants, though. Specific projects may be funded by the

others attending and discussed: '*Should not her husband be speaking on behalf of their household, and on her behalf?*' Indrimayutri.

³³⁸ Fuad Jamil.

³³⁹ The concern is widely shared that the function of Head *RT* is a heavy, difficult function, and may be too burdensome. The function is an unpaid, volunteer function. There is no incentive. As mentioned above, it seems hard to find suitable candidates. As one observer adds, the nature of the administrative tasks assigned to Heads *RT*, also makes them prone to corruption. A reconsideration of the position and functions of the Head *RT* within the local governance structure may be desirable. It may be advisable to reduce their functions. Rifai.

³⁴⁰ Fuad Jamil.

municipality, or by other sources. *RW* and *RT* staff consists of volunteers. *RW* and *RT* have no offices. Generally, *RW* and *RT* heads have their office at their home.

Improving responsibility

Enhancing responsiveness to actual needs

RT and *RW* are *-de facto-* the lowest level of the local government, the most proximate to residents. Even if their powers are limited, this enhances their potential responsiveness to the actual needs of residents. In Surakarta, as observers mention, within their limited mandate, indeed a number of Heads *RT* seem to be responsive. At the same time, a number is not.

Establishing accountability

With concern to *RW* and *RT*, downward mechanisms that establish accountability are weak. Accountability of *RW* and *RT* and their leadership seems, primarily, to rely on informal mechanisms that commonly exist in neighbourhood communities. Presently, regulations do not provide for monitoring, evaluation or control by the community them selves, or other interested parties. The community, or civil society organisations may do so at their own initiative. On the other hand, options for recall exist. *RW* and *RT* head and boards are elected officials. The community has the option to not re-elect a *RW* or *RT* head and board members, who do not fulfil the expectations. In addition, regulations provide for dismissal under certain circumstances. Also, in a number of *RT*, heads of *RT* seem to report and render account in musyawarah *RT*. According to one observer, this functions as a strong, informal mechanism. Complaints and disputes between the community, or individual residents, and the *RW* or *RT* head or board are resolved in the traditional way by the *RW* or *RT* heads them selves through deliberation (*musyawarah*, *rembug*). *RW* and *RT* heads are 'to cultivate security, order and harmony'. In a second instance, redress resolution may be done by the *lurah*. An independent forum that is proximate and easily accessible is not provided for.

Also, upward mechanisms establishing accountability of *RW* and *RT*, both direct and indirect, seem weak. Regulations in general terms provide for guidance, supervision and monitoring of *RW* and *RT* by the municipal government and the *camat*. Recently, *RW* and *RT* have to report concerning the spending of operational costs funded by the *kelurahan* development fund (*DPK*). A general obligation to report is not provided for. Neither is expressly provided for a regular, annual audit by the municipal inspectorate, or by external, independent auditors.

Musrenbang kelurahan

Creating participatory processes

Realising appropriate opportunities to participate

As a part of the annual municipal development planning cycle, the *musrenbang kelurahan*, or *musrenbangkel* (*kelurahan* development planning meetings) aim to offer a forum for the community of *kelurahan* to participate in the development planning of the *kelurahan*. In addition, at *kelurahan* level, recently, the community strategic planning meeting, or *musrenbang renstra masyarakat*, has been introduced. By now, it has been implemented in all *kelurahan*, most commonly embedded in the annual *musrenbang kelurahan* meeting.

As discussed in the above, over the last years, a number of changes have been made to the process, adding methods that can be qualified as participatory. The new community strategic plan (*renstra masyarakat*) mechanism extends the scope of development planning at the *kelurahan* level and the involvement of the community from short term planning (1 year) to medium-term planning (5 years), in phase with the municipal medium-term development planning (*RPJMD*). The *LPMK* is actively engaged in the process. It is expected that this will promote a more substantive and effective engagement of the *kelurahan* community in development planning. Earlier, another mechanism has been introduced, the *kelurahan* development work plan (*renja kelurahan*). The work plan is a simple document, on basis of a form. The *LPMK* is involved in its drafting, and is overseeing its implementation. *LPMK* manage the *kelurahan* development fund (*DPK*) and the development activities in the *kelurahan* that will be financed by *DPK* as determined in the *musrenbang kelurahan*. At the *kelurahan* level, *DPK* that in preceding years have been allocated according a set of allocation criteria may actually function as a so-called budget indicative ceiling mechanism (*pagu indikatif*), at least, for a part of the development activities, promoting a more realistic planning and prioritisation. At present, actual indicative budgets are only applied at the municipal level, in *forum SKPD* and *musrenbang kota*.

Over the last years there has been an on-going discussion whether, in Surakarta, the *musrenbang* cycle as it has been developing over the past decade and until recently has been implemented, actually does offer opportunities to substantial participation to *kelurahan* communities. According to both observers and municipal government officials, *musrenbang* does, at least, did not not function well. As one observer put it, '*there is something wrong with musrenbang.*'³⁴¹

It is mentioned that public involvement in *musrenbang* is limited. Even worse, participation decreased. Initially, when *musrenbang* started, in 2001 – 2005, participation would have been quite good. Thereafter, participation has been decreasing, in particular, in qualitative terms. According to one observer, at the start of *musrenbang* '*there was enthusiasm. Participants were involved. However, participation has been changing over the years.*' As another observer argues, people started to rely on the government too much. Self-organisation, *swadaya*, decreased. Also, '*most of peoples' proposals do not address their basic needs.*' As observers state, '*There are no results.*' Dissatisfaction has grown over the years. Observers comment, '*There is no discussion. The process is bureaucratic.*' '*It is still too much top-down, and too little bottom-up, a heritage of thirty years of centralistic planning under Orde Baru.*' '*There is fatigue. Meetings are perceived as boring, ceremonial, and technocratic. In musrenbang kelurahan, also, there is limited substantial deliberation. In the meetings, primarily the thematic organisation and arrangement according to funding sources is discussed.*' Another observer adds, '*After the meeting, there is a 'perfection team'. This is usefull and necessary, however, this sometimes results in producing 'other' priority lists to musrenbangcam.*' Still, '*often, the result is too fragmented, and badly integrated.*' According to one observer, in *musrenbang*, '*participation, at the moment, still merely serves as a vehicle for legitimation of policies determined at municipal level.*' This view is widely shared. '*The public feels that they do not see the result of musrenbang realised, and that the process in musrenbang is a mere formality. People's inputs and suggestions are not followed (by the municipal government) as they usually already have their own program outline which tends to be a mere routine and rigid.*' Question is '*How to re-invent the spirit of musrenbang, the spirit of togetherness (semangat kebersamaan)?*' As other observers said, '*A massive reform, a rethink, is needed.*'³⁴²

Officials share most of the above comments. As one official stated, '*One should not be satisfied.*' The quality of proposals does not improve. '*Every year, same proposals are done. Too many proposals are unnecessary. This is not sustainable. Plans look ahead one year,*

³⁴¹ Samuel Rory.

³⁴² Rifai, Fuad Jamil, Ardian Pratomo, Histiralludin, Samuel Rory, Lay, Tetanel, Histiralludin (2012a), Histiralludin (2012b), IGI – UGM (undated), p. 5, Pratikno, Lay (2010), p. 17, SMERU (2011), p. 43, Wibisono (2011).

and again another year. People should optimise the assets in their neighborhoods. They need to identify their basic needs'. Also, 'Residents expect too easily to get block grants, even to clean sewers and alike. (...) Does this cause participation to be less effective, sometimes, more ritual? Residents have high expectations. The budget, though, is less than asked for. As a result, residents grow disappointed'. Another official added, 'musrenbang is about how to meet bottom up and top down approach. Bottom up results still too much in 'wish lists'. There is a need to filter, to select. Problem is the quality of participation. People just sit, they do not really participate'.³⁴³

The recent changes and additions to the *musrenbang* cycle described above aim to address some of the issues mentioned. Their purpose is to make the process more effective, and to improve participation. The further development of community strategic planning mechanisms at the level of *kelurahan*, has been strongly advocated by NGO's. Officials and observers alike have good hopes that this could work. Whether these mechanisms will actually contribute to these ends is too early to tell. The *kelurahan* medium-term planning and the participatory basic needs assessment have just been introduced, in addition to the short-term *kelurahan* work plan. As mentioned above, all *kelurahan*, facilitated by NGO's, now have medium-term development plans. The medium-term planning and needs assessment have been implemented in the remaining *kelurahan* in the 2015 development planning cycle. Shifting the focus of *musrenbang* from short term planning to a longer term planning and adding the basic needs assessment mechanism may indeed result in enhancing opportunities to substantial participation.³⁴⁴

Equal opportunities to participate for all, as equals

Musrenbang kelurahan, too, do not offer equal opportunity to participate to all residents of the *kelurahan*. Neither do *musrenbang renstra masyarakat*. Only invited participants (*peserta*) are entitled to participate in the meetings, to speak, and to take part in discussions and decision-making, or to demand that issues be put on the agenda. The guidelines do promote the inclusion of women representatives. See further below. Rules that ensure participation as equals are not expressly provided for. The municipal guidelines do not include all relevant empowerment principles (*prinsip pemberdayaan*) that are part of the national guidelines, listed above in section 3. The chairman of the steering committee, who leads the *musrenbang kelurahan*, and the facilitator, who assists the chairman, have to ensure the due process and fair course of discussion and decision-making. Decision-making has to be done through agreement in joint discussion. This may promote that participants actually do participate as equals.

Observers mention that in *musrenbang kelurahan 'elites'*, well-respected residents, such as teachers and *ulama*, dominate, as one observer adds, '*in many ways*'. As others confirm, in some *kelurahan* indeed local elites, certain groups or individuals, dominate meetings, '*lu lagi, lu lagi (you again), always the same people*'. As mentioned, people seem reluctant to participate in discussions in the presence of local leaders, even when expressly invited by a facilitator to do so. As also discussed elsewhere in this paper, the Javanese community is still seen as '*patrimonial and hierarchical*'. Its culture '*disallows (...) viewing ordinary citizens as equals*'. At the same time, as some observers emphasise, participants who dominate meetings do not necessarily belong to a certain category, or to what more commonly would be seen as '*elite*', though. '*Some people are just more outspoken. It may even concern a*

³⁴³ Sitaresmi, Yuniarti.

³⁴⁴ The *Mini atlas*, initiated by *Solo Kota Kita* (SKK), may be seen as a helpful, and even indispensable tool in this approach. Actually, the methodology of the medium-term planning and issue mapping is based on the approach, or working procedure of the *Mini Atlas*. With its introduction in *musrenbang*, the methodology has become part of its institutional design. Of all *kelurahan*, area maps have been made, based on GIS. These maps have been made in a participatory manner, actively engaging the residents in the *kelurahan*. The maps show a number of indicators, such as population density, land tenure, housing, public amenities, poverty, education, and health. The maps are provided digitally at the website. The use of this technology facilitates a continuous monitoring of development of the *kelurahan* by local government and residents alike. Maps are, also, provided to all heads of *RW* and all other community organisations in *kelurahan*. Pratikno and Lay (2010), p. 16, www.solokotakita.org.

becak driver'. Dominance by more outspoken or prominent participants may even be seen as *'natural'*. Applying participatory methods, such as participatory (poverty) assessment, as is part of *musrenbang renstra masyarakat*, and actively promoting 'equal' values, along with capacity building may mitigate this dominance.³⁴⁵

Also, women would not equally participate in meetings. According to observers, this would also ensue from Javanese culture. As observers state, *'Women do not give their opinion in public'*, *'Women feel uncomfortable speaking in a forum dominated by male participants'*. Another observer adds, *'In the presence of male bureaucrats, women feel un-equal. Between them selves, women act more egalitarian and they consider each other as more equal'*. *'As a result, the development planning process remains dominated by men. In the implementation, though, women are more involved, in particular whenever it does not relate to technical, technocratic matters, but to social matters.'* This view is widely shared. As another observer stated, in Java, women do not substantially participate in the planning and budgeting process. *'Politics is no women business. It is not honest, not clean, not pure, it is rough, Women are the defenders of the pure, of morality'*. This is a kind of *'cultural segregation'*. Others describe this segregation as *'Ibu, ibu, bapa, bapa'*. In the Javanese culture, women manage the household and the family budget. According to one report, *'The traditional view of women as being good only for domestic tasks prevails largely in Java (...). Women commonly consider engagement in activities (even in its simplest forms such as village or neighbourhood 'RT / RW' meetings) as men's business.'* The engagement of women who participate primarily concerns domestic, social and cultural issues and general governance, not that much budget issues, or infrastructure. Men and women work on different issues, in separate committees and parallel forums. In this, as one observer adds, the role of *PKK* in representing women and family interests should not be under-estimated. As another observer summarises, the engagement of men and women may be not that much seen as unequal, but perhaps more as rather segregated.³⁴⁶

Similar applies to the participation of poor. Poor that attend meetings do often not participate as equals. As one observer explains, poor them selves do not see them selves as equal, and they are not seen as equal by other participants. Many poor have an inferiority complex. Wealthier, more educated people tend to be more confident. This is also a matter of culture. *'In Solo, traditionally a feudal society, aristocracy - priyayi - despise and underestimate 'inferior' people'*. Over time, step-by-step, the situation would get better. Also, to the opinion of this observer, mechanisms that recently have been introduced in *musrenbang*, like participatory issue assessment, that is part of *musrenbang renstra masyarakat*, may encourage poor people to engage and to speak. In decision-making, though, poor people still would act shy and subservient. It will take some time before poor actually feel equal and will be seen as equal. As another observer adds, continued efforts in capacity building and sectoral or group organisation, as has been initiated in Surakarta, may help to further promote the participation of poor.³⁴⁷

Promoting openness

Establishing easy access, proximity

Operating at the level of the *kelurahan*, the *musrenbang kelurahan* and *musrenbang renstra masyarakat*, without any doubt, are a proximate forum for participation for residents in the *kelurahan*. Also, residents seem to have quite easily access through the participants that act as their representatives.

³⁴⁵ Yuniarti, Rifai, Fuad Jamil, Samuel Rory, Widianingsih (2005), p. 8.

³⁴⁶ Sitaresmi, Yuniarti, Rifai, Fuad Jamil, Mundayat, Zakiyah and Enita (2011), p. 138, ANSA – EAP (2012), p. 48.

³⁴⁷ Samuel Rory.

According to the guidelines, *musrenbang kelurahan* are only open to representatives (*perwakilan*) of the community in the *kelurahan* that are registered and invited by the organising committee to attend. Invited are representatives of community institutions and organisations in the *kelurahan*, the leadership of *RT* and *RW*, community and religious leaders, local businesses, and *kelurahan* officials. The meetings seem not open to other residents domiciled in the *kelurahan* that would like to attend and to participate, or to the general public, other interested parties, and media. The guidelines do not provide so. Similar applies to *musrenbang renstra masyarakat*.

As observers state, all residents who are registered and have an ID card in the *kelurahan* (*penduduk kelurahan*) can register to attend and participate in the meetings. People living in the *kelurahan* who are not registered and have no ID card in the *kelurahan*, often poor, for instance squatters, have no right to attend and participate. They may be invited, though, when the steering committee so approves. Also, temporary residents who have been granted an ID card in the *kelurahan* by the head *RT* may be invited. Whether residents who have registered will be actually invited by the organising committee to attend the meeting, is left to the discretion of the organising committee. As one observer says, 'For instance, if somebody is considered to be a 'troublemaker', somebody having different views, he will not be invited, and he will be put on a 'black list'. Another reason not to invite all residents who have registered, often is that the facilities and budget for the meetings are limited. As one observer told, 'When you invite people, you have to provide food. Not providing food is not hospitable.' This is also why participants need to be invited. According to one observer this results in the process being 'a closed shop.' Others do not fully agree. In some *kelurahan*, meetings are said to be more open. In other *kelurahan*, as research would show, meetings are attended by just a limited group. This may be due, though, to lack of information and inadequate dissemination, or *sosialisasi*.³⁴⁸

The current guidelines now more explicitly provide for the attendance and participation in the *musrenbang kelurahan* of other community organisations based and working in the *kelurahan*, apart from *LPMK* and functional organisations, such as *PKK* and *karang taruna*. Likewise do the guidelines provide concerning the attendance and participation of these groups in *musrenbang renstra masyarakat*. In a number of *kelurahan*, representatives of these non co-opted organisations tend to be invited to attend *musrenbang kelurahan*, often as auditors only, not as participants, listening in, allowed to speak, but not to take part in decision-making. Also, for the attendance and participation of local businesses in *musrenbang kelurahan* and *musrenbang renstra masyarakat* is now expressly provided for. In addition, community organisations have the option to attend the community institutions meeting (*MLK*) in the *kelurahan*.

The guidelines provide that meetings are to be held at a time and place that allows participants 'to engage optimally', and that meetings, agenda and place of venue have to be announced publicly and no later than 4 days prior to the meeting. A term of 4 days may be short, and even too short. Also, in spite of these provisions, actually, in many *kelurahan*, only invited participants are notified. In addition, an inappropriate timing of meetings, often at evening, prevents women to attend.³⁴⁹

Information allowing to participate

As said above, concerning *musrenbang kelurahan*, the guidelines used to provide that an 'effort' has to be made to have documents timely available and prior to meetings to allow participants to engage. Remarkably, the latest guidelines do not include provisions with respect there-to. Anyway, actually, information most often is not timely available. Observers state that the information pertaining to what will be discussed, such as priority lists of *RT*,

³⁴⁸ Fuad Jamil, Rifai, Yuniarti, Samuel Rory.

³⁴⁹ Zakiyah and Enita (2011), p. 138.

RW and community institutions resulting from *RW*, *RT* meetings (*musling*) and community institutions meetings (*MLK*), commonly is disseminated at the meeting, and not timely prior to the meeting. Observers comment that not all information provided is in an accessible form and simple, and easily to understand for all residents. Apart from this, to their opinion, over the years the municipal guidelines have become too complicated, too rigid and over-structured, too sophisticated. Simplification is needed. In contrast, according to officials, at all levels, the information provided would be sufficient and in simple format, easily to understand. Information would generally be disseminated by *sosialisasi*, starting in the preparation meetings in *kelurahan*, and by information posters. In most *kelurahan* this would work well. Providing information is also one of the tasks of the facilitators. Facilitators are trained to do so by *BAPPEDA*. Whether, actually, the information provided is sufficient, also, strongly depends on them.³⁵⁰

Ensuring 'We' are represented

Representative composition of forums for participation

In *musrenbang kelurahan* and *musrenbang renstra masyarakat*, both direct and indirect representation may be appropriate. Guidelines, actually, provide for indirect representation, predominantly, through participants who act as representatives *ex officio*, and who are not elected in that capacity. Guidelines provide that 'all elements' of the community in the *kelurahan* will be represented in the *musrenbang kelurahan* and *musrenbang renstra masyarakat*. As referred to above, only representatives of the standing community institutions, such as *LPMK*, *LKM*, *PKK* and *karang taruna*, the leadership of *RT* and *RW*, community and religious leaders, representatives of local business and other organisations in the *kelurahan*, and officials of the *kelurahan* administration, who have registered and have been invited by the organising committee, are deemed to attend. In addition, in *musrenbang kelurahan*, officials who are invited as 'informants' will attend. As mentioned above, meetings seem, actually, not open to other participants who would like to participate. It seems, generally, not easy for individual residents to register and to be invited. This is to the discretion of the organising committee.

It can be argued that the composition of the *musrenbang kelurahan* and *musrenbang renstra masyarakat* is representative of the community in the *kelurahan*. The *ex officio* participants, representatives of community institutions and organisations and leadership of *RW* and *RT*, are part of the community, and may be considered as representing the community or at least certain groups within that community. On the other hand, the current guidelines perpetuate the present constellation in which the community, predominantly, is represented by government co-opted community organisations and leaders *ex officio*. At present, local government officials and representatives of co-opted community institutions and organisations dominate. In this, the current design does not ensure representativeness in a broader sense. Nevertheless, as an observer states, referring to the long tradition of organised civil society in Surakarta, the composition of forums may be considered representative, whereas it concerns the representation of social classes and political ideologies. *Musrenbang* in Surakarta, and elsewhere too, though, is and has always been dominated by local elites. Other observers share this view. However, as one observer

³⁵⁰ Over the last years, a crucial contribution to providing adequate information to residents in *kelurahan* and neighbourhoods that is easily accessible, enabling them to better participate, is the so-called *Mini - Atlas*, mentioned above. Whether the information is actually adequately used very much depends on the facilitator and other officials involved. Training and workshops are provided to facilitators in all *kelurahan*. A recent evaluation shows that the maps are used in most *kelurahan* and *RW*. In a number of *kelurahan* the maps are not used directly. Some use their own maps made conform a comparable methodology. It appeared that some consider the maps too precious to write on, and put the map on the wall. It was found that the maps are useful in the process and foster discussions. In a number of *kelurahan* the discussions would have become better. In some other *kelurahan*, *musrenbang* meetings still, would just consist of filling in forms. Overall, the feeling would be that the maps have substantially improved the process at these levels. Ensuing from this, the methodology has now been included in the *musrenbang renstra masyarakat* cycle with the issue mapping at *RW* level.

emphasises, the *'regeneration of participants is problematic.'* It is still limited. In most *kelurahan*, there is little change in leadership and the circle of participants in *musrenbang*. This increases the risk of elite capture.^{351 352}

Representation of interest groups and others that have interest

As said above, the guidelines provide that the participation in *musrenbang kelurahan* and *musrenbang renstra masyarakat* is also open to representatives of local businesses, resident and non-resident alike, and 'other' community organisations in the *kelurahan*, that have registered and are invited by the organising committee, along representatives of the official *kelurahan* community institutions, such as *LPMK*, *PKK* and *karang taruna*. In addition, community organisations in the *kelurahan* may also participate in a separate, dedicated sectoral forum, the community institutions meeting (*MLK*), that is held preceding the *musrenbang kelurahan* meeting. Local business and professional groups are entitled to participate, also, in *musrenbang kecamatan* and in separate forums at the municipal level, such as the focus group discussion (*DKT*). Actually, local businesses do not frequently attend *musrenbang kelurahan*. They would more commonly attend the *DKT*. As one observer adds, many businesses prefer to not attend, though. They do not expect to benefit from formal participation, and prefer to deal with local government and the neighbourhood in which they operate in more informal ways, maintaining good relations with local leaders and, even local *preman*, or strongmen. This would be the *'logic of non-participation'*. As another observer confirms, *'better-off traders and shops'* would not attend, as sectoral forums would focus more on vulnerable and marginalised groups, such as *becak* drivers and street vendors. This is particularly relevant since matters that concern these groups often cut across *kelurahan*.^{353 354}

Representation of under-represented or excluded groups

The representation of women in *musrenbang kelurahan* is generally low, but seems to improve steadily. The municipal guidelines explicitly provide that in *musrenbang kelurahan* 30 % of the participants should be woman, as an 'ambition'. The 30 % women quota is to be maintained and monitored by *BAPPEDA*. The guidelines provide similarly concerning *musrenbang renstra masyarakat*. Apart from the 30 % representation rule, and what facilitators undertake in the day-to-day practice to foster the participation of women, including holding meetings at daytime, as promoted by *BAPPEDA*, there are no other affirmative measures provided for. According to observers, in most *kelurahan*, the level of

³⁵¹ Lay, Rifai, Yuniarti.

³⁵² The representation of the community by category by co-opted functional organisations, such as *PKK* and *karang taruna*, as it is institutionalised in the *musrenbang* process, may be seen as a remnant from the *Orde Baru* era. Among observers there is discussion whether *PKK* and *karang taruna*, as government co-opted, functional organisations, (still) are representative of the women and youth in *kelurahan* communities. As one observer stated, *'At present, PKK is expected to represent women. PKK is dominated by the spouses of leaders, though. (...) PKK is state corporatism'*. In his view, to foster participation of women in *kelurahan*, an alternative should be created. This may be women organisations co-existent with *PKK*, such as the *balee inoeng*, women houses, in Aceh. Also, other, existing women groups should better work together. According to another observer, putting the above in perspective, the role of *PKK* should be seen more positively. *'Not in all kelurahan, the wife of the lurah acts as the chairperson of PKK, and in many kelurahan, at least in Surakarta, PKK act much more independently.'* Similar comments were made with concern to the representativeness of *karang taruna* as the representative of young residents in *kelurahan* in cities. As one observer explained, *karang taruna* is perceived as being formed and influenced by government. *'To urban young, karang taruna smells bit of politics, it does not represent good people'*. It is *'not too cool'*, *'old-fashioned'*, and *'many (of its leadership) are not young anymore'*. Rifai, Mundayat, Fuad Jamil, Dwiyani.

³⁵³ Santoso, Samuel Rory, IGI – UGM (undated), PRIA (2010), p. 37, Rifai (2007).

³⁵⁴ In Surakarta, as one observer stated, sector groups have been considered being part of the local community. In the past there have been some pilots to have them participating at *kelurahan* level. These pilots turned out less successful. As a result, presently, the main forum for participation of these groups would be at the *kota* level, the forum group discussion (*DKT*). At present, opportunities for participation of these groups in *musrenbangkel* still exist, even if coming from outside the *kelurahan*, but finding their existence and doing their business in the *kelurahan*, and instrumental in the functioning of the *kelurahan*, for instance, *becak* drivers and *pedagang kaki lima*, street vendors. As mentioned above, they, also, have the option to participate in *MLK*.

participation of women is currently over 30 % and slowly increasing. In some *kelurahan*, the participation would even be better. Also, the share of women in (now defunct) *kelurahan* development committees (*PPK*) would have been increasing. Observers confirm that, at the moment, the participation of women is improving, and is, even, comparatively good, as it is also promoted strongly by the *PKK*. However, according to most observers, women that attend and participate are predominantly women from the elite, or middle class, often better educated, and 'strong', 'who know the neighbourhood well, and are engaged and care'. It often concerns women who are already active in community organisations, such as *PKK* and *posyandu*. 'Common women', lower class or poor women would be represented less, at least in *musrenbang*. Also in *musrenbang*, as mentioned above, ingrained cultural patterns still restrict women participation. Women would, predominantly, be engaged in social and cultural issues, or 'women issues', and not that much in, for instance, infrastructure. Even worse, as some observers put it, in some *kelurahan*, 'Women serve food'.³⁵⁵

Also, the representation of poor residents, disabled and marginalised groups in *musrenbang* is a matter of concern. These groups still seem under-represented, or even excluded. Over the past years some affirmative measures have been introduced. For instance, the guideline for the *musrenbang* 2014 explicitly listed representatives of poor residents (*keterwakilan penduduk miskin*) as participants in *musrenbang kelurahan* (be it, without further qualification, or quota to aim for). According to officials, this did obviously not work. As mentioned above, people do not tend to present themselves as poor in public, and do not like to be seen as poor, nor as a representative of poor. Currently, a policy is adopted to actively invite and engage poor residents in development planning activities and deliberation. Poor that are on the municipal list of poor are actively invited to participate in, for instance, the issue assessment in *RW* as the guidelines concerning *musrenbang renstra masyarakat* provide.

Optimising empowerment

Creating capacity to act

Over the last years, the mandate of the *musrenbang kelurahan* has gradually been extended. Still, its capacity to act is limited. As the guidelines stipulate, the *musrenbang kelurahan* prepares and determines the *kelurahan* development work plan (*rencana kerja pembangunan kelurahan*) for the coming year, in accordance with the *kelurahan* community strategic plan (*renstra masyarakat*) and priority issues, and synchronised with the municipal development priorities (*PPD*). In this context, it has to determine the activity work plan (*renja kelurahan*) proposed by the *kelurahan* administration, and the lists that are part of the *kelurahan* development work plan, the priority development activity lists (*DSP*) of activities to be funded by the *kelurahan* development fund (*DPK*), community direct aid under the *PNPM Urban* program (*BLM*), and other sources respectively, and a list of development activities that will be proposed to the *musrenbang kecamatan* and to be implemented by the municipality through its *SKPD*. In addition, the *musrenbang renstra masyarakat* every 5 years compiles and determines the *kelurahan* community strategic plan (*renstra masyarakat*) based upon the results of issue mapping in *RW* and *kelurahan*, and aligned with the municipal medium-term development plan (*RPJMD*).

In previous years, the functions of the *musrenbang kelurahan* were primarily consultative. As observers state, its main function was to compile and determine the priority list development activities. It was not entitled to reject proposals done by the *musyawarah RW* and *RT*, and the community institutions meetings (*MLK*), only to prioritise. Currently, the functions of the

³⁵⁵ Sitaresmi, Mundayat, Samuel Rory, Fuad Jamil, Ekawati (2010), *PRIA* (2010), p. 37, GTZ (Undated), *IDEA* (undated), p. 3, Zakiyah and Enita (2011), p. 138.

musrenbang kelurahan seem to become more substantial. It should be noted, though, that its actual decision-making functions are restricted to only a small part of the development activities, namely those funded through *DPK*, *BLM*, and own sources. Over the last years this part gradually seems to decrease. As mentioned above, these activities have, also, to fit within the municipal development priorities.

In addition, the capacity to act of *musrenbang kelurahan* is further restricted by the use of, so-called, 'negative lists' that are applied by facilitators in a number of *kelurahan*. Negative lists indicate what plans or projects are eligible to be put on priority lists by the *musyawarah RT* and *RW*, and *musrenbang kelurahan*. As one observer phrases, the list mentions 'useless' projects and proposals that are 'not allowable'. The list has been introduced about some years ago. It is not provided for in the guidelines, but originates from the municipal regulation on *DPK*. Some facilitators apply the negative lists in in the development planning meetings, beyond its purpose, at their own initiative.³⁵⁶

Furthermore, as described in sections 3 and 4, *musrenbang kelurahan* have not been assigned the power to determine the allocation of the available budget. The budget and its allocation are determined at municipal level, and at a later stage of the planning cycle. Until recently, the preliminary budget was not even known at the time meetings in *kelurahan* are held, and priorities are set. The opinion is widely shared, also within government, that this disconnect between planning and budgeting, inherent in the current design of *musrenbang kelurahan*, hampers substantial participation, and seriously negates the capacity to act of *musrenbang kelurahan*. As one observer comments, 'This is why *musrenbang* fails. Do not ask people to participate without also letting them decide by them selves on how funds will be spent.' The introduction of *DPK* seems to have mitigated the disconnect between planning and budgeting. As quoted above, *DPK* in a way functions as indicative budget ceiling (*pagu indikatif*), at least for the development activities that are funded through *DPK*. Over the last years, *DPK* have been allotted according to a fixed formula. The amount did not change that much from year to year. Participants did quite adequately know what budget to expect.³⁵⁷

Development planning has been and still is too much top-down, and too little bottom-up, according to one observer, adding, 'this is a heritage of over 30 years of centralistic planning during *orde baru*.' As an official states, challenge is to change top-down planning in a more bottom-up approach. 'How to get to empowerment, participation by common people?' According to this official, nowadays, in Surakarta 'Musrenbang 'encourages people not to rely on government only', but also to develop activities by them selves, to obtain means from external sources, to search for sponsors, to think where funding may be found. 'Of course, this has to fit in the overall municipal planning. It encourages not to make just 'wish lists', but to provide in the basic needs of people. Residents can do very much by them selves through *swadaya*, self-organisation. In the past, all was decided and done centrally, the implementation also. By Public Works, for instance. Since some years, residents elect a committee, propose a plan and run the project'.³⁵⁸

Providing adequate resources

The *kelurahan* development activities are funded through the municipal budget, by allocation to *DPK*, and through other sources, such as community direct aid under the *PNPM* program, and by the community it selves. The municipality, also, funds the costs of organising the development planning process in the *kelurahan*. Observers note that over the last years means allocated to *DPK* have steadily been declining proportionally, or, at least, did not increase. In addition, as an official adds, the funding by the community it selves has been decreasing, different to what had been expected and hoped for. Furthermore, too

³⁵⁶ See: PerWal 20 / 2015 Surakarta § 6.

³⁵⁷ Santoso, PerWal 20 / 2015 Surakarta § 19.4 (a – f).

³⁵⁸ Tetanel, Sitaresmi.

many means are spent on costs of staff and employees, in Surakarta (and, also, quite commonly, elsewhere) over 60 to 65 %. In coherence, this results in remaining the funds that are actually available for development activities too little. Apart from that, the total amount of proposals that have to be funded by the *kelurahan* development budget is always far larger than the available budget. To the opinion of observers, funding is getting problematic. Also, the budget to run the process is decreasing. At the same time, the current system is considered being expensive and to having a considerable overhead and high transaction costs.

As discussed in section 4, staff, such as facilitators, and further assistance is provided for by *BAPPEDA* and other municipal departments. Observers expressed their concern regarding the deployment and functioning of facilitators. Some facilitators work in *kelurahan* that are just too large, other work in relatively small *kelurahan*. Observers add that facilitators have very limited training. There is no standard selection process. Also, facilitators cannot attend all meetings. Sometimes, they even do not know the schedule.

Improving responsibility

Enhancing responsiveness to actual needs

The *musrenbang* process, as such and at *kelurahan* level, as it developed over the years in Surakarta, also, aims at enhancing the responsiveness of local government to the actual needs of residents. It did partly succeed. The process is gradually becoming more inclusive, better including women and poor. The responsiveness to the actual needs is still seen as rather unsatisfactory, though. According to observers, main cause would still be a lack of information and knowledge on what people actually need, not on what they want. Another cause lies in the process. Time is often too short. The process is too formal. There is no substantial discussion. Even after introducing 'negative lists', this would result in too many projects that are questionable and that are not as beneficial to the communities concerned as should. Prioritisation is still problematic. Reference is made to what is said above. Whether the participatory mechanisms that recently have been added to the process will actually enhance responsiveness, is to be seen.³⁵⁹

Establishing accountability

The development planning cycle includes mechanisms that establish accountability. The guidelines provide that in the annual *musrenbang kelurahan*, the evaluation of the development plan and activities is discussed. As referenced above, year round, the *LPMK* oversee the implementation of the *kelurahan* development plan. Furthermore, *LPMK* have to monitor and evaluate the implementation of development activities funded by *DPK*. *LPMK* have to report annually. Monitoring and evaluation by the community it selves do not yet function satisfactory, though. As one observer explained, '*people feel awkward to control their neighbours*'. Residents would refrain from actually calling each other to account. Also, the capacity of members of the community may still fall short. Another shortcoming is that the above monitoring and evaluation is limited to projects funded by *DPK*, and does not include projects funded by the community it selves, through *swadaya*, or other sources. In some *kelurahan*, residents them selves would arrange monitoring of these activities. In addition, the reporting is only once annually. According to officials that is too little. In 2014, only 10 out of 51 *kelurahan* would have reported properly. In addition to these downwards and sideways mechanisms, as upward accountability mechanisms function the regular municipal arrangements for control, report, audit and inspection by, among others, the municipal *inspektorat*, as discussed above, at least whereas the use of public means and funds is concerned. This would, however, not extend to the spending of community funds. Furthermore, municipality, *camat* and *lurah* guide, monitor and evaluate the implementation

³⁵⁹ PRIA (2010), p. 38.

of activities financed through *DPK* by *LPMK*. Overall, the accountability would be up to standard.³⁶⁰

Musyawarah RW / RT musrenbang

Creating participatory processes

Realising appropriate opportunities to participate

As part of the annual *musrenbang kelurahan*, and prior to the actual *musrenbang kelurahan* meeting, *musyawarah RW* and *RT* are held as development planning meetings in the neighbourhood (*musyawarah lingkungan*). The *RT* development planning meetings are increasingly combined with the regular *musyawarah RT*, as codified in the recent guidelines.³⁶¹

One may question whether, at present, *musyawarah RW* and *RT* that are part of the annual *musrenbang* cycle do offer actual opportunities for substantial participation to residents of *RW* and *RT*. Participatory methods are not expressly provided for. Facilitators play a key role in creating participatory dynamics. As observers comment, *'In some kelurahan, in musyawarah RT also, often there is nearly no discussion. Many times, it is just completing forms. The head of RT sets the course, the proceedings of the meeting. (...) This is why meetings often do not function well, not as well as regular musyawarah RT'. 'Some Heads of RT do not even hold any musyawarah, they just fill out the forms them selves, without any consultation of the community.'* Sometimes, they inform their constituency later. Observers add, *'Many RT proposals are just based on what they want, instead of what they need'*. The identification of issues is not done properly. The prioritisation based on a number of indicators is often ignored. Facilitators cannot attend all of the meetings. *'There are too many meetings. Sometimes, they do not even know the schedule.'*^{362 363}

Musyawarah RW that are part of the five-annual *musrenbang renstra masyarakat* may offer better opportunities to substantially participate to residents. However, as will be discussed below, the circle of participants seems to be rather limited. Much will depend on how this mechanism actually will be implemented, and up to what extent residents in neighbourhoods will actually be involved in the mapping activities and discussions.

Equal opportunities to participate for all, as equals

The arrangements for *musyawarah RW* and *RT* that are part of the development planning cycle do not expressly provide for an equal opportunity to participate to all residents. Also, rules that ensure the due process and fair course of discussion and decision-making are not expressly provided for. As a general rule, though, decision-making will be through deliberation and consensus (*musyawarah dan mufakat*). However, as ensues from the above, the way, at present, *musyawarah RT* are conducted seems not to be conducive to creating substantive, equal opportunities to participate to all residents that attend, neither does it foster that they participate as equals. Also, as one observer adds, decision-making, quite often, is by majority and not by *musyawarah dan mufakat*.

³⁶⁰ Fuad Jamil.

³⁶¹ PerWal 22 / 2014 Surakarta §§ 16, Annex III § F 2 a 1, b 1.

³⁶² Rifai, Fuad Jamil.

³⁶³ In this context, observers mention that *in some kelurahan* steering committees fulfil an 'active' role in the process at *RT* and *RW* level. Committee members actually visit *RT* and *RW*, and support boards of *RW* and *RT* in the preparation and implementation of *musyawarah RW* and *RT*, providing information and guidance, and, also, assisting in decision-making. As one observer adds, this prevents that *'less useful projects are decided upon, such as gapura'*. As mentioned above, some apply a 'negative' list. Fuad Jamil.

Promoting openness

Establishing easy access, proximity

As said above, *musyawarah RW* and *RT* are proximate forums and, as such, easily accessible to the *RW* and *RT* residents that would like to attend and to participate.

Realising forums open to all

Though not expressly provided for, the *musyawarah RW* and *RT* that are part of the annual *musrenbang* cycle are intended to be open to all heads of households in the *RW* and *RT*. As a rule, the *RT* heads will invite all households. *Musyawarah RT*, indeed, tend to be open to all households. Similar to regular *musyawarah RT*, only residents who are registered and have an ID card in the *RT* would be invited, though. In addition, as discussed above, in Surakarta, also temporary residents who have been granted an ID card in the *RT* (*kartu boro*) by the head of *RT* and even residents with no ID card at all may be invited to attend. This is, however, not provided for in regulations, or guidelines, and these residents are not entitled to being invited. As one observer said, this practice is based on 'local wisdom'. Inviting these residents is promoted in *sosialisasi*. Also, under other legislation, they shall not be discriminated. *Musyawarah RW* would, actually, not be open to all heads of households that would like to attend. *RW* heads would only invite a limited number of participants, the leadership of *RW* and *RT*, and, in addition, possibly officials and 'elite'. To *musyawarah RW* that are part of *musrenbang renstra masyarakat*, or issue mapping in *RW* (*pemetaan masalah*), also, *PKK* and a representation of poor residents consisting of 3 persons would be invited. It is not expressly provided for how *musyawarah RW* and *RT* are to be announced, and where and when they should be held.³⁶⁴

Information allowing to participate

The guidelines do not include any provision regards the dissemination of information pertaining to *musyawarah RW* and *RT* that are part of the annual *musrenbang* cycle. Actually, as said above, information would be disseminated in information meetings (*sosialisasi*) and by posters, or at the meetings. With regard to *musyawarah RW* that are part of the *musrenbang renstra masyarakat*, as the guidelines provide, information is disseminated by circular to the head of *RW*, and in information meetings to the community.

Ensuring 'We' are represented

Representative composition of forums for participation

The guidelines do not explicitly provide who should be invited to the *musyawarah RW* and *RT* that are part of the annual *musrenbang* cycle. As discussed above, customary, only the leadership of *RW* and *RT* and officials and neighbourhood 'elite' are invited to attend *musyawarah RW*. This is similar to 'regular' *musyawarah RW*. Also, as ensues from what is discussed above, the composition of the *musyawarah RW* that are part of *renstra masyarakat*, or issue mapping in *RW* (*pemetaan masalah*), may even be considered more limited. Only the leadership of *RW*, *RT* and, at *RT* level, furthermore, leadership of *PKK* in *RT* and a number of representatives of poor residents will participate. In contrast, *musyawarah RT* that are part of the annual *musrenbang* cycle tend to be more representative, having direct representation. As a customary rule, all households domiciled in the *RT* are invited to attend. According to an official, all residents have the opportunity to participate. The *RT* head would invite everybody. Nevertheless, in some neighbourhoods elites dominate. Not all residents have time to participate, and not all residents wish to. Participation is voluntary. As

³⁶⁴ In regular *musrenbang* also, the function of *RW* would be of a mere coordinative nature. Furthermore, *RW* would not have sufficient means to actually organise meetings for a larger public, other than *RT*. Also for this reason, the practice has grown to only invite a limited number of participants to attend *musyawarah RW*.

a result, elites tend to be over-represented. Also, women and younger residents tend to be underrepresented. Reference is made to what is said above. In addition, according to one observer, meetings, may be less representative because part of the residents is actually not living in the *RT*, but elsewhere, still being registered in the *RT* and still having an ID card in the *RT*. On the other hand, as mentioned above, part of the residents actually living in the *RT* is not registered in the *RT*, neither being registered nor granted an ID as a temporary resident. They are not expressly entitled to be invited to attend, and may not be invited by the head of *RT*.

Representation of interest groups and others that have interest

The applicable guidelines do not provide for the participation of other groups, local community organisations, local businesses, or others that have interest in *musyawarah RW* and *RT* that are part of the annual development planning cycle. The representation and participation of these groups in these forums is not envisaged. As discussed above, these groups may participate in the community institutions meeting (*MLK*) in the *kelurahan*. To *musyawarah RW* that are part of the *musrenbang renstra masyarakat*, or issue mapping in *RW*, no organisations other than a representation of *PKK* are invited.

Representation of under-represented or excluded groups

With concern to the participation and representation of women in *musyawarah RW* and *RT* that are part of the annual *musrenbang* cycle, reference is made to what is said above. Guidelines do not provide for affirmative measures to promote the participation and representation of women, or other under-represented or excluded groups, at this level, except, as appeared in the above, for the *musyawarah RW* that are part of *renstra masyarakat*, or issue mapping in *RW*.

Optimising empowerment

Creating capacity to act

The functions of the *musyawarah RW* and *RT* and community groups meetings that are part of the annual *musrenbang* cycle are merely consultative. The primary functions of the *RT* meeting are to identify and to prioritise issues at *RT* level. The functions of the *RW* meeting are to compile and review the issue lists from *RT*, discuss and prioritise issues at *RW* level, and to determine a priority development activity list (*DSP RW*) with a limited number of proposals for further discussion in the *musrenbang kelurahan*. Similar, the *musyawarah RW* that are part of the *musrenbang renstra masyarakat*, or issue mapping in *RW*, have a merely consultative function. The *RW* meeting is to collect data, discuss and prioritise issues at *RW* level for 5 years and compile a priority list of the *RW* for 5 years.

Providing adequate resources

As part of *musrenbang* in *kelurahan*, the development activities in *RW* and *RW* are funded by the municipality through the *kelurahan* budget, the *kelurahan* development fund (*DPK*), and through other sources, including community self-organisation. The costs of meetings usually are for the account of *RT* and *RW* them selves. Staff, such as facilitators, and further assistance are provided by the municipality. As ensues from what has been mentioned above, the allotted funds and numbers of facilitators seem too little to actually sustain the process at this level and the implementation of activities.

Improving responsibility

Enhancing responsiveness to actual needs

As ensues from what is discussed in the above, in the design of *musrenbang* as it developed over the past decade, *musyawarah RT* and *RW* did not satisfactorily enhance the responsiveness of the *RT* or *RW* leadership and *kelurahan* administration to the actual needs of residents. The mechanisms that have recently been introduced in the *musrenbang* process, in particular, the issue mapping at *RW* and *kelurahan* level that are part of *musrenbang renstra masyarakat*, and the increased focus on actual needs identification and assessment may enhance responsiveness.

Establishing accountability

At *RW* and *RT* level, the guidelines do not provide for accountability mechanisms specific to development planning and its implementation, other than the common arrangements and the arrangements at *kelurahan* level discussed above.

8. ASSESSMENT: BANDA ACEH

Introduction

Assessment: organising principles

In section 5 we briefly described the institutional arrangements and related municipal regulations on governance in Banda Aceh, particularly, concerning the administration of wards, *gampong*, and neighbourhoods, *jurong*, and the participation of community and citizens. In this section we will assess these arrangements and regulations. In doing so, we will focus on the actual functioning of forums for participation in the day-to-day administration and development planning of wards and neighbourhoods.

To this end, similar to what was done in the previous section on Surakarta, we will apply the analytical framework developed in section 2. In succession we will now consider the five sets of organising principles for participation and engagement: Do legislation and institutional arrangements create participatory processes? Do they promote openness? Do they ensure that 'We' are represented? Do they optimise empowerment? Do they improve responsibility?

Forums for participation

In Banda Aceh, the main forums for participation of communities and citizens in the general, day-to-day administration of their *gampong* are the *gampong* representative council (*tuha peuet gampong*), and the *gampong* community meeting (*musyawarah gampong*). The main forum for participation in the administration of neighbourhoods, is the *jurong* community meeting (*musyawarah jurong*).

Main forum for participation in the annual municipal development planning cycle in *gampong* is the *gampong* development planning meeting (*musrenbang gampong*), and in neighbourhoods, the neighbourhood community meeting (*musyawarah jurong* or *dusun*). In addition, at *gampong* level, there is a dedicated forum for participation in development planning for women (*musrena* preparatory meeting).

Furthermore, in *gampong* there are the forums that are part of the *PNPM Urban* program (now: *P2KKP*). These forums will be discussed in section 9.

Gampong

Creating participatory processes

Realising appropriate opportunities to participate

As discussed in section 5, in Aceh, in *gampong* is established a standing representative council, the *tuha peuet*. The council is part of the *gampong* administration, jointly with the *keuchik*, and is having a coordinate and equivalent position towards the *gampong* government. It has (co-) legislative, budget and oversight functions. It is intended to serve as a forum for the participation of the *gampong* community, or, as the regulation says, the popular participation (*partisipasi rakyat*) in the general administration of the *gampong*.

However, in many *gampong* the *tuha peuet* meets not very often and irregular. This differs from *gampong* to *gampong*.

In addition, another forum for the participation of the community in the administration of the *gampong* is the *gampong* meeting, the *musyawarah gampong*. It is referred to in a number of provincial and municipal regulations. As yet, there are no (specific or dedicated) municipal regulations applicable to the *musyawarah gampong*, its functions and powers, and functioning. Its legal basis is not very clear. It is not a standing forum, and in many *gampong* meetings tend to be held in-frequently and not so often. In some *gampong*, though *musyawarah* may be held once a month.

Current regulations do not include express mechanisms that enhance substantial participation in the day-to-day administration of the *gampong*, such as participatory budgeting, planning, or monitoring and evaluation. The budget and oversight functions of the *tuha peuet* may allow for this. Also, as discussed in section 5, at present, *gampong* medium-term development planning (*RPJMG*) is in the process of being implemented in all *gampong* introducing such participatory mechanisms. The *tuha peuet* and the *gampong* community are involved in the preparation and determination of the *gampong* medium-term plan. The medium-term planning has the potential to develop in to an essential participatory mechanism. Similar, the *gampong* fund (*ADG*) and, recently, the village fund (*ADD*) allocation mechanisms may have this potential. It is, furthermore, intended to introduce indicative budgets for *gampong* one of the coming years.

Equal opportunities to participate for all, as equals

The current municipal regulations do not provide for detailed arrangements regarding the actual functioning of *gampong*, and, in particular, the way residents may engage in its day-to-day administration. Current regulations do not ensure equal opportunity to participate for all residents. At present, there are no express provisions that entitle all residents to participate, to speak and to take part in discussions in meetings of the *tuha peuet*, or in *musyawarah gampong*. Neither do regulations provide that all residents are entitled to take part in decision-making and to vote in meetings in which they participate or that they attend. Furthermore, it is not provided for that residents are entitled to demand that issues be put on the agenda, or to call for a meeting, nor that they have to be consulted regarding issues that affect them.

Rules that ensure, or, at least, foster, that residents who participate do participate as equals are not provided for. At present, in regulations, there are little or no rules that ensure the due process and fair course of the discussion and decision-making in meetings of the *tuha peuet*, or *musyawarah gampong*. Regulations only stipulate, that the *tuha peuet* decides after deliberation and in consensus (*musyawarah mufakat*), and if no consensus is reached by majority vote. Furthermore, the current rules do not ensure the inclusion of under-represented or excluded groups, such as women, minorities, or poor.

As said above, it is left to *gampong* them selves, as autonomous bodies, to establish their own functioning. As observers state, at present, *gampong* have not adopted regulations, *reusam gampong*, holding rules of procedure of the *tuha peuet*, other than the applicable municipal regulation seems to imply, nor have rules been enacted concerning the functioning of *musyawarah gampong*. As one observer states, the capacity of *tuha peuet* is limited. As a part of information meetings, or *sosialisasi*, to *tuha peuet* in *gampong*, the municipal community empowerment council (*badan pemberdayaan masyarakat*, or *BPM*) instructs *tuha peuet* with regard to their functioning. In a number of *gampong* this results in a proper functioning of *tuha peuet*. Also, *tuha peuet* that consist of better educated members do generally function more properly.

As observers state, the functioning of *tuha peuet* and *musyawarah gampong* is, also, governed by old, customary rules, that ensue from *adat*, and that are transferred through generations, from father to son. These rules are not in writing. At present, there would be no

intention to provide for this otherwise. These un-written rules reflect a long and standing tradition of consultation, deliberation and debate as well, and consensus, and of cohesion and togetherness, that, as one observer asserts, is deeply ingrained in the Acehese culture. Other observers mention that society in Aceh would be more egalitarian, than, for instance, the Javanese society. Having a long history of social movement, citizens, also, would be on a more equal footing with government officials. Furthermore, in Aceh, the position and role of women would be different. In Aceh, women would be '*stronger*', more active and more accepted, and considered created equal to men. Men and women work together and share responsibilities. Referring to the Acehese history, observers add, that in Aceh, there is a long tradition of women leadership, and participation of women in community, and in public and social life. One observer even speaks of '*women prominence*'.^{365 366 367}

In most *gampong* in Banda Aceh these traditions are said still to be strong. In more urban *gampong*, that are more heterogeneous, traditions may be less current. These traditions may promote that attendees actually participate as equals in *tuha peuet* and *musyawarah gampong*. Much depends on the chairman of the *tuha peuet* or the *keuchik* who preside the meetings. Some observers express some doubt whether, in these times, these traditions actually still are known and live in community. They mention that *gampong*, *tuha peuet* and other indigenous institutions in Acehese administration were dissolved and got in dis-use following the national legislation on municipal administration of 1974. Reference is, also made to the decades of enduring conflict that, according to their opinion, ruined social structures. Their feeling is that it will take some time to restore and revive traditions and community values.

Whether participants actually participate as equals, differs from *gampong* to *gampong*. As observers note, in some *gampong* certain groups seem more dominant in discussions and decision-making, for example, '*people close to tuha peuet*'. Even if decision-making results in consensus, certain participants dominate. Also, the influence of women would be fairly limited, as is their presence, and would primarily concern '*women affairs*', such as *posyandu* (neighbourhood health care center). As one observer adds, women may speak indirectly to their husband, '*much is a men thing*'. In meetings, women tend to be silent and shy. Over the last decade, in spite of municipal policies '*to get women out of the house*', and in spite of not being '*truly acehnese*', (Banda) Aceh would have become more conservative and patriarchic, gradually confining the presence and role of women in the public domain. In better educated *gampong* the position of women would be better, but not too much.³⁶⁸

³⁶⁵ Saifuddin Ta, Meutiah, Lay, Mundayat, Dugay (2008), Nurdin (2009), IDLO (undated), IDLO (undated), p. 2, UNIFEM (2009a), p. 61, UNIFEM (2009b).

³⁶⁶ See also Preamble of Charter of Rights of Women in Aceh: '*We the signatories of the Charter of Rights of Women in Aceh, believe that equitable treatment of women is in accordance with the fundamental principles of Islam – justice, consensus, equality, tolerance, piety and peace – so that violation of these values constitutes a violation of the values of Islam, which brought peace and blessings into the world.*' See also § 5: '*Women in Aceh shall have the right to fair, equal and non-discriminatory treatment vis-à-vis men so as to afford them the same opportunities, chances, recognition and respect as men*'. Komite Perempuan Aceh Bangkit (2008), Charter of Rights of Women in Aceh / Pingam Hak-Hak Perempuan di Aceh, 11 November 2008.

³⁶⁷ Other observers refer in this context also to specific circumstances, such as the long conflict and difficult economic conditions that, in the Acehese patriarchal society, have led to women assuming a more prominent role. Because of the conflict, women outnumber the male population in Aceh, forcing women to bear increased responsibilities as heads of household. The Aceh Participatory Research Team (2010), p. 359.

³⁶⁸ Nurdin, Misbah, Meutiah, IDLO (undated), IDLO (undated), p. 2, UNIFEM (2009b).

Promoting openness

Establishing easy access, proximity

As a forum for participation, *gampong* are proximate. With a size of about 3000 people on average, in Banda Aceh, *gampong* are close to the community. Also, the *gampong* administration, *tuha peuet* and *keuchik*, and the *gampong* officials, are close to the community. Members of the *tuha peuet* and the *keuchik* are commonly well known to the residents. In some, more urban and heterogeneous *gampong*, not all residents, 'people from outside', will be acquainted with the *keuchik* or members of *tuha peuet*. In general, *keuchik* and members of *tuha peuet* are, also, easily accessible, at the *gampong* office, in the mosque, or at their homes, as are the *gampong* officials. The *gampong* community hall and office are generally easy to find.

Realising forums open to all

Regulations do not provide that meetings of the *tuha peuet* are open to all residents of the *gampong*, other interested parties, the general public, or media. Commonly, meetings of the *tuha peuet* are not public, or only limited. Meetings are, generally, notified to the members of the *tuha peuet* only. In some *gampong*, though, meetings of the *tuha peuet* and, also, meetings with the *tuha peuet* tend to be announced, for instance at the mosque. Depending on the subject, for example, if deemed relevant to all residents, meetings may be announced 'on the wall' at the *gampong* office. As noted above, in many *gampong*, meetings are held in-frequently.³⁶⁹

In contrast, apart from *musyawarah gampong* specially held to elect *tuha peuet* (*musyawarah pemilihan*), common *musyawarah gampong* are presumed to be open to all households in the *gampong*. However, regulations do not provide with regard there-to, neither do they provide how meetings should be announced, by public notice, in media, or otherwise, and where and when, and in what frequency they should be held. As appears, commonly, the *keuchik* will not invite all heads of household in the *gampong*. According to officials, about five representatives from each *jurong* in the area of the *gampong* will be invited. 'It is just not possible to invite all heads of households'. The actual composition differs from *gampong* to *gampong*. *Keuchik* will invite, mostly, heads of *jurong*, members of *tuha peuet*, leaders of youth and other community organisations in the *gampong* and religious leaders, such as the *imeum meunassah*, to attend. Who will be invited also depends on the subject that is to be discussed at that meeting. As one official states, 'Not everybody is needed at all issues. However, when decisions are taken that are not approved, or do not have sufficient support within the community, this does not work, and the matter should be discussed and decided again. It is therefore essential to engage the community.' Incidentally, dependent on the subject, women, representatives of the women organisation, will be invited. The actual attendance varies from *gampong* to *gampong*. In some *gampong*, all who are invited will be present, in other *gampong*, only a few will be present. Meetings are mostly held after evening prayer. This withholds women to attend, even if invited. Meetings are held infrequently and quite ad-hoc. Mostly, meetings are held at the *gampong* community center or office.³⁷⁰

Information allowing to participate

Regulations do not provide how information pertaining to what will be discussed, or has been discussed, in meetings of the *tuha peuet*, and *musyawarah gampong* has to be disseminated and to whom, whether it has to be made timely available, in simple and accessible format and wording, and to all residents, the general public and media.

³⁶⁹ Misbah, also referring to experiences in own *gampong*.

³⁷⁰ Ridha, also referring to experiences in own *gampong*, Saifuddin Ta.

Dependent on the subject, for instance concerning the budget, information will be disseminated to invited people, prior to the meeting. In most *gampong*, this is about one week before. In urgent matters, that allow no delay, information will be disseminated through the mosque. Nevertheless, often, residents, neither *tuha peuet* do have sufficient information concerning the subject to be discussed, or what is happening in the *gampong* administration.

Residents may request the *gampong* administration to provide information. Information may, also, be asked for on line. As a part of the '*gampong carong*' (smart *gampong*) and '*Banda Aceh cybercity*' programs, *gampong* have, or will have a website, and almost all *warung kopi*, or coffeeshops, ('*1000 internet centres*') have free wifi access. Residents may, also, request the municipal information and document management officer (*pejabat pengelola informasi dan dokumentasi*, or, *PPID*) to mediate. Before, the municipality had also established information desks at *gampong* offices. This pilot failed. In particular, older residents could not (yet) handle the Personal Computers that the municipality had installed at the desks.^{371 372}

Ensuring 'We' are represented

Representative composition of forums for participation

Municipal regulations provide for indirect representation in *tuha peuet*. Representatives are elected by the *gampong* residents. In view of the functions of *tuha peuet* and the size of their constituencies, this may be seen as appropriate. Direct representation would not be practicable. Regulations do allow a representative composition. They do, however, not prioritise or promote such a composition. As mentioned above in section 5, regulations stipulate that the *tuha peuet* will be composed of members of the cleric in the *gampong*, community and traditional leaders, and wise and capable persons (*cerdik pandai*) from the community in the *gampong*. Candidates have to be a resident in the *gampong* for over 5 years and have to meet the further legal requirements. Members are elected in a special *musyawarah gampong*. The above requirements, or qualifications, exclude part of the residents, and may result in a composition of the *tuha peuet* that may be considered less representative, or even not representative of the constituency of the *gampong* at all. Other relevant factors, such as established leadership, experience and capability, apparently, have been deemed more important as selection criteria than representativeness.

Observers confirm that the above requirements for eligibility effectively limit the range of candidates. Not all residents who would qualify as a candidate pursuant to the usual, legal requirements do qualify according to these requirements. As one observer emphasises, '*wise and capable*' has a meaning. This, actually, appears to result in the election of vested

³⁷¹ It may be argued that the municipal regulations concerning public information disclosure and the standard service standards and operating procedures that are part of these regulations may be applicable. Strictly, the regulations only apply to information generated, stored, managed, delivered or received by the municipal government. As discussed above, according to the law, *gampong* are not part of the municipal apparatus. On the other hand, *gampong* may be considered a public service organisation (*penyelenggaraan pelayanan publik*) pursuant to the standard service and operating procedures, particularly where *gampong* implement local government and other public functions and are predominantly funded by public means. PerWal 14 / 2013 Banda Aceh § 1.8, Prosedur Standar Pelayanan Informasi Publik § V, PerWal 18 / 2014, SOP Pengelolaan dan Pelayanan Informasi Publik.

³⁷² The municipality is working on a detailed database on poverty in *gampong* and neighbourhoods, matching data from the municipal departments with verified information from and about residents, gathered by facilitators (including *PNPM* facilitators). *BAPPEDA* expects this database to become an useful and important tool in programming development activities in *gampong* and better targeting poor residents in the framework of poverty alleviation programs. Furthermore, pursuant to legislation, the municipality is in the process of developing and realising a public information system concerning spatial plans. The system is expected to facilitate participation of community in spatial planning and the control of land use. At present, part of it is realised and accessible on the municipal website. As Public Works states, the ambition is to get all spatial information into detail on line and accessible to the public. UU 11 / 2006 §§ 142.5, 143.3, 4, Qanun 4 / 2009 Banda Aceh §§ 86.2, 3, 89.3, 91 – 92.

leaders. *Tuha peuet* consist of 'qualified residents', commonly, more senior residents, community leaders, who are religious and have a higher education, and, often, residents who are retired, and have time, apart from members of the cleric and representatives of the youth organisation and women group in the *gampong*. According to officials, members of the *tuha peuet* have to be seen as the 'informal top leaders' in the *gampong*. Members of *tuha peuet* are 'wise men, who are influential, active in mosque, who can solve problems in the *gampong*, and have enough capability to help people', 'who have good intentions for the *gampong*, who have no other interest, and have the confidence of the community.' As one observer adds, members of *tuha peuet* are volunteers. It proves not easy to find suitable and capable candidates. 'Who is prepared to do this?' ³⁷³

Contrary to what one would expect in view of what is discussed above, women are not well represented in *tuha peuet*. Notwithstanding that the number of women in *tuha peuet* appears to be increasing, at present, in Banda Aceh, *tuha peuet* still have little female members. In the current tenure, 60 out of over 990 members of *tuha peuet* are women. That is about 6 %. In educated *gampong* their number seems higher. In most of the other *gampong*, though, *tuha peuet* are male only. In these *gampong*, as one observer notes, 'their engagement, their input is through the women leader in the *gampong*. Often, this leader is the wife of the *keuchik*, or the wife of a member of the *tuha peuet*.' Also, until recent, in Banda Aceh, all of the 90 *keuchik* were men. Recently, in one *gampong*, a middle class, educated *gampong* (Cot Masjid), a woman has been elected *keuchik*. Furthermore, poor residents seem less represented in *tuha peuet*. Apart from, in particular, socio-economic factors that, often, keep poor from pursuing functions like these, the above-mentioned specific requirements for eligibility effectively exclude poor residents from being a candidate. Being poor, and often less educated, community will, generally, not consider them being 'wise and capable persons'. Also, younger residents seem to be underrepresented in *tuha peuet*. In some *gampong*, *tuha peuet* have also younger members, having an age of 35 – 45 years old. In a number of *gampong*, there are younger *keuchik* now. As one official says, 'young and smart'. According to another official, 'Residents elect people that obey, that are often in mosque. Young people have no time to do so. So, their chance to be nominated and elected is limited.' An observer concurs, 'Younger residents have other things to do, job, or study, family. It is not easy to get them involved', adding that younger residents feel well represented by people that have their trust. ³⁷⁴

As an official comments, 'a question is, how representative for their population *tuha peuet* of some *gampong* actually are'. According to another official, improving the representativeness of the *tuha peuet* may need attention. It is, also, considered of importance to keep educated, upcoming middle class residents involved in the administration and running of their *gampong*. As this official expressed his concern, 'Young people get better educated. Middle class is growing. The way people participate may change. (...) On the other hand, in Banda Aceh, families live with three generations and the sense of community is still rather strong.' It is hoped for to keep this group involved by continuing working on social cohesion in *gampong* and neighbourhoods, even in a more and more urban environment. In this context, mention is made of a difference in the quality of participation, and its nature as well, between *gampong*, for instance between a more traditional *gampong*, and a *gampong* in the vicinity of the university and campus, with higher educated residents, professors, faculty, and the like. ³⁷⁵

Regulations leave it to *gampong* to make arrangements with regard to *musyawarah gampong*. Dependent on their functions and what would be reasonably practicable, both

³⁷³ Bahagia, Saifuddin Ta, Syahputra.

³⁷⁴ Bahagia, Syahputra, Misbah, Safwan, List of members of *tuha peuet* in Banda Aceh, current tenure (2014).

³⁷⁵ Saifuddin Ta, Bahagia.

direct and indirect representation would be conceivable in *musyawarah gampong*. Actually, they have indirect representation. *Musyawarah gampong* are supposed to be open to all households in the *gampong*. As appeared in the above, commonly, not all heads of households in the *gampong* will be invited, but only a number of representatives from each *jurong*, predominantly, members of *tuha peuet*, heads of *jurong*, and other community leaders. The actual composition differs from *gampong* to *gampong*, and who will be invited, also, depends on the subject that will be discussed. As said, in Aceh, too, men are commonly considered to being the head of household. Community leaders, also, are mostly men. Furthermore, most meetings are held after evening prayer. This results in women being under-represented in *musyawarah gampong*, or, even, not being represented at all. As said, incidentally, dependent on the subject that is to be discussed, women will be invited. According to one observer, in *musyawarah*, often, only about two women will attend. Though younger residents may be represented through the youth organisation in the *gampong*, or by the head of youth (*ketua pemuda*), they, also, tend to be underrepresented. This may result in *musyawarah gampong* being less representative of the *gampong* community.³⁷⁶

Representation of interest groups and others that have interest

Regulations allow for, and even foster, that leaders of community organisations in the *gampong*, on an individual basis, may be elected as a member of *tuha peuet*. This may promote the representation of these groups in *tuha peuet*. The participation, incidental and issue-based, of other interest groups, such as civil society organisations, community-based organisations, local businesses or occupational groups as, for instance, street vendors and *becak* drivers who operate in the *gampong*, but are not a resident, or others who have interest, who would like to participate in meetings of the *tuha peuet*, is not provided for. They are not (expressly) entitled to be invited, and to attend meetings, to participate in meetings, to speak, or to take part in discussions. Also, the participation of these groups in *musyawarah gampong* is not provided for. Street vendors, *becak* drivers, and the like tend not to be involved in *musyawarah gampong*, even if meetings are about them and their interests are concerned. As one observer put it, '*They will hear whatever is decided later*'. Actually, in some *gampong*, *keuchik*, '*good keuchik*', are said to engage these groups dependent on the issue at hand.³⁷⁷

Representation of under-represented or excluded groups

As discussed above, at present, women are underrepresented in *tuha peuet*, and tend to be under-represented in *musyawarah gampong*. Currently, regulations do not provide for affirmative measures, promoting the representation and participation of women in *tuha peuet* or *musyawarah gampong*. As officials state, promoting the participation of women is one of the priorities of the current municipal government. In this, reference is made to several programs to promote their participation and socio-economic development that were initiated by the municipality, such as *musrena*, *PUEM (Pemberdayaan Usaha Ekonomi Masyarakat)*, and to the *PKH (Program Keluarga Harapan)*. Many women profit from these programs. However, at present, there is no policy to promote the participation of women in the day-to-day administration of the *gampong*, and, more in particular, to having them nominated and elected as members of *tuha peuet*, or, even, as a *keuchik*, or to foster their participation in *musyawarah gampong*. Apart from this, a major impediment for women would be that the *tuha peuet* commonly meets at evening time, after *Isa* prayer. As discussed above, this would prevent women to attend, as Shari'ah does not allow them to be out at night, unless accompanied by their husband or another male relative. Apart from

³⁷⁶ In Banda Aceh, as officials mention, youth organisations, like *karang taruna*, are less prominent, or do not even exist. Often, younger residents in *gampong* will be represented by the head of youth, or *ketua pemuda*. This official is appointed by the *keuchik*, and is responsible for activities of the *gampong* youth (up to 40 years of age). The head of youth, often, is a member of *tuha peuet* also.

³⁷⁷ Syahputra, Misbah.

this, at that time of the day, women are supposed to dedicate them selves to family tasks, such as educating their children.^{378 379}

Neither is provided for measures to promote the representation of poor or other under-represented or excluded groups in *tuha peuet*, or *musyawarah gampong*. Poor, generally, have no or little time to spend time on this. They need to work to maintain their families.

Optimising empowerment

Creating capacity to act

As regulations define, the *gampong* is an autonomous institution, a legal entity of the community, that is entitled to manage its domestic affairs by it selves. The *gampong*, and the *gampong* administration, that is the *keuchik* and the *tuha peuet*, implement within the *gampong* the administration affairs that are its authority. As listed above in section 5, this authority relates to a combination of functions and powers that are devolved, delegated and de-concentrated. Within its authority, the *gampong* administration, also, has legislative powers. Within the domain of the tasks that are devolved, the functions and powers of the *gampong* are decision-making. Whereas it concerns tasks that are delegated, for instance, assistance tasks, they are decision-making, within the mandate, and supportive as well. Other functions are of a merely consultative nature. A traditional, indigenous Acehnese institution, the *gampong* is perceived to being more autonomous than *kelurahan* elsewhere in Indonesia. Also, the *keuchik*, being directly elected by the *gampong* community, is perceived to act more autonomous. However, *gampong* actually function less autonomous than perceived. Most of their functions concern delegated or de-concentrated matters. The functions that have been devolved are few in number. For the most part, they seem to relate to matters that were, pursuant to *adat*, traditionally their domain. These functions, primarily, lie in the social, cultural and religious field. Other matters have not been devolved. For this reason, the current capacity of *gampong* to act as centres of local self-government may be considered being limited.³⁸⁰

The municipal government aims to further empower *gampong*, to strengthen its autonomy, to better enable *gampong* 'to absorb the aspirations of its community', and to transfer more functions and tasks to the *gampong*. As officials explain, an explicit policy choice of the municipality is to organise the municipal administration in smaller entities, as close as possible to residents. In this context, an official emphasised the paramount importance of citizen participation and their actual and active engagement in local administration 'from *kota* to *gampong* to *dusun*', to reach consensus and secure support, in terms of legitimacy and representativeness of decision-making. Strategy is, first, to strengthen and better empower *kecamatan*, transferring more functions and funds from the municipality to *kecamatan*. Next step will be to further empower *gampong*. As mentioned above, *gampong*

³⁷⁸ Discussing the above issue, it appeared that it had not yet been considered to promote to hold meetings of the *tuha peuet* during the day, for instance, late afternoon. According to officials, this may be a feasible option. Meeting at daytime, would be less convenient for men. Experiences in *musrenbang*, however, show that, if needed, men are able to make them selves available to attend meetings, dependent, of course, on the work they do, or the job they have. According to some observers, on a longer term, this may change, though. In younger generations, there would be a trend to increasingly share tasks between husband and wife. Also many, younger women would have more substantial jobs, with the consent of their husbands.

³⁷⁹ PUEM, or *Pemberdayaan Usaha Ekonomi Masyarakat*, is an empowerment program on behalf of small businesses in community. Supported by a revolving fund its aim is to alleviate poverty and to develop local economy. *PKH*, or *Program Keluarga Harapan*, is a program of the national government, department of social welfare, for families providing conditional cash tranfers.

³⁸⁰ *Gampong* may actually function as a part of the municipal apparatus, the *gampong* is formally to be considered as a community institution, and not as being a part of the municipal government. As appeared in discussions, within the municipal apparatus, there seems to be a tendency to consider *gampong* being part of the municipal apparatus, and *keuchik* being a civil servant, who is accountable to the *camat* and mayor, and is being paid by the municipality, and not that much as an autonomous community institution and official, as it is intended to be according to legislation. The current, mixed arrangement apparently contributes to confusion.

medium-term planning (*RPJMG*) is already being introduced. Also, more tasks of a smaller size will be transferred to *gampong* 'to do by them selves', along with grants allocated according to formula, such as the *gampong* fund (*ADG*) and, recently, the village fund (*ADD*). It is intended to gradually increase funding through *ADG*. *Gampong* indicative budget ceilings (*pagu indikatif gampong*) are under consideration. Currently, *keuchik* and municipal departments (*SKPD*) discuss the budget that will be available in the next year. In conjunction, this may contribute in creating a more adequate capacity to act and increasing the potential of *gampong* to develop as centres of local self-government.³⁸¹

As referred to above, the *tuha peuet* is part of the *gampong* administration, and is having a coordinate, equivalent position towards the *gampong* government, acting as a partner in the implementation of the administration of the *gampong*. It has co-legislative, budget as well as supervisory functions. As ensues from the above, its functions are to be qualified as decision-making, consultative and supportive as well. As observers emphasise, the *tuha peuet* may have 'real, actual power', or, at least, influence. It may function as a 'small parliament'. In this context, reference is made to its authority to enact *gampong* regulations (*reusam*), and to its monitoring and control functions. This varies from *gampong* to *gampong*. As one official states, 'in many *gampong*, the *tuha peuet* is not very (pro-) active them selves. It is functioning in a simple way'. Or, as others confirm, in many *gampong*, *tuha peuet* is subordinate to *keuchik*, the *keuchik* will actually decide on matters, for instance, with regard to the budget. Often, *tuha peuet* will only 'recommend'. Also, many times, *tuha peuet* just do not have the information that they need. As most observers concur, at present, in many *gampong*, the capability of *tuha peuet* is too low. Over time, ten to fifteen years from now, *tuha peuet* are likely to have more capacity and may function better, as *tuha peuet* in *gampong* that have a better educated constituency already do. Overall, residents in many *gampong* will become better educated. In some *gampong*, members of *tuha peuet* would, also, have part in the execution of works and tasks, blurring the separation between the executive functions of the *keuchik*, on the one hand, and the legislative and supervisory functions of the *tuha peuet*, on the other hand. In other, educated *gampong*, the separation of executive and legislative and supervisory functions, as is intended, would be better adhered to.³⁸²

As mentioned above, the functioning of the *musyawarah gampong* is not defined in regulations, nor are its functions and powers. As ensues from custom, the functions are primarily consultative in nature. According to one official, the subjects that are being discussed in the *musyawarah gampong*, now, also, include issues related to development planning. In some *gampong*, the allocation of grants and other funds, such as community direct aid under the *PNPM Urban* program (*BLM*) and *SKPD* funding, are also discussed in *musyawarah gampong*, but only if these funds or related activities were not yet included in the previous year plan and already discussed. Other matters that are being discussed include, traditionally, social matters, and problems related to harmony and peace in the community. Some other issues, such as activities in the framework of *gotong royong* in the *gampong*, are not very often discussed. They are just announced by loudspeaker by the *perangkat* of the *gampong*. Furthermore, as mentioned above, the *musyawarah gampong* in a special meeting elects the *tuha peuet*.

Providing adequate resources

According to regulations, as cited above, *gampong* are funded through their own *gampong* revenue and other sources, and, additionally through assistance and grants of the municipal government and, recently, the national government. Also, tasks that are delegated to *gampong* are accompanied by funding, facilities and infrastructure. As *gampong* in cities, such as Banda Aceh, own and generate little means and revenues by their own, at present,

³⁸¹ Bahagia.

³⁸² Saifuddin Ta, Bahagia, Ridha.

the municipality through the municipal budget (*APBK*) funds most of the operating costs of the *gampong* administration. This, nowadays, includes the salaries, allowances, benefits and compensations of the *keuchik*, *tuha peuet*, if actually granted, and the *gampong* apparatus that are included in the *gampong* budget (*APBG*). In addition, the municipality provides grants by allocation to the *gampong* fund (*ADG*). The national government provides funding through the village fund (*ADD*). *Gampong*, furthermore, rely on the allocation of additional municipal funds by *SKPD*, or resulting from *reses*. Also, the municipality provides facilities. The funding of *gampong* by the municipal government, national government, the *PNPM Urban* program and other sources is considered being adequate. As officials state, the funding would be sufficient to finance the development needs included in the municipal development planning. It is not sufficient, though, to fund all development needs, let alone that it caters for all 'wishes' by *gampong* that result from *musrenbang*. This shortfall restricts the empowerment of *gampong* and their actual capacity to act.^{383 384 385}

In terms of resources, at present, matters of concern are the capacity and quality of the *gampong* administration and the apparatus. This, in particular, concerns *keuchik*. In many *gampong*, their qualifications are insufficient, and their quality even poor. It appears to be hard to find suitable candidates. In some *gampong* even, in the absence of sound candidates, *keuchik* have been appointed by the mayor. As one observer says, 'Who would be interested in this job? Well educated people who have a good job, are not interested. The function is not easy. The social, community functions, particularly, give a lot of trouble. The job is not well paid, and the support is not very good. Apart from this, over the last years, the turn out in elections for *keuchik* is decreasing.' Also, *keuchik* may sometimes act like a 'radja kecil', as a small king in a village. *Camat* have the authority to guide *keuchik*. They do not have the authority to actually instruct *keuchik*. *Gampong* are autonomous and *keuchik* can act this way. This may result in discussions, 'much hassle', and a deadlock between municipality, *camat* and *keuchik*.³⁸⁶

Improving responsibility

Enhancing responsiveness to actual needs

In spite of their autonomous status, at present, *gampong* seem not well equipped to adequately fulfil the needs of their constituencies. Currently, the responsiveness of *gampong* administrations – *keuchik* and *tuha peuet* jointly – to the actual needs of residents seems to be less satisfying than envisaged. Opportunities of *gampong* residents to actually participate in the day-to-day administration and development are still not very substantial. Forums for participation may be proximate, in many *gampong* the openness to non-elites is still limited and their representativeness rather low. The empowerment of *gampong* is limited. At present, *gampong* still have too little capacity to act. Also, their funding and other resources seem too little to fulfill all needs, in particular, to realise all development needs.

³⁸³ According to information, currently, members of *tuha peuet* would not receive any allowance, benefits or compensation of costs. The municipal and *gampong* budgets would, at least at present, not allow for this. Also, there is a discussion whether granting any payment or compensation to members of *tuha peuet* would conflict with the volunteering nature of their position. As one observer emphasises, being a member of *tuha peuet* is considered to be a part of the responsibilities that residents in a *gampong*, as members of a community, have.

³⁸⁴ *Reses*, or recess, is the period in which sessions of the municipal council (*DPRK*) are adjourned and members of *DPRK* do work visits to *gampong* to collect the aspirations of their constituency. Following *reses* members of *DPRK* often do proposals regards projects in *gampong*. This may result in re-allocating funds within the municipal budget (*APBK*).

³⁸⁵ Funding through the *gampong* fund (*ADG*), currently, amounts to about 10 % of the *gampong* budget (*APBG*) and funding through the village fund (*ADD*) to about 45 % on average.

³⁸⁶ Saifuddin Ta, Bahagia, Nurdin.

In Banda Aceh, the primary mechanisms that establish accountability, downward and direct, lie in the legislative, budget and supervisory functions that are assigned to the *tuha peuet*. As mentioned in section 5, the *tuha peuet* is involved in the preparation and determination of regulations, budget and policies, and it has the right to give advice and opinions to the *keuchik*, requested and un-requested. Furthermore, the *tuha peuet* oversees the *gampong* administration. This includes the supervision of *gampong* regulations, the *gampong* budget, and decisions and other policies of the *keuchik*, and their implementation. The *tuha peuet* is entitled to ask the *keuchik* to render account. In addition, by way of ultimate sanction, it has the right to propose the dismissal of the *keuchik*. As discussed above, in many *gampong*, the capacity of *tuha peuet* is low and a considerable limiting factor in actually exacting accountability of the *keuchik* and *gampong* apparatus. Capacity building and training of *tuha peuet* is seen as essential. Also, as one observer notes, many *tuha peuet* are not very active in this. Not being compensated for time and costs, the incentive to do so may be missing. In addition, in some *gampong*, the separation of powers is less adhered to, or not at all. This may mitigate the accountability of the administration.

Civil society organisations or other interested parties may at their own initiative monitor and evaluate the *gampong* administration, or do an audit. This is not provided for in regulations, though, and the cooperation of the *gampong* administration would not be enforceable. At present, the municipal government is working jointly with civil society organisations, such as *GRA (Gerakan Anti Korupsi)*, a local anti-corruption organisation. Aim is to improve the monitoring and evaluation of implementation of policy and programs. As an official states, main issue is how to create more transparency.

In this context, the municipality promotes the dissemination of budget and other relevant information to the public by website and posters and at the *gampong* office. According to one official, this is being replicated from Surabaya. The municipality, also, has established an agency for public information in conformity with the law on public information disclosure (*PPID*). Public information officers are responsible for making information accessible and for the dissemination of information to the public. In addition, in the province of Aceh, an independent 'private commission' for public information disclosure has been established with support of *USAID*.

Complaints concerning the *gampong* administration and disputes between community, or individual residents and the *gampong* administration are solved in the traditional way, through deliberation (*musyawarah*) by the head of *jurong*, the *keuchik*, or the *tuha peuet*. In second instance, disputes are settled '*informally and in harmony*' by the *imeum mukim*, the *camat*, and, sometimes, even by the mayor, or the municipal secretary and other high-ranking municipal officers. However, the latter is not expressly provided for in regulations. According to observers, this functions satisfactory. To their opinion, there would be no need to create other, novel complaints or dispute mechanisms. If needed, the option exists to settle disputes in court. A proximate and easily accessible independent forum for dispute resolution is not provided for, though.³⁸⁷

Furthermore, regulations provide for direct recall mechanisms. The *keuchik* is elected directly by the residents of the *gampong*. As mentioned above, the *keuchik* can be dismissed or suspended, among others, in the event of a loss of public confidence, an abuse of office, or a neglect of duties, (presumably) established by the *tuha peuet*, and upon the proposal of the *tuha peuet*. As officials confirm, in some instances, *keuchik* have actually been dismissed as the regulations provide for, upon the proposal of the *tuha peuet* and the *camat*, among others, due to a loss of confidence, and been replaced by the *gampong* secretary as acting *keuchik*. In this context, it is mentioned that the current regular tenure of *keuchik* of 6 years seems to be too long. Also, the members of the *tuha peuet* themselves

³⁸⁷ Saifuddin Ta, MAA / UNDP (2008), Qanun 9 / 2008 Aceh §§ 13 – 15.

are elected by the residents. Members can be dismissed upon the proposal of the *tuha peuet*, together with the *imeum mukim* and the *camat*.

In terms of upward accountability, the municipality and the *camat* are to guide and supervise the *gampong* and the *keuchik*. The *gampong* apparatus is accountable to the *keuchik*. Semester and annual reports on the implementation of the *gampong* budget as agreed upon by *keuchik* and *tuha peuet* have to be submitted to the municipal government for evaluation and oversight. Municipality and *kecamatan* guide, monitor and evaluate, and supervise the implementation of the *gampong* fund (*ADG*). Reports concerning the implementation have to be submitted to *kecamatan* and municipality. Similar applies to the management of the village fund (*ADD*). Funding has been made conditional. Funds are disbursed to *gampong* in installments pro rata progress and result, and subject to control. Disbursement can be suspended or even withheld in the event of late reporting or irregularities. The municipal audit agency (*inspektorat*) is responsible for auditing all municipal entities, and, though formally not part of the municipal apparatus, *gampong* also, and all that is done with municipal funding. This, results in the *gampong* being annually audited by the *inspektorat*, as is understood, actually, as part of the auditing of the *kecamatan*. Currently, regulations do not provide that reports will be made available and disseminated to the public. In practice, the reports of the inspectorate are made public, however, not including all underlying details. As officials assert, 'We try to be as transparent as we can'. Residents are entitled to request further information.³⁸⁸

Overall, the municipal government is aiming to make *gampong* more responsible and accountable to the municipality and citizens, introducing better mechanisms for downward and upward accountability. Over the past years regulations and guidelines on the administrative and financial management of *gampong* have become more stringent. Furthermore, public procurement procedures have been further developed. Procurement is now done electronically by 'E-procurement'. Anti-corruption measures have the utmost attention.

Jurong

Creating participatory processes

Realising appropriate opportunities to participate

At the neighbourhood level, *jurong* meetings, or *musyawarah jurong*, provide a forum for participation by the residents of *jurong*. *Musyawarah jurong* are no standing forums. They are held irregularly. The legal status of the *musyawarah jurong* is not very clear. Provincial and municipal regulations refer to *jurong* (or: *dusun*), further provisions regards their functions and functioning are not provided for. As discussed above, this practically ensues from custom.

Equal opportunities to participate for all, as equals

Similarly, whereas the actual functioning of *jurong* and *musyawarah jurong* is not provided for in regulations, there are no rules that ensure an equal opportunity to all residents to participate in *musyawarah jurong*, or that participants do participate as equals, at least not in writing. Customary, as a general rule, decision-making will be in consensus. As said above, this may promote participants to actually participate as equals.

³⁸⁸ Bahagia.

Promoting openness

Establishing easy access, proximity

With a size of about 800 people on average, or about 200 – 250 households, as a forum the *jurong* and *musyawarah jurong* are without any doubt proximate. Also, commonly, the heads of *jurong* are well known to the residents and easily accessible, also at their homes.

Realising forums open to all

As said above, regulations leave it to custom how *musyawarah jurong* should function. Who have to attend and to participate, how meetings have to be announced, and where and when, and in what frequency they should be held, is left to the *jurong* to decide them selves. Actually, *musyawarah jurong* are open to the heads of all households in the area. Often, this is upon invitation by the head of the *jurong*. In most *jurong*, meetings are held in-frequently and ad-hoc.

Information allowing to participate

Likewise, regulations do not provide how information pertaining to what will be discussed, and what has been discussed in *musyawarah jurong* should be disseminated, and to whom, and when.

Ensuring 'We' are represented

Representative composition of forums for participation

In *jurong*, direct representation in *musyawarah jurong* seems feasible and appropriate considering their functions and the size of their constituencies. *Musyawarah*, indeed, have direct representation. As discussed above, *musyawarah jurong* are open to the heads of all households in the area. Similar to what is said above regards *musyawarah gampong*, whereas the heads of households are invited to attend, and men are commonly considered being the head of household, this results in women being under-represented, or not being represented at all. Also, younger residents may be under-represented. Apart from not being invited, according to observers, they would have less opportunity to attend meetings during daytime, having to attend college or attending to their businesses. Also, many younger residents seem less involved in what happens in their neighbourhood. They, also, would have confidence in the more senior residents to act on their behalf.

Representation of interest groups and others that have interest

As ensues from the above, regulations do not provide for the participation in *musyawarah jurong* of other groups, local community organisations, local businesses, or others that have interest.

Representation of under-represented or excluded groups

Similar applies to the participation and representation of women in *musyawarah jurong*. Reference is made to what is said above. Regulations do not provide for affirmative measures to promote the participation and representation of women, or other under-represented or excluded groups.

Optimising empowerment

Creating capacity to act

As regulations provide, the heads of *jurong* have to assist the *gampong* government in the area of the *jurong*. Current regulations do not provide in further detail. The functions of the heads of *jurong* ensue from custom. Heads of *jurong* fulfil a number of administrative functions on behalf of *keuchik* and *camat*. The functions seem to be less than the functions heads of *RT* and *RW* perform elsewhere in Indonesia, and the workload of heads of *jurong* would be less considerable. Their functions are to be considered as consultative and supportive in nature. Similar applies to the functions of the *musyawarah jurong*.

Providing adequate resources

Jurong, are predominantly funded by the community it selves. Specific projects may be funded by the municipality, or by other sources. *Jurong* staff consists of volunteers. *Jurong* have no offices. Generally, heads of *jurong* have their office at their home.

Improving responsibility

Enhancing responsiveness to actual needs

Similar to *RT* and *RW*, *jurong* function -*de facto*- as the lowest level of the local government, the most proximate to residents. Even if their mandate is limited, this seems to enhance the potential responsiveness of local government to the actual needs of residents. As one observer adds, the powers of a head of *jurong* may be limited, they have a useful function. As an in-between, heads arrange all kind of matters on behalf of *jurong* residents.

Establishing accountability

With concern to *jurong*, beyond the informal mechanisms that are own to smaller scale communities, downward direct mechanisms that establish accountability are weak and have actually not that much developed yet. At present, regulations do not provide for a right to monitor, evaluate or audit for the community, or other interested parties. The community, or civil society organisations may do so at their own initiative. On the other hand, options for recall exist. Traditionally, the heads of *jurong* are elected officials. The community has the option to not re-elect a head, who does not fulfil the expectations. Complaints and disputes between the community, or individual residents, and the head are resolved in the traditional way by the head him selves through deliberation (*musyawarah*). In a second instance, redress resolution may be done by the *keuchik* or *tuha peuet*. An independent forum for dispute resolution that is proximate and easily accessible is not provided for.

Also, upward direct and indirect mechanisms establishing accountability of the *jurong* seem weak. An annual audit of the *jurong* by the municipal *inspektorat*, or independent auditors, is not expressly provided for. However, this may be part of the annual audit of the *kecamatan* and *gampong*. Also, an obligation to report to the municipality and / or the *keuchik*, or *camat* is not provided for.

Musrenbang gampong

Creating participatory processes

Realising appropriate opportunities to participate

The *musrenbang gampong* that are part of the annual municipal development planning cycle provide a forum to the *gampong* community to participate in the development planning of the *gampong*. The *musrenbang* at all levels are intended as the main medium of public consultation. Some participatory methods that enhance substantial participation are part of the process at the *gampong* level. Recently, participatory planning mechanisms have been included. As discussed above, starting in 2012, as a pilot, the *gampong* medium-term development plan (RPJMG) arrangement has been implemented in a number of *gampong*, introducing such participatory mechanisms. This arrangement has been introduced in all other *gampong* since 2013. The *tuha peuet* and the *gampong* community through *musyawarah gampong* are involved in the preparation and determination of the plan. All *gampong* now have a medium-term plan. Having completed a medium-term plan will become a condition for municipal funding of development projects in the *gampong*. The quality of plans in a number of *gampong* that have been assisted by NGO's, for instance, the Aceh Institute, is perceived to being quite good, particularly, in those *gampong* that before participated in the pilot. Priority now is to improve the medium-term planning in all *gampong*, and to better align *gampong* medium-term planning with the annual, short-term planning and priorities in *musrenbang*. This might take a number of years. An indicative budget ceiling is not yet provided, at least not at *gampong* level. It is envisaged to introduce indicative budgets for *gampong* in the near future. As discussed, the provision of grants to *gampong* (ADG and ADD) that are allocated according to a set formula could foster developing such mechanisms. Mechanisms for participatory monitoring and evaluation by the community it self will be introduced one of the coming years. Participatory budgeting is not yet part of the *musrenbang* process.

In addition, recently, IT applications have been introduced that support participation in *musrenbang*. *E-musrenbang*, similar to the mechanism developed in Surabaya, has been implemented in the *musrenbang* cycle in 2015. Banda Aceh, recently, also, initiated 'e-planning' and mapping.

In the preparatory *musrena* in *gampong*, the use of participatory methods is not an established practice, at least, not yet. The overall process includes some mechanisms that may foster the participatory working of the *musrena* process. Monitoring and evaluation are comprised in the program meetings at higher levels.

In Banda Aceh, also, there is discussion whether the *musrenbang* cycle as it has been developing over the past decade and has been implemented actually offers opportunities to substantial participation to *gampong* communities. Observers and municipal government as well appear critical.

Over the years, the level of participation has been varying. According to municipal government officials, persons who are invited to attend *musrenbang gampong* as a participant, generally, will attend. Research, suggests major differences in perceived participation between areas. At the same time, the level of participation in *gampong* seems to fluctuate greatly over the years. In qualitative terms, the level of participation is seen as low. Community involvement would be very limited and can even be called passive. This, often, is attributable to the disappointed expectations of participants and residents. Regards certain subjects, residents tend to be more engaged, for instance, when it concerns the

provision of water in their neighbourhood. The socio-economical background and education of the residents of the *gampong*, also, make a difference.³⁸⁹

Also, as research demonstrates, in this period, the result of *musrenbang* has, predominantly, been desire-based, not need-based. As officials add, the outcome often is 'too much a *'shopping list'*'. The results are made public on website and posters. Question of participants often is 'What about my proposal?' Reports qualify the process as technocratic, formal and rigid, or '*planning-formalistic*', and still run top-down. The execution time would be too short, and participants often not prepared. Also, the coordination between the *gampong* medium-term planning in *gampong* where it has been introduced and *musrenbang* is not good yet. Up to now, the *RPJMG* does insufficiently function as a reference, a basis for input in *musrenbang*, even in pilot *gampong*. Proposals and priorities in *musrenbang* do not match with the content of *RPJMG*. Remarkably, often, in *musrenbang gampong*, participants seem not to know the contents of the *RPJMG*, and only *keuchik* seem to have a copy. Much depends on *keuchik*. In addition, the budget is insufficient to accommodate all proposals. Often, the budget is even insufficient to implement the activities that are part of *RPJMG*. Therefore, often, proposals done in *musrenbang gampong* are a repetition of proposals last year. Or, alternatively, smaller plans are proposed that do not necessarily match with *RPJMG*. According to observers, problem, also, is that planning and budgeting are not integrated. The draft budget is not made available prior to the start of the annual *musrenbang* cycle. Plan and budget are integrated in a later phase, after the *forum SKPD*, and consequently approved by the municipal council (*DPRK*). Officials add, there is, also, a disconnect between the outcome and the proposals from *musrenbang* and the priorities and actions of members of *DPRK*. As a result, in the final phase, part of the outcome of *musrenbang* may be negated. Apart from this, the involvement of members of *DPRK*, in *musrenbang* is low and mostly '*ceremonial*'. Some members, though, would be really committed. All by all, as researchers find, to date, *musrenbang* as a mechanism to capture community aspirations has been functioning weak.³⁹⁰

The municipal government is working to improve the *musrenbang* process, and to make the process more effective, and, at the same time, to create more substantial opportunities for residents to participate. Reference is made to what is said above. By innovating and improving the process, the municipal government aims to create a '*new spirit*'. The ambition is to have a '*perfect, smoothly run process*' in 2016. It has to be seen whether these changes and additions will indeed make the *musrenbang* process at *gampong* level as participatory as aimed for. They will, at least, contribute to this.³⁹¹

Another discussion concerns the concept of *musrena*. As discussed above, the municipal government has initiated the *musrena* process in an effort to ensure the participation of women in development planning, to have women participating in the *musrenbang* process as equal partners in community, and to have women enjoy the results of development. As the regulation emphasises, the *musrena* process is not initiated to create a planning process for women separated from the regular municipal *musrenbang* process. As soon as the *musrena* process has been successful in improving gender equality, particularly in the planning process, it will be merged with the regular *musrenbang* process. According to research, respondents consider *musrena* a very useful forum, building capacity and offering a space to participate. It was found, though, that preparatory meetings were not held in all *gampong*, or, as an official confirms, currently, would not, or nearly not be held at all. In this manner, *musrena* may not ensure women aspirations from *gampong* optimally being recorded. Though the municipal government has been widely acclaimed initiating *musrena*, observers are divided on whether the policy indeed will prove a first step '*to get women out of the house*', preceding further steps to improve the position of women, and whether it will

³⁸⁹ Aceh Institute (2012), p. 10, table 1, p. 64.

³⁹⁰ Ridha, Hatta, Aceh Institute (2012), p. 56, IGI - UGM (undated), p. 4, 5.

³⁹¹ Ridha.

indeed succeed in promoting women to participate as equals. Some consider it a 'dangerous' policy, and express concern that the very concept of *musrena*, and, also, the women centers, *balee inoeng*, will turn out in confirming and institutionalising the in-equality, confinement and segregation of women in the public domain.^{392 393}

Within the municipal government an evaluation of *musrena* is ongoing. A major revision is under consideration. One of the recommendations is to make *musrena* an integral part of the so-called *pra-musrenbang* phase, as one of the forums in this phase, implemented at the level of *balee inoeng*, instead of being a parallel forum. The outcome of the meeting would then be submitted to the *keuchik* and *BAPPEDA* to be included in (regular) *musrenbang*. Furthermore it is proposed to formalise the current practice, considerably deviating from the procedure set out in the guideline. *Musrena* would be continued for a period as long as needed, similar to the current philosophy.³⁹⁴

Equal opportunities to participate for all, as equals

The (draft) standard operating procedure (SOP) implies that only 'participants' and 'informants' who are invited, are entitled to actually participate in the *musrenbang gampong*, to speak, to take part in discussions and decision-making, or to demand that issues be put on the agenda. Rules that ensure the participation as equals are not expressly provided for. The SOP does not include, nor refer to all relevant empowerment principles (*prinsip pemberdayaan*) that are part of the national guidelines, listed above in section 3. As a general principle the SOP only mentions deliberation to reach consensus (*musyawarah untuk mufakat*). According to an official the principles are disseminated and actively promoted in information meetings, by *sosialisasi*. The *keuchik*, who leads the *gampong* meeting, and the facilitator, who guides the discussion and the decision-making process in the meeting and the group discussions, have to ensure the due process and fair course of discussion and decision-making.

As observers state, in many *gampong*, *musrenbang* are dominated by 'leaders'. Elites seem to control. It is mentioned that, accidentally, in *musrenbang*, elite-capture occurs. One observer emphasises that there are no procedures regards decision-making, adding 'Decisions appear to be prepared and made beforehand and off meeting.' Another, in a way confirms, 'Proposals are often made by elites in *gampong*.' Research mentions that direct involvement of residents in *musrenbang gampong* is very limited. Participants would be dominated by officials. According to an official, though, 'Keuchik cannot just disregard proposals of residents.' Also, men dominate meetings and decision-making. Women representatives often have trouble with speaking. As an observer confirms, the participation of women is problematic, 'When men are present, it is not considered being polite for women to speak'. According to an official, this would rather be perception. Also, representatives of dis-abled and poor do not easily speak. As one observer comments, 'According to legislation, men and women have an equal right to participate, however, rules do not promote equal participation. Legislation does not include specific provisions with regard to the participation of women, minorities or poor. (...) Law as such is gender neutral. Its implementation, though, is not, and this results in in-equality and discrimination of women'. Another observer adds, also, the capacity of women is low. For this reason, the municipal government has initiated *musrena*. *Musrena* should be seen as capacity building and education. It is said that, since *musrena* has been started, the participation and representation of women has improved, also, strongly supported by the activities of *PKK*

³⁹² Hatta, Meutiah, Aceh Institute (2012), p. 86, 88.

³⁹³ *Balee inoeng* (in Acehnese, *balai inong* in Indonesian), or women houses, are local Acehnese women organisations. *Balee inoeng* promote the participation of women, and, among others, organise forums in *gampong* to prepare the official *musrena* meetings and encourage women to attend and to participate. As observers mention, *balee inoeng* are successful in pushing priorities, also at the *forum SKPD*. *Balee inoeng* are considered to be more independent and democratic than the *PKK*. They also have a strong, local presence in *gampong*. At present, there are *balee inoeng* in 18 *gampong* in Banda Aceh. *Balee inoeng* cover each several *gampong*.

³⁹⁴ Laporan Musrena 2015, BAPPEDA / Misbah, p 10, section IV. 2. 4. (Rekommendasi).

and *balee inoeng*. According to one report, 'If in *musrenbang* women do not dare to speak, then in *musrena* women can more freely express their opinions.'^{395 396}

In the preparatory *musrena* in *gampong*, according to the guidelines, only 'women leaders in the *gampong*', who are invited, participate. This seems to exclude other women who would like to participate in the meeting. On the other hand, the guidelines hold provisions that aim to promote that participants participate as equals. Reference is made to the basic principles (*prinsip dasar*). These principles, in general terms, include quite clear rules of procedure with regard to the due process and fair course of discussion and decision-making. The facilitators that support the meetings are to ensure that these principles are actually adhered to. Overall, in spite of the above, preparatory *musrena* meetings in *gampong*, if held, also, appear to being dominated by vested leaders and experienced participants. According to observers, in some *gampong*, though, other women than just women leaders would also be invited to attend and to actively participate. Facilitators have a paramount role in enhancing the actual functioning of *musrena*. Facilitators call participants for ideas, assist in the identification and analysis of needs, problems and underlying causes, and help to develop plans. The aim is to educate people to do all this by them selves, step by step.

Promoting openness

Establishing easy access, proximity

The *musrenbang gampong* and the preparatory *musrena* meeting in the *gampong* as well are proximate forums for participation for residents in the *gampong*. Residents, also, have quite easily acces through the participants who act as their representatives.

Realising forums open to all

The SOP implies that *musrenbang gampong* are open to all residents of the *gampong*. The SOP states that all 'stakeholders' in the *gampong* are entitled to attend and to participate in the *musrenbang gampong*. Actually, this is not the case. Listing the 'participants' and 'informants', the SOP apparently limits who is to participate to representatives of community institutions in the *gampong*, heads of *jurong*, *gampong* administration, and other officials, and facilitators. Participants have to be invited. Reference is made to section 5 above. According to officials, meetings would be open to all residents in the *gampong* to attend and witness, not to participate. 'Everybody can join meetings in the *gampong*'. However, this is not expressly provided for in the SOP. Neither is provided that meetings are open to the general public, other interested parties, or media. Rules regarding the due notification of meetings are not provided for. Participants are notified when invited. Mostly, this is done orally by the *keuchik* or the head of *jurong*. Meetings are, also, announced in *masjid*, or, *mushola*, and, sometimes, on posters or by public notice on the *gampong* office. In some *gampong*, residents would be invited to attend by loudspeakers. Meetings are generally held at the office of the *keuchik*. As other observers state, actually, the openness of venues is limited. Notifications of meetings and the agenda are not made public properly, or even not at all. Also, the physical space is limited. As one observer says, 'there will be just as many seats as there will be invited participants.'³⁹⁷

As ensues from the guidelines, the preparatory *musrena* meeting in *gampong* is not open to all women in the *gampong* who would like to attend and participate. Meetings seem to be open only to those who are invited to participate. Participants will be invited by the *keuchik*. As mentioned above, it is explicitly provided for that to be invited are women leaders in the

³⁹⁵ Bahagia, Ridha, Syahputra, Misbah, Hatta, Hasan, IGI - UGM (undated), p. 2, 4, Aceh Institute (2012), p. 75.

³⁹⁶ In contrast, reports on the Aceh post-tsunami reconstruction project mention that in urban *gampong* 'Women often gave their opinions and appeared to have some influence', and that 'women were active (and sometimes very active) in discussions'. BRR (2009a), p. 20, BRR (2009b), p. 6.11.

³⁹⁷ Bahagia, Misbah, IGI - UGM (undated), p. 5.

gampong (*tokoh perempuan digampong*). As mentioned above, in some *gampong*, also other women would be invited to attend. The guidelines do not provide for the attendance by other women who would like to attend, but who are not invited, or the general public and media. Nevertheless, as observers assert, other women and public would also be welcome to attend and to participate. Actually, this is not happening, though. For instance, meetings are not notified properly. Only participants seem to be notified. As one observer states, 'Who knows when meetings are held?'³⁹⁸

Information allowing to participate

Information related to the *musrenbang gampong* has to be disseminated to the invited participants prior to the meeting, attached to the invitation, as the *SOP* mentions. Further provisions regarding the dissemination of information, for instance, to other residents, the public and media, are not given. Research mentions major differences in the dissemination of information to the community. Dissemination in *gampong* would range from quite sufficient, to nearly not, or, even, not at all. Overall, the dissemination of information pertaining to *musrenbang* would be quite good. However, the feedback to community with regard to further decision-making and the implementation of plans would often be deficient. According to officials, in some *gampong*, information, including information on last years' program and its implementation, the evaluation and the budget and resources, is timely distributed to the participants. In other *gampong* the information is not distributed by the *keuchik*, and only read aloud in the meeting by the *camat*, if present, *kecamatan* officials, or by the *keuchik*. The information is provided by *BAPPEDA*.³⁹⁹

With regard to the preparatory *musrena* meeting in *gampong*, the guidelines do not include provisions on the dissemination of information to participants, other women, or the general public and media. According to observers, in practice, information is shared at the meeting, and not disseminated to the participants prior to the meeting.

Ensuring 'We' are represented

Representative composition of forums for participation

In *musrenbang gampong*, considering their functions and the size of their constituencies, both direct and indirect representation may be appropriate and practicable. The *SOP* provides for indirect representation. As discussed above, the *SOP* states that all 'stakeholders' in the *gampong* be represented in the *musrenbang gampong*. At the same time, the *SOP* restricts the actual participation to representatives of the official community organisations in the *gampong*, *gampong* administration and other officials that have been invited to attend. As officials add, commonly, the *keuchik* and head of *jurong* jointly compose the delegation to the *musrenbang gampong*. The head of *jurong* will then invite the participants. Residents are not involved. Residents do not elect those who act as their representatives. According to one observer, the *keuchik* chooses arbitrarily 'who he likes'. This is strongly contested by another observer, qualifying such a practice as 'undemocratic'. *Keuchik* would not just ask 'friends'. *Gampong* residents in Banda Aceh would not agree to that.⁴⁰⁰

As a consequence, the representativeness of *musrenbang gampong* may be limited, or, at least, less than aimed for. In the current arrangement, local government officials, representatives of the *kecamatan*, the *keuchik* and heads of *jurong*, and the leaders of co-opted community organisations are likely to dominate the *musrenbang gampong*. Indeed, as quoted above, in many *gampong*, 'leaders' dominate meetings. According to one

³⁹⁸ Hatta.

³⁹⁹ Aceh Institute (2012), p. 14, 27.

⁴⁰⁰ Hatta, Syahputra.

observer, also cited above, '*local elites dominate*'. As another observer states, '*Problem is their representativeness.*' According to one observer, incidentally, elite-capture occurs. Also, women tend to be under-represented, in spite of holding *musrenbang gampong* during daytime, as has been practice over the last years. Poor residents, too, seem to be underrepresented. Most of them have to work during daytime, and are, simply, not in a position to skip work. This, also, results in delegations to the *musrenbang kecamatan* that consist mostly of the same groups, and, predominantly, of men.^{401 402}

Preparatory *musrena* meetings in *gampong*, actually, have indirect representation, although, considering its functions and scale, direct representation would be practicable and may be more appropriate. As said above, generally, participation in the preparatory *musrena* meetings in *gampong* is restricted to leaders of women organisations in the *gampong*, such as *PKK*, or, more recently, women active in *balee inoeng*, who are invited. *Keuchik* invite the participants. This may reduce the representativeness of these meetings. As cited above, sometimes, in some *gampong*, preparatory meetings are not held at all and representatives to *musrena* in *kecamatan* and regular *musrenbang* are nominated by the *keuchik*.^{403 404}

Representation of interest groups and others that have interest

In the *musrenbang gampong*, as the *SOP* stipulates, the *gampong* community institutions will be represented. Other organisations, such as other, non-official civil society or community-based organisations, or others that have interest, for instance, local business and occupational groups, that would like to attend and to participate, may be considered as 'other stakeholders at *gampong* level' and may be invited. This, however, would be up to the discretion of the *keuchik*. The procedures do not explicitly entitle these groups to be invited. Commonly, they are allowed to attend. According to one observer, interest groups, such as civil society organisations and community-based organisations, do generally not attend and participate in *musrenbang gampong*. Some organisations are invited to attend, some other just come. Local businesses and the like do not attend, nor do they participate. As officials explain, 'local' businesses nowadays mostly come from outside the neighbourhood and even from outside Banda Aceh. Consultations with, for instance, street vendors are incidentally held, but this is not institutionalised yet. To make better arrangements, is one of the municipal priorities in the coming years. With other businesses, such as hotels and shops, consultation takes mostly place in the context of spatial planning procedures.⁴⁰⁵

The guidelines do not provide for the participation in preparatory *musrena* meetings in the *gampong* of other, civil society and community-based groups, local businesses, or others who have interest. However, informally, they may be invited to attend. This does not happen that often, though.

Representation of under-represented or excluded groups

The *SOP* expressly provides for the inclusion of women leaders and representatives of the family and welfare organisation (*PKK*) as participants to the *musrenbang gampong*. However, as mentioned above, this does not result in a fair representation of women in these meetings. For this reason, as discussed in section 5, in addition, the *musrena* process has been initiated. As referenced above, *musrena* seems successful in promoting the participation and representation of women in *musrenbang*. Further affirmative measures to

⁴⁰¹ Bahagia, Ridha, Syahputra, Hatta, Hasan, IGI - UGM (undated), p. 4 – 6, Aceh Institute (2012), p. 18.

⁴⁰² Poor residents may be underrepresented in numbers, as officials remark, *keuchik* have information on who is poor, and '*good keuchik*' will stand for their interests and '*will act on their behalf*'. Syahputra, Misbah.

⁴⁰³ Aceh Institute (2012), p. 86.

⁴⁰⁴ In the most recent *musrenbang* cycle, also women active in *balee inoeng* would have been invited to represent the *kelurahan* in the meeting in *kecamatan*, and not just *toko perempuan*, or women leaders, leaders of *PKK*.

⁴⁰⁵ IGI - UGM (undated), p. 5.

improve the representation of women in *musrenbang* are presently not provided for. *Musrena* may serve as an example for creating spaces for women to participate. As one observer emphasises, such spaces should, preferably, be in addition to and co-existent with existing forums, such as *PKK*, that are quite often dominated by wives of leaders and officials. Alternative spaces should be established, as, for instance, *balee inoeng*.⁴⁰⁶

With regard to the representation of other under-represented or excluded groups in *musrenbang*, the *SOP* explicitly provides for the inclusion of the 'marginalised' (read: disabled) community as participants. *Keuchik* are tasked to actively promote their attendance and to support their interests, and to make plans to that effect. Also, as cited above, 'good *keuchik*' will act on their behalf and stand for their interests. Furthermore, disabled have been organised. Still, as discussed in the above, their actual participation is not easy to realise. In addition, poor, marginalised groups are also invited to participate in forums at municipal level.⁴⁰⁷

Measures that promote the representation of under-represented or excluded groups, such as poor women, or disabled, in *musrena* preparatory meetings in the *gampong* are not expressly provided for. Some of these groups, for instance, disabled, will be represented in regular *musrenbang* forums at municipal level. As officials add, inviting them to attend *musrena* too would not be of much use.

Optimising empowerment

Creating capacity to act

The mandate of the *musrenbang gampong* is limited. At present, its primary functions are to establish and to decide on the priority activities of the *gampong* that the *gampong* will implement and finance them selves through the *gampong* fund (*ADG*), and the priorities that will be proposed to the *musrenbang kecamatan*. Activities have to fall within the criteria according to the *SOP*. These functions are primarily consultative. As mentioned above, the municipal government aims at further empowering the *gampong*. In this context, reference is made to the *gampong* medium-term development planning (*RPJMG*) that recently has been introduced in all *gampong*. This implies that the *musyawarah gampong* or the *musrenbang gampong* would be assigned more substantive decision-making functions. Officials, though, seem to have some concern with regard to the process as it will develop. There may be little consistency with the plan of the previous year. Also, more attention may be needed for the synchronisation with other plans and policies at other levels. In addition, capacity may be too low, and better training required. It may take some time to implement and develop the concept. The municipal planning process would then focus on more strategic matters.⁴⁰⁸

The functions of the preparatory *musrena* meeting in the *gampong* are consultative only. The purpose of the meeting is to prepare the regular *musrenbang gampong*, and the *musrena* meeting at *kecamatan* level.

Providing adequate resources

The development activities in the *gampong* are funded through the municipal budget, by grants, such as *ADG*, and through other sources, for instance, community direct aid under the *PNPM Urban* program (*BLM*) and community self-organisation. The municipality, also, funds the cost of the *musrenbang* process in the *gampong* including the *musrena* cycle. The municipality, *kecamatan* and *gampong* provide assistance. In addition, *BAPPEDA* and

⁴⁰⁶ Mundayat.

⁴⁰⁷ Syahputra, Misbah.

⁴⁰⁸ In this context, it is mentioned that in *musrenbang* of 2014 only two *gampong* actually included proposals on poverty alleviation, in spite of the fact that this should have priority in nearly all *gampong*.

WDC provide facilitators. As officials comment, at present, the available budget is insufficient to accommodate all proposals and development needs. The available budget would also be insufficient to implement and sustain the *musrenbang* and *musrena* processes as envisaged. In the next years, the means available to allocate to *musrenbang* may even decrease. The capacity of facilitators is limited. According to officials, more facilitators are needed. Their numbers are too little. Also, in spite of improved training, the quality of facilitators is still too low. Their training remains a matter of concern. In this context, it is felt necessary to increase the 'human capacity' of BAPPEDA. In this, BAPPEDA is working closely together with local NGO's.⁴⁰⁹

Improving responsibility

Enhancing responsiveness to actual needs

The *musrenbang* process as it has been developing over the last decade in Banda Aceh has partly been successful in enhancing the responsiveness of the *gampong* administration and local government to the needs of *gampong* residents. Over the years, the outcome has not yet been as envisaged. Also, there is little substantial participation. This has resulted in disappointment and dissatisfaction. As observers emphasise, the budget that is actually available for development activities is one of the restraining factors. In a number of *gampong* the orientation to the well-being and basic needs of poor and women is low. However, as research mentions, *musrena* seems to contribute to increase the understanding of the conditions and needs of women in *gampong*, and to enhance responsiveness to the needs of women. It is hoped for that the participatory arrangements that recently have been introduced and a better provision of information, also on funding options, will contribute to further improve responsiveness.⁴¹⁰

Establishing accountability

With concern to the development planning process as such, mechanisms that establish accountability at the *gampong* level are, at present, not expressly provided for in *musrenbang*. Such mechanisms still have to be introduced. Currently, evaluation and monitoring is done, primarily, at the municipal level. Accountability is to be realised by the common arrangements that enhance the accountability of the *gampong* as discussed above, and whereas it concerns the use of municipal and other public funds, in particular, by the municipal arrangements for control, report, audit and inspection. The municipal community empowerment board (BPM) is training *gampong* officials with regard there-to.

Musyawaharah dusun musrenbang

Creating participatory processes

Realising appropriate opportunities to participate

The *musyawarah dusun* (or: *jurong*) that are held as a part of the annual *musrenbang* cycle (also called *pra-musrenbang*) are addressed in the SOP as being a part of the process. No further details on their functions and functioning are provided for, though. The process at this level is not institutionalised. According to officials, there is no intention to do so. Currently, applying participatory methods at this level is not envisaged. One may question

⁴⁰⁹ Aceh Institute (2012), p. 86.

⁴¹⁰ Aceh Institute (2012), p. 25, 27, 78, 83, 88.

whether, at present, *musyawarah jurong* do offer actual opportunities for substantial participation to *jurong* communities. This appears to be different from *jurong to jurong*. Head of *jurong* are supposed to organise *musyawarah dusun*, assisted by *keuchik* and other *gampong* officials. However, as observers state, in many *jurong*, *musyawarah* are not held at all, or not properly. Actual *musyawarah* are held in just a small number of *jurong*. The level of participation is said to be low, also in numbers. Residents, also, deal with the head of *jurong* outside meeting, discussing their needs and wishes.

Equal opportunities to participate for all, as equals

Similarly, whereas the actual functioning of *musyawarah jurong* that are part of the *musrenbang* cycle is not yet provided for in the *SOP*, there are no express rules that ensure an equal opportunity to all residents to participate in *musyawarah jurong*, or that participants do participate as equals. Customary, as a general rule, decision-making will be in consensus, which may foster that participants do participate as equals.

Promoting openness

Establishing easy access, proximity

Given the scale of *jurong*, the *musyawarah jurong*, that is part of the annual *musrenbang* cycle, in the *gampong* where such meetings are actually held, is a really proximate and accessible forum.

Realising forums open to all

The *SOP* does not provide guidance concerning *musyawarah jurong* that are to be held as part of the *musrenbang* cycle. Who has to attend and to participate, how meetings should be announced, and where and when, and in what frequency they should be held, is left open to custom and to *jurong* to decide them selves. As an official comments, 'A good *keuchik* will organise *musyawarah jurong*.' As said above, *musyawarah jurong* are open to the heads of all households in the area. This, also, applies to *musyawarah jurong* that are held as part of the *musrenbang* cycle. Often, this is upon invitation by the head of *jurong*.⁴¹¹

Information allowing to participate

Similar to what is said above, the *SOP* does not provide how information pertaining to what will be discussed, and what has been discussed in *musyawarah jurong* has to be disseminated, and to whom, and when.

Ensuring 'We' are represented

Representative composition of forums for participation

Musyawarah jurong that are part of the *musrenbang* cycle have direct representation, similar to regular *musyawarah jurong*, as is appropriate in view of their functions and scale. As discussed above, *musyawarah jurong* that are part of the *musrenbang* cycle are open to the heads of all households in the area. Similar to what is said above regards *musyawarah jurong*, whereas the heads of households are invited to attend, this results in women to being under-represented, or not represented at all. Also, younger residents, not being a head of household, may not be represented.

⁴¹¹ Misbah.

Representation of interest groups and others that have interest

As ensues from the above, the *SOP* does not provide for the participation of other groups, local community organisations, local businesses, or others that have interest in *musyawarah jurong* that are part of *musrenbang*.

Representation of under-represented or excluded groups

Similar applies to the participation and representation of women in *musyawarah jurong*. Reference is made to what is said in section 5. The *SOP* does not provide for affirmative measures to promote the participation and representation of women, or other under-represented or excluded groups.

Optimising empowerment

Creating capacity to act

As the *SOP* provides, the functions of the *musyawarah jurong* that are part of *musrenbang* are consultative. In *musyawarah jurong*, heads of *jurong* collect ideas for *musrenbang gampong*. Whether, actually, a *musyawarah* will be held, is to the head to decide. According to an official, 'Usually, they just coordinate with the leaders in the *jurong*, and youth and women leaders'.⁴¹²

Providing adequate resources

As said above, development activities and the development planning process are funded through the municipal budget, and by other sources. Implicitly, this would, also, apply to the *musyawarah jurong* that are held as part of the *musrenbang* process. As ensues from the above, the available funds and resources, in particular the number of facilitators, seem too low to actually sustain the process at this level and the implementation of development activities.

Improving responsibility

Enhancing responsiveness to actual needs

In the current design and actual implementation of the *musrenbang* process, as ensues from what is discussed in the above, *musyawarah dusun* do contribute little in improving the responsiveness of the *jurong* leadership and *gampong* administration to the actual needs of its residents.

Establishing accountability

With concern to the development planning process as such, the *SOP* does not provide for mechanisms that establish accountability at the level of the *jurong*. What is said above regarding to mechanisms that enhance the accountability at the *gampong* level would, *mutatis mutandis* apply.

⁴¹² Misbah.

9. **ASSESSMENT: PNPM URBAN PROGRAM**

Introduction

Assessment: organising principles

In section 6 we gave a brief description of the *PNPM Urban* program and its arrangements for participation by citizens in the management and implementation of the program in their wards.

As mentioned, the *PNPM Urban* program was phased out in 2015 and has been replaced by the *P2KKP* program. Under the new program, the institutional design and arrangements for participation will not substantially change, at least for the time being.

In this section we will assess the actual functioning of these arrangements. Below we will consider the five sets of organising principles for participation and engagement that compose the analytical framework developed in section 2: Do these arrangements create participatory processes? Do they promote openness? Do they ensure that 'We' are represented? Do they optimise empowerment? Do they improve responsibility?

Forums for participation

Within the *PNPM Urban* program, at *kelurahan* or *gampong* level, and in *RT* and *RW*, or *jurong*, several forums for community participation existed. Within the scope of this study, the community self-organisation council, *badan keswayadaan masyarakat (BKM)*, and citizen meetings, *rembug warga*, are considered being the most relevant. The below assessment will concentrate on these two forums.

Providing for *BKM* and *rembug warga*, the *PNPM Urban* program has created parallel structures alongside the existing governance and community structures in *kelurahan* and *gampong*. As will be discussed below, in particular, considering their purpose and activities, *BKM* and, upto a lesser extent, *rembug warga*, may have overlapped and competed with other forums for participation in *kelurahan* and *gampong*, such as *LPMK* or *tuha peuet*, *musyawarah kelurahan* or *musyawarah gampong*, *RT*, *RW* or *jurong*, and *musrenbang*.

Though, generally, throughout Indonesia, the *PNPM Urban* program has been implemented substantially in accordance with the national guidelines and instructions, local circumstances resulted in slightly deviating processes and practices. Local governance cultures, practical impediments, such as limited available resources and facilities, present capacity and awareness of the local community, and, last, but not least, power and interests of vested leaders, may have led to different outcomes.

Badan keswayadaan masyarakat (BKM)

Creating participatory processes

Realising appropriate opportunity to participate

The *PNPM Urban* program was participatory in design. Its institutions and mechanisms were designed to enhance actual and effective community participation. The community

had to plan, organise, control, monitor and evaluate the implementation of development activities in the *kelurahan*, or *gampong*, by it selves, through the *BKM* and related entities, such as management units (*unit pelaksana*, or *UP*) and community self-organisation groups (*kelompok swadaya masyarakat*, or *KSM*), and *rembug warga*. Funds were disbursed directly to the community, and administered by the community it selves. Self-organisation (*swadaya*) and self-management (*swakelola*) were the basis of the program. Local government, facilitators and consultants had the task to assist and to facilitate. Reference is made to the consecutive cycles of the program and processes briefly described above in section 6. The participatory goals of the program were also embodied in the basic principles (*prinsip dasar*) of the program.

As discussed above, the community in *kelurahan*, or *gampong*, had to establish and elect a representative council, *BKM*, or to assign an already existing community institution, to manage and oversee the implementation of the program and plans in the *kelurahan* on its behalf. Actually, both in Surakarta and Banda Aceh, all *BKM*, or *LKM*, as they are named in Surakarta, have been newly established. None of the existing community institutions in *kelurahan* or *gampong* have been assigned. The *BKM* was a standing body. It met regularly. In Surakarta and Banda Aceh as well, most *BKM* met once every month or even more frequent, if needed. In Surakarta, some *BKM* met less, quarterly or fewer times a year. ‘Stronger’, more active *BKM* met more often, each month. This corresponds with what is reported nation-wide. In addition to what guidelines and instruction provide, the functioning of *BKM* was governed by their articles of association (*anggaran dasar*, or *AD*) and bylaws (*anggaran rumah tangga*, or *ART*), passed by a notary at the time of their establishment.⁴¹³

As one observer emphasises, ‘the *PNPM* program, as it has taken shape over the years, is, in particular, unique for its developmental view. The approach of the government, in spite of its intentions, up to then has been merely top-down. It is remarkable how through the *PNPM* program a more bottom-up approach came into being’. Other observers add that the *PNPM* Urban program has transformed the government process and participation in *kelurahan* and *gampong*. It has resulted in better participation and increased transparency.⁴¹⁴

As observers concur, the program, though, had its shortcomings and problems, as discussed in a number of reports and studies. One issue is the level of participation. According to observers, participation did definitely decrease. As one observer states, ‘At start the participation is often good. Later, it gets less, and, also, the ‘momentum’ gets lost.’ Other observers mention that participation may, also, have been decreasing as a result of other, competing programs that more and more adopted participatory processes. *PNPM* would not have been that distinctive anymore. In this context, it is emphasised that participation is no obligation. ‘People do not have to participate. (...) When they do not want to engage and participation is little, it should be taken just as it is, and must be accepted as a fact. What matters, is that sufficient, substantive opportunity to participate is given and to promote that people actually participate. Besides, when a real issue occurs, people do engage.’⁴¹⁵

Observers add that it, also, proves hard to create meaningful participation. The *PNPM* process was built on delegated participation. ‘In a way, this differs from real participation. Challenge is to take along more people in an increasing complexity. Problem, also, is that people become less sensitive to public matters and needs. How to turn this development? In this, for instance, a key role is played by religion, as a conducive factor, also to social cohesion. (...) A long term sustainability of community values can only be attained by a change of values, patterns, as they are now, currently being promoted in education and

⁴¹³ Rand (2011), p. 30, § 4 B, Annex 1, p. 90, Table A2.

⁴¹⁴ Soraya.

⁴¹⁵ Soraya, Sudarmo, Sugianto.

upbringing, being too much about competition at the cost of the other, not about working together and acquiring community values. (...) This is, also, the basic philosophy of the PNPM program'.⁴¹⁶

Another issue is the quality of the resulting plans. As one observer states, plans, *PJM Pronangkis*, still were too much 'a list of what people would like to do', instead of an actual plan. The quality of plans needed to be improved, for instance, integrating aspects of spatial planning, and aligning plans with other development programs that ran in the *kelurahan*, particularly, in the field of poverty alleviation. Plans would then have been more useful in *musrenbang*, also.⁴¹⁷

Equal opportunity to participate for all, as equals

The guidelines and instructions definitely aimed to promote an equal opportunity to participate for all participants, as equals, at least to the members of *BKM*. As discussed in section 6, the *BKM* was supposed to function as a collective leadership, all members having equal rights, and decisions having to be made jointly, after deliberation and in consensus. A formal hierarchy was not envisaged. *BKM* had no chairman, to avoid dominance as much as possible. Instead, one of the *BKM* members was appointed as 'coordinator'. Equal opportunity and equality were also enshrined in the basic principles. This implies that all members of *BKM* were entitled to fully participate in *BKM* meetings, to speak, to take part in discussions and in decision-making, and to demand that issues be put on the agenda. Rules aimed to ensure the due process and fair course of discussion and decision-making. Residents who attended public meetings of *BKM*, or other meetings with *BKM* (see below) were entitled to speak and to take part in discussions. They were not entitled to vote, or to demand that issues be put on the agenda. However, they had the right to be consulted regarding issues that affected them. The articles of association of *BKM*, generally, did refer to or even explicitly list the above principles and values.⁴¹⁸

To what extent members of *BKM* actually had equal opportunity to participate and actually participated as equals depends, as observers state, very much upon the composition of *BKM*. In Surakarta, many *BKM* operated collegial. Similar applies to *BKM* in Banda Aceh. In most *gampong*, members of *BKM* considered each other equal. In other *gampong*, though, there may have been dissimilitude between members of *BKM*. Much depends also upon the coordinator and how active members themselves were in *BKM*. Some coordinators may just have been 'puppets', as an observer mentions. Some members were more committed, other members less involved. As research shows, often the most active *BKM* members seemed to be retired men or housewives. Also, members who have been active in *BKM* for several years and who were more experienced may have been more leading and having had preponderance in discussions and decision-making, even if, as observers in Surakarta and Banda Aceh confirm, decisions tended to be made in consensus. On the other hand, domination by elites is said to have been decreasing. As one observer adds, over the last years, class differences did become less prominent. However, in Yogyakarta, for instance, participation as equals still would have been difficult. This would be due to a still prevalent 'Brahman' culture. In other, tribal areas, such as parts of North Sumatera and Papua, clan and family connections would have been prevailing, restricting equal opportunity to participate to outsiders.⁴¹⁹

⁴¹⁶ Soraya.

⁴¹⁷ Dwiyani.

⁴¹⁸ Anggaran Dasar BKM (Model WorldBank 7 January 2005) §§ 3, 4, 10, and, for instance, AD LKM Keprabon Jaya, Surakarta (2011), §§ 6 - 9, AD LKM Sriwedari Mandiri, Surakarta, (2011) §§ 6 - 9, AD LKM Bangkit Kepatihan Kulon, Surakarta (2008), §§ 3 - 6.

⁴¹⁹ Ardian, Fahrianto, WorldBank (2012), p. 37, 38, § 3.2.6.

Also, as reports mention, women participation in *BKM* meetings has been varied, and, quite commonly, male participants still dominated meetings, whether members of *BKM*, or members of other committees. Other observers confirm, referring to the societal system as still being patriarchal. Even in *BKM* that had a comparatively better representation of women, for instance, in Surakarta and Banda Aceh, as will be discussed below, men would actually decide, and women would have been less engaged in decision-making. However, as one observer adds, a larger number of 'women' projects would have been approved and implemented.⁴²⁰

Promoting openness

Establishing easy access, proximity

BKM have been a proximate forum for participation for residents in the *kelurahan* and *gampong*. Residents likely had easy access to the members of *BKM* who acted as their representatives. However, different from what one would expect, as observers mention, members of *BKM* seemed less well known by their constituency. In Surakarta, members of *BKM* seem not always to have been known people. In Banda Aceh, residents would have been more familiar with members of *BKM*, at least, with members who came from their *jurong*. As appears from one report, in spite of the *sosialisasi* efforts that were part of the program, just a fifth of the respondents seemed to know the *BKM* or its members. Many respondents seemed also unaware of the role of *BKM*. As said report quotes: 'What is *BKM*, who are the persons in there, what are the activities, we do not know'. Nevertheless, in Surakarta and Banda Aceh, residents would easily have approached members of *BKM*. As observers state, in Banda Aceh, *BKM* were really open and easy to find. According to one observer, the size of *kelurahan* may have been too large to allow for substantial participation of residents, particularly, in increasingly more densely populated *kelurahan* in cities in Java. In his view, perhaps, *RT* and *RW* would have been more suited, and it may have been better to focus on promoting participation at these levels.⁴²¹

Realising forums open to all

Commonly, regular, monthly and other meetings of *BKM* were not open to residents that were not a member of *BKM*, or to the wider public. In addition, guidelines and instruction provided for quarterly meetings of *BKM* with those from the community involved in the implementation of the program and plans in the *kelurahan*, such as members of *KSM* and other volunteers. Also, throughout the year *BKM* may have had other meetings with members of the community, as mentioned above.

Actually, practice seems to have been different. In Surakarta, as bylaws of *BKM* provided, public meetings of *BKM* would be with heads of *RW* and *RT* and representatives of community institutions, such as *PKK* and *karang taruna*, *KSM*, and officials from *kelurahan* government. Households would not be invited. The heads of *RT* were tasked to inform community. Households would only incidentally be invited to meetings, dependent on the subject that was to be discussed, for instance, identifying priorities. Also, poor residents would then be invited. Public meetings of *BKM* would have been held about every two months. Likewise, in Banda Aceh, public meetings of *BKM* would only have been attended by *keuchik*, heads of *jurong*, religious and community leaders. Meetings with all residents would have been organised at least once a year, in a consecutive series of meetings to which all households were invited. According to observers, this would have been a more common practice elsewhere in Indonesia, too.⁴²²

⁴²⁰ WorldBank, Schuler and Dwiyani (2012), § 3.2.6, p. 37, 38.

⁴²¹ Rand (2011), p. 26, § 4 A, p. 89, Annex 1, Table A1.

⁴²² ART LKM Keprabon Jaya, Sriwedari Mandiri, Bangkit Kepatihan Kulon, Surakarta § 8.

As reports state, nationwide, public meetings seem to have been held less frequently than guidelines and instructions proposed. Less than two-third of *BKM* that participated in the research reported holding public meetings quarterly or more frequent. Less than one-third reported to hold a public meeting once a year and one even reported never holding any public meetings at all. The number of residents and others that attended public *BKM* meetings appears to have been limited, a few tens. Only half of the *BKM* reported having community leaders join in their meetings. Quite commonly, not all residents or households were invited. Also, often, women appear not to have been invited or did not attend, as invitations were addressed to (the heads of) households. Public meetings of *BKM*, therefore, appear not to have been that open as intended.⁴²³

Information allowing to participate

The guidelines and instructions did promote that residents and others who would like to participate would attain the information that would enable them to actually participate, in all phases of the program and the implementation of plans. As a general rule, it was provided for that all relevant operational and financial information should be made public and disseminated *suo moto* to the community, the wider public, media and other parties, as early as possible and by a variety of means and media, including website. Guidelines and instructions provided for frequent reporting. More specific rules applied to reporting in the framework of control, monitoring and evaluation.

The actual dissemination of information differed locally, and from *BKM* to *BKM*. As observers mention, information was made public through information boards, meetings and forums, and other media, commonly near or in public places, such as *mushollah*. Sometimes, this has been done only verbally after Friday afternoon prayer. In Surakarta, 'public' information of *BKM* used to be disseminated through the information boards at the *kelurahan* office, in *RW* and *RT*, and at other 'strategic' locations in *kelurahan*, leaflets, and by the heads of *RW* and *RT*. *BKM* in Surakarta did not yet have their own websites. The municipal Public Works website had a link to the local *PNPM* program. A number of *BKM* were on Facebook, *Forum Komunikasi LKM Kota Surakarta*. *Kelurahan* offices have free wifi for residents. The intention was to further develop these means. In Banda Aceh, information has been disseminated in a similar fashion. The agenda was made public on 'the wall' at the *gampong* office, and, also, sent to invited participants. The related documents were, commonly disseminated later, in the meeting it selves. *BKM* in Banda Aceh, too, did not yet have a website. At that time, this was considered being too 'high-tech' for most of the residents. Currently, the use of Internet in Banda Aceh would be below 25 %. For younger generations the figure would be considerably higher. It was envisaged to provide *BKM* nation-wide with PC's. This would have facilitated *BKM* to create their own websites, or to share a website with the *kelurahan*, or *gampong*, and putting all relevant information on the Internet, easily accessible to residents and the general public.⁴²⁴

As observers confirm, most information was disseminated in a simple and understandable format, also, considered in relation to the (onward) level of education of the residents in *kelurahan* and *gampong*. However, as ensues from what is said in the above paragraph, one may have some doubt whether the dissemination of information has been as adequate as aimed for.

⁴²³ Rand (2011), p. 30, 31, § 4 B, p. 35, § 4 C, p. 90, Annex 1, Table A2.

⁴²⁴ AD LKM Bangkit Kepatihan Kulon, Surakarta, § 30.

Ensuring 'We' are represented

Representative composition of forums for participation

Representation in *BKM* was indirect through elected representatives, as is appropriate in view of their functions and the size of *kelurahan* constituencies. Direct representation would not have been practicable. As described above, all adult residents that met the criteria established by the community were eligible as a member of *BKM*. The election process was designed to have the community select 'good and pure people' (*orang baik dan murni*) to represent the community and to act on its behalf in the management and oversight of the implementation of the program and plans in the *kelurahan*. It should be noted, that, as a result, the composition of *BKM* was not necessarily representative of the community, other than aimed for.

In this context, observers emphasise 'moral value' as a criterium for election, and the importance of trust and mutual relations. As one observer said, '*Residents elect candidates that they know and trust, 'friends'*'. Another observer confirms, referring to research, '*when discussing the qualities and properties that residents expect a leader to have, almost everywhere the qualities that are first mentioned are values such as 'honesty' and 'selflessness'. Just subsequently, are mentioned qualities like 'capacity.'* There is no self-nomination, no campaign. People tend to be modest, malu. Suitable candidates are asked whether they would be prepared to be nominated'.⁴²⁵

As observers state, members of *BKM* were predominantly well-educated, 'known' and respected residents who were already active in the community and in other forums. One paper found that members of *BKM* were highly educated, wealthier, and from a higher social network level. As another report states, members of *BKM* that participated in the *ND* program, in most cases appeared to be '*well-respected community members who are committed to community driven development and have some regard for the poor (although there were few members of the BKM that would consider them selves poor)*'. In Surakarta and Banda Aceh as well, *BKM*, also, had less educated, and poorer members. Observers mention that, comparatively, more women and younger, educated residents have been elected a member of *BKM*. In this respect, in Surakarta, the composition of *BKM* would contrast with *LPMK*. *BKM* would, primarily, have consisted of middle class and lower middle class residents, such as business people and traders, people that work with banks or, up to a lesser extent, with the government, furthermore, teachers, activists, retired people with experience and time, housewives, and also, community and religious leaders. Wealthier residents would have been less engaged in community. One observer qualifies members of *BKM* as '*common people*'.^{426 427}

Observers agree that there seems to have been some change with respect to '*old patterns*' of selection of leadership. The way members of *BKM* were elected, intensive dissemination, or *sosialisasi*, to the public and transparency seem to have contributed. It is mentioned that, for instance, the influence of *lurah* on the outcome of the selection process has been reduced. Observers concur, that in the course of time, the composition of *BKM* has become more representative of the community in *kelurahan*, or *gampong*. According to some observers, it may even be seen as representative of its constituencies. Control by former, local elites seems to have abated. As another observer explains, in more traditional *kelurahan*, that tend to be '*feudalistic to some extent*', old elites may still have prevailed, at

⁴²⁵ Saifulsyah, Soraya.

⁴²⁶ Ardian, WorldBank, Schuler and Dwiyani (2012), § 3.2.6, p. 37, 38, Darmawan (undated), p. 15, 16.

⁴²⁷ Similar seems to apply to the composition of the planning and implementation teams (*TIPP*) in the *ND* program: For the most part *TIPP* were composed of community 'notables' and leaders, including all *BKM* members, the *RT* and *RW* heads as well as the Technical Team consisting of municipal government agencies such as Public Works and *BAPPEDA*. In addition to these, leaders, people from the community who have time and are well respected (especially retirees) were involved. By and large, it appears that there was a replication of the participation patterns seen in the *PNPM Urban* sites, simply at a larger scale. Rand (2011), p. 68, § 9 B.

the same time, *kelurahan* that have a more diverse population, with less kinship within the community, may have functioned more 'democratic'. Representatives from other groups within the community did get elected. As observers note, new elites did arise. According to research, 'New, young elites, activists, start (...) to participate in decision-making and to demand redistribution of power.' In *BKM* a change of elites seems to have been unfolding. Depending on how one defines 'elite', each new entrant will over time become part of elite. According to one observer, 'Rules may help to restrict the dominance of elites, they do not have the capacity to eliminate elite-control.' As research demonstrates, in the *PNPM* program the prevalence of elite-capture was already limited to a few incidents. As a result, it is said to have been further decreasing.⁴²⁸

Women representation in *BKM* varied. Women seem still to have been underrepresented. However, the number of women in *BKM* seems to have gradually been increasing. In Surakarta, recently, a little more than 35 % of members of *BKM* were woman. In most *kelurahan*, *BKM* would have consisted for more than half of women. In contrast, in other *kelurahan* the share of women would have been very low. About 18 % of *BKM* had a woman as coordinator. In Banda Aceh, the share of women in *BKM* was about 40 %. In some *gampong* the number of women in *BKM* would have been over 70 %. In other *gampong* their number remained far below the target of 30 %. Representation of women in *BKM* in Surakarta and Banda Aceh appears to have been better than elsewhere in Indonesia. Similar, high figures of women participation accidentally occurred in *kelurahan* elsewhere too. On average, though, nation-wide figures seem to have been lower. As one paper states, '*BKM* members are overwhelmingly male'. Research shows that in nearly two-third of the *BKM* that participated in that research, women made out less than a quarter of the members, some *BKM* even not having female members at all. In nearly one-third, their share in *BKM* was between a quarter and a half. A commonly quoted, average figure is close to 20 %.^{429 430 431}

Studies and observers mention a number of factors that have negatively impacted the participation and representation of women. As discussed in previous sections, social norms that traditionally live in communities and family roles appear to have been serious barriers for participation by women. As one report quotes a respondent, '*women are expected to stay home*'. Also, communities themselves may not have been concerned with women participation. Both men and women may have preferred to vote for men in decision-making positions. Reports mention as 'internal' barriers for involvement, women's experience and a lack of self-confidence. As one observer noted, '*Women are shy and they get no respect.*' Also, as mentioned, formal processes appear to have led to biases against women, even when they were able candidates. Women were often not considered to be sufficiently qualified, in spite of actually being qualified according to the criteria. According to reports, the representation of women appeared generally better in areas where there was a historical presence of women volunteers connected to local implementation of family welfare program activities (*PKK, posyandu*), and where already were active volunteers, often, elite women. It has also been mentioned that participation was better in areas with a higher educated and socio-economical stronger and less traditional population. In areas with a lower educated, poorer and more traditional population women participation was often less. In contrast, in Surakarta, women would have been more active in *PNPM* and *CSO*'s in poorer areas,

⁴²⁸ Sugianto, Sudarmo, Dasgupta and Beard (2007), p. 237 (Case studies Malang, Bandung), Fritzen (2006), p. 21, 25.

⁴²⁹ Darmawan (undated), p. 15, 16, Rand (2011), p. 33 - 35, § 4 C, p. 90, Annex 1, Table A2, WorldBank, Schuler and Dwiyani (2012), p. 37, § 3.2.6.

⁴³⁰ The participation of women in *BKM* surpasses the participation of women in other forums for participation. In Surakarta, the share of women in *LPMK* is less than 14 %. In Banda Aceh, *tuha peuet* have no more than 6 % women members. This might be related to the design of the *PNPM* program and its implementation, *PNPM* having been more effective in fostering the participation of women. It seems less due to specific, local circumstances, culture and traditions.

⁴³¹ In Surakarta, coordinators *BKM*, generally, rotated every 3 months. For that reason, the number of women that has been coordinator changed over the year.

whereas in more prosperous areas women would have been less active. This would similarly apply to *BKM* membership. In more dense, poor slum like areas women are said to have been more active in *BKM*, and in less dense, wealthier areas usually men.⁴³²

Also, as appears from the above, representation of poor in *BKM* seems to have been limited. *BKM*, predominantly, consisted of educated, urban middle class and lower middle class residents, who do not consider themselves as poor. In earlier research an overall figure is mentioned of about 5 % of members of *BKM* who were classified as 'poor' or 'very poor'. Recent figures may be better. In Surakarta, for instance, the number of poor that were a member of *BKM* seems to have been increasing and would recently even have been about 30 %. As observers and reports mention, poor residents have little or no time to participate. They are occupied with their daily existence. As one observer says, '*The bottom poor just survive.*' The time involved in acting as a member of *BKM* was substantial and has been working as a barrier for participation. Volunteers, as a rule, members of *BKM* did not get paid. For poor residents, in particular, the opportunity costs were high. In addition, many poor and vulnerable residents are less bound to the neighbourhood, not being a permanent resident, nor having an ID-card and even not having been registered as a resident. In Surakarta, for instance, as bylaws *BKM* provided, being a permanent resident having an ID card was one of the requirements for eligibility as a member of *BKM*.^{433 434}

Another issue concerns the representation of *RT* or *jurong* in *BKM*. Reports show that in larger *kelurahan* limits on the maximum number of members of *BKM* resulted in some *RT* being not represented in *BKM*. In most of the *kelurahan* that were part of the research, not every *RT* had a member from their *RT* in the *BKM* in the *kelurahan*. This seemed to impact the program to the detriment of *RT* that did not have a member in *BKM*. As one report cites, '*there were no representatives from RT 1, which is isolated, so it is always left behind.*' Representation of *RT*, *jurong*, or any other specific area within the *kelurahan* or *gampong*, though, was explicitly not intended. As cited in section 6, guidelines and instruction provided that *BKM* had to be representative of the community as a whole, impartial, and not representing any class, group, or area within the community in particular. Apparently, members of *BKM* did not entirely adhere to this, prioritising the interests of their 'own' *RT* or *jurong*, instead of working in the interest of the *kelurahan* or *gampong* community as a whole. In their turn, residents seem to have been inclined to consider members of *BKM* as representing their *RT* or *jurong*, more than representing the community as a whole. In *rembug warga*, they, also, tended to vote for candidates from their own neighbourhood, people they knew, unless not qualified.^{435 436}

Representation of interest groups and others that have interest

Guidelines and instruction did not provide for representation in *BKM* of interest groups and others who have interest, such as businesses that operate locally. As ensues from the stipulations cited in the above paragraph, representation in *BKM* of such groups or interests as such was explicitly not wanted. Such groups may have been invited, and may have attended and participated in public meetings of *BKM*. Guidelines and instruction seem to have allowed for this in the event the interests of these groups were affected by plans or activities that were part of the program, in particular when they were also resident in the

⁴³² Saifulsyah, Rand (2011), p. 33 – 35, § 4 C, p. 90, Annex 1, Table A2, WorldBank, Schuler and Dwiyan (2012), p. 37, § 3.2.6.

⁴³³ Sudarmo, Sugianto, Fritzen (2006), p. 21, Rand (2011), p. 31, § 4 B, WorldBank (2012), p. 9, § 2.1, ART LKM Keprabon Jaya, Sriwedari Mandiri, Bangkit Kepatihan Kulon, Surakarta, § 3.1.

⁴³⁴ Divergent from the common practice, in some cities, members of *BKM* would have been paid.

⁴³⁵ WorldBank (2012), p. 9, § 2.1, Rand (2011), p. 31, § 4 B, p. 90, Annex 1, Table A2.

⁴³⁶ Previously, at the start of the *PNPM* program, members of *BKM* were considered representing their *RT*, or *RW*. This did not work out well. For this reason, explicit choice has been made that members of *BKM* should not just represent the interests of their *RT* or *RW*, but would act on behalf of the community as a whole.

kelurahan. However, this seems not to have happened very often. As one observer stated, local businesses, or non-resident businesses operating in the area, such as street vendors or *becak* drivers, did not attend meetings. They were not invited, since they were not considered being part of the program. The program concentrated on alleviation of poverty among residents. Also, *BKM* were already being considered as overcharged.

Representation of underrepresented or excluded groups

As shown above, until recently, women were still under-represented in *BKM*, in spite of the strong promotion of women within the program as from its inception. As cited, guidelines and instruction aimed to have at least 30 % female representation in meetings and committees. Also, it was promoted to let women have priority over equally qualified male candidates, as the strategy for 2012 - 2014 suggests. In addition, separate meetings for women were being organised. As a result, participation of women in regular, general meetings improved. Women got better prepared and representatives felt more confident to engage in discussions. As observers state, it has been a deliberate choice not to stipulate mandatory affirmative measures. The program was meant as an empowerment process. In their view, changes start with awareness. 'Pushing' would not have worked. As they add, it appears to be difficult to overcome traditions and patterns, and the skills problem as well. They, also, emphasise, the importance of influential leaders and local culture. This applies, for instance, to the participation of women in Aceh. The quota of 30% participation by women the program aimed for has actually triggered change. Observers are of the opinion that, speaking more in general, affirmative measures for women, such as women quota, remain desirable.⁴³⁷

Also, as discussed above, representation of poor in *BKM* seems to have been limited. The inclusion of vulnerable groups and poor depended very much on the efforts of facilitators. However, as cited above, socio-economic and institutional barriers for participation for poor, and in particular, the very poor, seem to have been too high to overcome easily within the framework and philosophy of the program. Adequate data fail. These groups, diverse as they are, appear hard to delineate, and not easy to reach. As discussed above, often, they are not bound to a particular neighbourhood, and have no ID-card. As a consequence, they tend to fall outside the scope of *kelurahan* and *gampong* programs. Among the measures that were considered, is to have separate meetings for these groups too. A pilot has already been started in a parallel, dedicated program aimed at poor, disabled, other minorities and excluded groups, *PNPM Peduli*. Furthermore, *BKM* were asked to actively engage these groups.

Optimising Empowerment

Creating capacity to act

As discussed, as guidelines and instruction provided, the *BKM* was collectively responsible for managing and overseeing the implementation of the program and plans in the *kelurahan*, or *gampong*, and the use of funds on behalf of the community. Its mandate was based on the autonomy of the community in the *kelurahan*, or *gampong*, to realise plans through self-management (*swakelola*). The *BKM* was supposed to act independently, as a partner of the *kelurahan*, or *gampong* government, coordinating the implementation of plans. Within this mandate its functions were executive, and partly consultative as well. Articles of association of *BKM*, for instance in Surakarta, did provide likewise. Reference is, also, made to the extended list of functions and duties of *BKM* as included in the articles of association.⁴³⁸

⁴³⁷ Sudarmo, Sugianto, Dwiyani, Guideline Implementation PNPM Urban 2012, Appendix 4 (Strategy to Ensure Equality and Gender Mainstreaming PNPM Urban 2012 – 2014).

⁴³⁸ AD LKM Keprabon Jaya, Sriwedari Mandiri, Surakarta §§ 21, 22 (1-16), 23, AD LKM Bangkit Kepatihan Kulon, Surakarta, §§ 8, 9,10.1 (a-p), 10.2.

Common view is that the *BKM* was adequately empowered to fulfil its functions and indeed had actual capacity to act. Observers state that *BKM* often had a strong position towards the *lurah*, or *keuchik*. Some *BKM* also effectively worked through consensus building. As one observer adds, 'the *PNPM* model is an example of what works, what may work, a start.' Whether *BKM* actually acted effectively in realising plans and arranging adequate resources differed. The practice has not been uniform. In most *kelurahan*, *BKM* would have been functioning well, in other places they would have been functioning less and problems would have occurred. In Banda Aceh, in most *gampong*, *BKM* still needed support of the *gampong* apparatus. In some *gampong*, though, *BKM* operated entirely by them selves.⁴³⁹

As mentioned above, *BKM* operated as parallel structures alongside *kelurahan* and *gampong* government. There is some discussion whether such structures weaken, or, at least, are not conducive to strengthening and further developing *kelurahan* and *gampong* governance. They may, in particular, initially, in the earlier phases of the *PNPM* program, have had this effect. Also, as is mentioned, *BKM* and the vested other community institutions, *LPMK*, or *tuha peuet*, were, in fact, competing structures. They did work on behalf of the same constituency. They all, *BKM*, *LPMK* or *tuha peuet*, did make plans for the development of the *kelurahan*. Those plans may have overlapped, or may have been inconsistent and even conflicting. In addition, they may partly have been competing for the same funds. Research indeed refers to competition between *kelurahan* government, *LPMK* and *BKM*. It, also, mentions inefficient overlaps in planning activities and plans, due to unsynchronised planning and a lack of coordination between the *kelurahan* institutions. According to other research, though, there would have been little overlap between the *PNPM Urban* program and local government (and *musrenbang*). There would have been little or no duplication of activities and priorities, and, at the same time, also little actual cooperation. The *PNPM Urban* program and local government would have been 'mutually exclusive domains'.⁴⁴⁰

In response, locally, community institutions, *LPMK* and *BKM*, and *kelurahan* government have started to better and more frequently working together, aligning and even integrating planning processes and the implementation of plans and processes, and pooling resources, both management and funds. In some cities, this alignment and integration was initiated by the municipal government, for instance in Surakarta. In other cities, community institutions in *kelurahan* themselves took the initiative, as, for instance, happened in one *kelurahan* in Malang. In this *kelurahan*, *BKM*, *LPMK*, *kelurahan* government, *RT* and *RW*, and other community organisations in the *kelurahan*, such as *PKK* and *karang taruna*, did closely work together to conceive and establish one, single plan that comprised all development issues, including poverty-related and general issues as well, that served as a basis for development planning in the *kelurahan* ('One ward, one plan'). The plan (community development plan, or *PJM*) was based on a community self-survey, and was discussed and established in *rembug warga*, and endorsed by all community institutions and leaders in the *kelurahan*. The plan subsequently served as the *kelurahan* strategic plan (*renstra kelurahan*) in *musrenbang*. Synergy was fostered by a joint vision concerning the development of the *kelurahan*, and a number of principles on good governance shared and safeguarded among all involved, and, furthermore, by regular coordination meetings, joint and mutual monitoring, and the sharing of community office and meeting facilities. These initiatives concur with the policies advocated in the Roadmap *PNPM* briefly discussed above in section 6 to better align and integrate processes and planning ('One village, One plan')⁴⁴¹

⁴³⁹ Tetanel.

⁴⁴⁰ WorldBank, Dwiyani (undated), Technical Report, Good Practices of Collaboration Between Institutions in Kelurahan Sukun, Malang, p. 1, Rand (2011), p. 42, 43, § 5.

⁴⁴¹ WorldBank, Dwiyani (undated), p. 3, 4, 7 – 11, Roadmap *PNPM* (2012).

Providing adequate resources

Funding was provided through the *PNPM Urban* program by government, private sources and community it selves. According to reports, the level of funding was quite generally seen as adequate in relation to project needs. Also, commonly, the size of block grants would have been adequate. Observers confirm that in Surakarta, by and large, funding was sufficient. Funding was related to the 3 years development plan (*PJM Pronankis*), with a break down in the annual plan (*rencana tahunan*). Hence, a budget ceiling was known beforehand. This allowed to set priorities. In larger *kelurahan*, though, funding sometimes would have been too tight. Overall, in Surakarta, the situation would have been quite satisfactory, as also private parties, such as local banks, partnered with *BKM*. In contrast, in Banda Aceh, funding was considered being too little. More would have been needed to substantially support poor in *gampong* and to actually alleviate poverty. Officials acknowledge that funding was less than actually may have been needed. The program, though, was designed to stimulate people to initiate activities, not to cover all costs.⁴⁴²

The program, also, provided facilitators and advisors. A widely shared concern relates to the functioning of facilitators. As appeared, the implementation of the program at community level heavily relied on facilitators. Facilitators, among others, were assigned to assist *BKM* and *KSM*, to do information meetings, or *sosialisasi*, and community outreach, to support project implementation, and to monitor, inspect and report. According to one report, '*Facilitators (...) can play a key role in the success of the program at the community level. They are on the front line and therefore can have enormous influence and impact on the program's effectiveness (...)*'. Observers consider the role of facilitators as indispensable, at least, in that phase. Observers and reports mention a number of challenges that have negatively impacted the functioning of facilitators. The workload of facilitators is considered having been high. This left only limited time for each *kelurahan*. As some state, facilitators did not have enough time to conduct their activities to a satisfactory standard. Observers mention also that, in Surakarta, in larger *kelurahan*, there were too little facilitators. The lack of capacity aggravated when additional projects were implemented, that were often on short term. In Banda Aceh, too, the number of facilitators would have been too low. Facilitators worked with a greater number of communities and groups than they could effectively handle. Also their continuity was problematic. There was a lot of change. Due to program rules, they frequently rotated. In addition, observers mention a lack of adequate training. According to one observer, their education should have been improved and more centralised, and, furthermore, facilitators should have worked more closely together with local NGO'S, that have local knowledge and are locally embedded. As observers state, on longer term, though, the need for facilitators may have become lower, as *BKM* and residents would have become gradually more capable in managing and implementing plans and projects by them selves, and would have become less dependent on their support.⁴⁴³

Improving responsibility

Enhancing responsiveness to actual needs

The program seems to have enhanced the responsiveness of local government and community institutions to actual needs of communities in *kelurahan* and *gampong*, particularly, in comparison to other structures, such as *musrenbang*, at least for communities as a whole. According to observers, the program has been successful in fulfilling, at least, part of the basic needs. This would be partly due to the process starting with needs identification. As one observer adds, '*Means are limited. There is much demand from people. So, some gampong are satisfied, other gampong less.*' As reports and observers state, *PNPM Urban* infrastructure programs seem to having been well received and considered having been beneficial to community, well chosen and targeted. Projects

⁴⁴² WorldBank (2012), p. 16, § 2.6, Rand (2011), p. 66, § 9.

⁴⁴³ WorldBank (2012), p. 12, § 2.3, Rand (2011), p. 45 – 49, § 6 A, 6 B.

seem better on average, or at least of similar quality. Community organisations are also perceived to have been working relatively well. The program is perceived as having met peoples' needs better than the *musrenbang* process, which is described as being politicised. Also, the process is considered as having been faster and more effective. A high percentage reported being satisfied with the program. On the other hand, respondents seldom cited the program as meeting the communities most pressing needs.^{444 445}

The program seems, also, having been quite successful in enhancing the responsiveness to the needs of women. Observers mention that program and plans tended to be more geared to women wants, also in comparison to *musrenbang*. This would not just concern 'women affairs', such as social programs. Also the planning and realisation of infrastructure, perceived to being a typical 'men affair', would have been better suited to specific women needs, which would not be obvious. This may ensue from a better participation of women in *PNPM*, and in *BKM* more specifically.^{446 447}

Over the last years, concern has been emerging, whether and up to what extent the program actually did meet the needs of the poor, and more in particular the very poor, and the informal sectors, as was its purpose. Awareness has been growing that the program may not have succeeded in doing so. As one observer stated, 'Does *PNPM* work for poor? According to *BPS* data 12,4 % are poor, that is less than at the start of *PNPM*. For the poorest, though, *PNPM* does not work.' As another observer added, referring to a recent study, 'Results of *PNPM* for the very poor are meager. It seems really hard to reach the poorest. Expectations regarding (the result of) participation in *PNPM* programs, also, appear to be low. The actual participation in a number of programs is limited. Remarkable is the low participation in the infrastructure program, which is widely considered as being successful.'⁴⁴⁸

Others are of the opinion that it may have been too early to know whether projects really benefitted the poor, and what the return actually was. This would not have been well measurable yet. Volatile and diverse as they are, as a category, poor in neighbourhoods in cities are difficult to delineate. Adequate, reliable data are hardly available. This would, especially, have applied to the *ND* program. The *ND* program only recently started. Also, as is stated, data may have been somewhat difficult to interpret. It is important to consider that people tend to prefer programs that provide direct individual benefits to them rather than public goods, such as infrastructure, where benefits are more diffuse even if they are significant. Reports, furthermore, mention that divergent views across sites and among respondents existed on what the needs of the poor actually are, and whether the program met those needs. Responses seem quite varied. A wide range of priorities was mentioned, showing little consensus among informants from particular *kelurahan* on what are the main needs of the poor in their communities. As one observer adds, this will, also, have been different from *kelurahan* to *kelurahan*.^{449 450}

⁴⁴⁴ Qurrahman, WorldBank (2012), p. 9, § 2.1, Rand (2011), p. 25, §§ 4, 4 D, p. 40, 42.

⁴⁴⁵ According to recent data, the satisfaction level of beneficiaries regarding improved services and local level governance would have been 86 %. WorldBank (2014).

⁴⁴⁶ Sudarmo, Sugianto.

⁴⁴⁷ An exemple that was mentioned in this context: Sidewalks, commonly, are nearly impassable for pregnant women, and even the stairs to *puskesmas*, as they are designed by men. Culture and tradition stand in the way of actually involving women in this, even in cities. Sudarmo, Sugianto.

⁴⁴⁸ Lestari, WorldBank (2012), p. 9, § 2.1, UGM / PSSAT - PSPK (2013).

⁴⁴⁹ WorldBank (2012), p. 10, § 2.1, Rand (2011), p. 36, 37, § 4 D.

⁴⁵⁰ In this context, observers mention some practical obstacles that prevented the program to actually reach the very poor residents, apart from other factors that prevent poor from participating that already have been mentioned above. Many of the bottom poor have no ID card. So, generally, they are not registered as a resident. Nor are they recorded as 'poor'. Many of them have no land, nor any other title. Many of them are just squatters. They, commonly, are not registered at all. The program, in its current form, does not extend to these categories. Also, if there is no title to the land or the building, approval is needed from the owner. In Surakarta, much land is owned by

Guidelines and instructions did provide for a number of mechanisms that aim to establish accountability of *BKM* and related entities, including *KSM* and *UP*, the implementation of the program and plans in the *kelurahan*, or *gampong*, and the management of funds by *BKM*, downward direct and upward direct and indirect as well.

The principal downward direct mechanism was the participatory monitoring, inspection and evaluation by the community it selves, as briefly described above in section 6. In the annual meeting, *rembug warga tahunan (RWT)*, the *rembug warga* had to evaluate and control the implementation of the program and plans and the management of funds by *BKM*, and its institutional performance. To this end, a community review team conducted a participatory review, the *tinjauan partisipatif (TP)*. The results were discussed in the annual meeting. In the meeting were also discussed the annual report of *BKM* and the report of the annual independent audit. In addition, guidelines provided for the establishment of a community complaints system. An independent dispute resolution mechanism was not expressly provided for. Furthermore, members of *BKM* could be recalled and replaced by the *rembug warga* as a result of the annual evaluation, and in between as well, though guidelines and instruction did not explicitly provide so.

Downward and upward mechanisms to establish accountability of the *BKM*, both direct and indirect, included monitoring and control by government and independent parties as well. Local government, facilitators and consultants working on behalf of the program had to monitor and inspect the implementation of the program. In addition, *BKM* and all its entities were audited annually by independent auditors. Apart from this, inspection was done by government inspectorates, local and national as well. In some municipalities, stricter regulations for control and auditing may have existed, and the municipal government may have been more actively involved in the management, control, auditing and evaluation of the local program.

As discussed above, *BKM*, government, facilitators and consultants had to report periodically. The *BKM* was obliged to issue monthly financial statements, quarterly and annual reports. *BKM* had, furthermore, actively to disseminate all relevant information. In addition, *BKM* had to facilitate inspection and monitoring by the community by providing acces and by disclosing information as requested.

The implementation varied locally. For instance, as observers state, reporting and account by *BKM* to the community at *rembug warga* may have been mostly verbal and not so much in writing. Also, information about decisions made at meetings would not always have been made available afterwards. However, as one report notes, even if meetings essentially only informed and updated the public on the program, this was appreciated and considered usefull. It is also felt that such meetings fostered reinforcing accountability. In Surakarta, articles of association of *BKM* did not provide in very much detail. Recently, about 70 % of *BKM* would have reported in conformity with the guidelines, monthly and quarterly. Reports would, commonly, have been disseminated on the information boards in the *kelurahan*. About 30 % of *BKM* would not have reported properly. These *BKM* would have received notice by the municipal coordinator (*KorKot PNPM*) to improve reporting and to report timely. Also, they would get additional capacity building. In Banda Aceh, *BKM* reported monthly to *KorKot PNPM* and the municipality. Reports would also have been made available to the public, being put 'on the wall' at the *gampong* office. In addition, *BKM* reported at the completion of a project. Facilitators assisted *BKM* in reporting in about 30 *gampong*. In the other 60 *gampong* *BKM* reported by them selves. According to observers,

the Sultan and his family, for instance, in the *keraton*. As a result, projects will not be on their behalf, individually, but will be community projects, for instance, toilets. Ardian, Fuad Jamil.

reporting to the local management team often merely would have been 'project administration' rather than substantial reporting, though.⁴⁵¹

As observers state, the monitoring, evaluation and auditing of the program and the implementation of plans by communities themselves started to work well. As intended at the start of the *PNPM* program, communities increasingly seemed to do monitoring and evaluation of *BKM* and its other entities, including the annual evaluation (*tinjauan partisipatif*), by themselves, and seemed to rely less on the support of facilitators and consultants. In Surakarta, recently, in about 60 % of *kelurahan* community would have performed the annual evaluation by itself, without the assistance of external consultants or facilitators. According to observers, this participatory auditing would have run quite well. In Banda Aceh, facilitators still assisted *gampong*. It was envisaged that most *gampong* would have been able to do the annual evaluation by themselves in a few years. At the same time, as one official noted, '*It is not easy to control your neighbour and call him to account*'.⁴⁵²

The recall mechanism seems to have functioned. As a result of the annual evaluation, members of *BKM* who did not function properly, were actually being dismissed and replaced. Local practices seem to have differed. Articles of association and bylaws of *BKM* in Surakarta provided for dismissal of members of *BKM*, in addition to the provisions with regard thereto in guidelines and instruction. In Surakarta, over the last years, only a few such cases occurred. Following complaints relating to alleged fraud and an investigation by the municipal auditor (*BPKP*), all members of *BKM* in a *kelurahan* have collectively been dismissed. In another occasion, following the annual evaluation, a coordinator of *BKM* who did not function very well has been replaced and a new board of *BKM* has been elected. Observers emphasise that as a result of the repeated monitoring and evaluation, and, if needed, assistance by external consultants, in Surakarta problems were few and failure remained limited. In Banda Aceh, following the annual evaluation, annually, about 10 to 20 members of *BKM* were being replaced on account of non- or malfunctioning, or as one observer worded, '*bad capacity*'. As observers mention, the different, local recall practices may be related to differences in culture.^{453 454}

The above downward and upward mechanisms in coherence appear to have been quite effective in establishing accountability. Reports mention that very few reports of complaints of misuse of funds were found. A purportedly low prevalence of corruption is reported. As mentioned earlier, the quality of projects is considered good, often even better than government projects, or equally as good as other projects, and, also, at lower costs. This is attributed to the participation, monitoring and oversight by the community. This would particularly have been the case in communities where residents were very involved in project planning and implementation, and '*projects are implemented by the people themselves*'. Community awareness is said to have been critical. Best practice would be to enable communities not only to generally follow the project development, but also to have specific knowledge of performance indicators and funds disbursed. Others emphasise the importance of the combination of official guidelines with community informal monitoring, and highlight the importance of cross monitoring between different bodies, and auditing, including unanticipated audits, and the support of external consultants. Also, mention is

⁴⁵¹ Rand (2011), p. 30, 32, § 4 B, AD LKM Keprabon Jaya, Surakarta, §§ 11.9, 30, Sriwedari Mandiri, Surakarta, §§ 11.2(b), 32, Bangkit Kepatihan Kulon, Surakarta, §§ 24.2(a), 30.

⁴⁵² Nurdin.

⁴⁵³ Qurrahman, AD BKM Keprabon Jaya, Surakarta, §§ 11.8, 19.6, AD LKM Sriwedari Mandiri, Surakarta, §§ 11.2(a), 19.6, ART LKM Bangkit Kepatihan Kulon, Surakarta, § 5.1, 2.

⁴⁵⁴ It should be noted that, in Surakarta, each year about 1 up to 3 members of each *BKM* resigned for other reasons, such as lack of time, too busy, etc. That is about 50 up to 150 members on a total of about 630, or 8 – 24 %. In Banda Aceh, yearly about 110 to 120 members of *BKM* on a total of about 800, on their own request, left *BKM* for these reasons. That is about 15 %. The notable efflux of members of *BKM* seems to be consistent with what earlier research found nation-wide. Apart from time restraints related to work and family, reports suggest a relation with the volunteer nature of the position, providing no honorarium or compensation for such a significant time commitment. Rand (2011), p. 31, § 4 B, WorldBank (2012), p. 9, § 2.1.

made of the widespread use of the *PNPM* Management and Information System (*MIS*) for monitoring purposes.⁴⁵⁵

Rembug warga

Creating participatory processes

Realising appropriate opportunity to participate

Reference is made to what is said above regards the participatory design of the *PNPM Urban* program. Within the program, according to the instructions, the citizen meeting, or *rembug warga*, was the supreme forum for participation in the *kelurahan*, or *gampong*. The *rembug warga*, among others, determined the program and plans and oversaw their implementation by the *BKM*. The *rembug warga* may be considered as having been a standing forum. At *kelurahan*, or *gampong* level, it had to be convened at least once a year, the annual meeting, *rembug warga tahunan (RWT)*, and whenever deemed necessary. As a forum, the *rembug warga* offered the community in the *kelurahan* and *gampong* ample opportunities to substantially participate in planning, budgeting and control through the delegates it had elected. *Rembug* at *RT* (or: *RW*) and *jurong* level offered the community opportunities to participate directly. At least, *rembug warga* had this potential.⁴⁵⁶

This is how *rembug warga* actually appear to have functioned, as one report adds, ‘at least nominally’. Decisions seem to have been made by the delegated community representatives and members of *BKM* and *KSM* (‘officials’) as well as by local and community leaders. Local leaders, such as heads of *RT* and *RW*, or *jurong* and *lurah*, or *keuchik*, and informal community leaders, for instance religious leaders and the head of the women’s group, seem to strongly have influenced and even dominated deliberations and decision-making. Residents seem to have participated indirectly. Members of *BKM* and *KSM* and, also, heads of *RT* and *RW*, or *jurong*, functioned as an intermediary. As one report describes the process as it actually happened, ‘Notably, where suggestions for projects were reported to originate from the community, these are usually sent to the *BKM* via the *RT* leader. When households did participate, it was usually done through the existing local representative, typically including *BKM* and *KSM* members, *RT* and *RW* leaders and the head of the women’s group. One respondent explained ‘The community gives their opinion to the *pak RT* (*RT* leader) and he in turn takes it to the *PNPM Urban* meeting.’ As another report found, ‘Most community participation appears to occur at the level of the heads of *RT* (...) who convene smaller community meetings to generate inputs to the planning processes (...). This process was very difficult to get more detail on, or to get a feel for how inclusive this process is.’ As one report summarises, in general decision-making in the *PNPM Urban* program, participation was highly dependent on the existing capacity and incentives of local actors in spite of the formal procedures.⁴⁵⁷

Other observers concur, at the same time nuancing the above. They mention that at the start of a cycle, in *rembug warga*, or *duek pakat* as they are also named in Aceh, leaders and consultants may have been more dominant, providing guidance to the community. In later stages, delegates of *RT*, *RW* or *jurong*, would have become more leading in the process in determining the program and plans, *RT*, or *jurong*, pursuing and competing to

⁴⁵⁵ WorldBank (2012), p. 13, § 2.4, p. 14, § 2.5, Rand (2011), p. 70, § 7, p. 51, 53, 8 C, p. 61, § 8 D, p. 64, § 9 B, p. 81, §10.

⁴⁵⁶ See foot note above in section 6 regards the understanding of *rembug warga* as the complex of citizen (or: community) meetings at *kelurahan* and *gampong*, *RT / RW* and *jurong* level that result in final deliberation and decision-making regards the implementation of the program and plans in the *kelurahan*.

⁴⁵⁷ Rand (2011), p. 29, 30, 33, § 4 B, p. 38, § 4 D, p. 77, § 10, Summary, WorldBank, Schuler and Dwiyanani (2012), p. 21.

get 'their' projects prioritised. In Surakarta, articles of association of *BKM*, though, seem to have institutionalised a potentially dominant role of members of *BKM* and other officials in *rembug warga* and other deliberation with residents in *kelurahan* and at *RT* level as well. Also, the opportunities to residents to engage at *RT* level seem to have been more limited compared to what the guidelines and instruction envisaged.⁴⁵⁸

Direct participation by individual residents in deliberation and decision-making seems to have been low. Also, community members that were most likely to be affected seem not to have been involved. As reports mention, community members were said to have been able to use meetings to propose projects and discuss their needs. However, the feeling was that the purpose of the meetings often was to present plans and projects already defined and decided upon by community leaders, *lurah* and heads of *RT* and *RW* in advance of the process, not to engage residents in decision-making on them. According to an observer, 'participation is too much an instrument for mobilisation, and too little used for actual participation'. As one report observes, 'In many cases, there appears to be a genuine challenge effectively soliciting meaningful participation from the community (particularly from the poor) throughout the planning process – resulting in a disproportionate bias towards the interests of community leaders.' According to another report, 'The (...) finding that participation takes place via delegation to representatives who are supported by, or themselves are members of local elites is itself not necessarily a poor outcome. However, worryingly, as previous authors have stressed, this may open the door to elite control, although the extent to which elite capture is actually a problem is difficult to assess (...).'

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Equal opportunity to participate for all, as equals

Guidelines and instructions contained a number of provisions that aim to ensure equal opportunity to all residents to participate, as equals, in deliberations and decision-making. The basic principles (*prinsip dasar*) stipulated, among others, that men and women have an equal role, and that all decisions should be made in deliberation and consensus. Furthermore, in their capacity of *peserta aktif*, community delegates in *rembug warga* were entitled to vote. This seems to imply that all delegates were equally entitled to fully participate in meetings, to speak, to take part in discussions and in decision-making, and, also, to demand that issues be put on the agenda. Guidelines and instruction did not provide for express rules that aim to ensure the due process and fair course of discussion and decision-making, though. Similar applies to residents, officials and others that attend community meetings. It is understood that they were entitled to speak and to take part in discussions. As *peserta pasif*, they were not entitled to vote, or to demand themselves that issues be put on the agenda. However, as ensues from what is discussed above, they had the right to be consulted regarding issues that affect them. Facilitators and the organising committee had to promote and ensure the actual equal opportunity to participate.

As described above, deliberation and decision-making in *rembug* appear to have been dominated by community leaders, heads of *RT* and *RW*, or *jurong*, *lurah*, or *keuchik*, and members of *BKM* and *KSM*. Local officials and leaders, who, according to guidelines and instructions, as *peserta pasif* were not entitled to vote in *rembug warga* in *kelurahan* or *gampong*, and by analogy neither in other citizen meetings, seem to have actually controlled decision-making, other than envisaged and provided for, overriding community delegates, who as *peserta aktif* were presumed to have the sole right to vote in *rembug warga*, and

⁴⁵⁸ AD LKM Keprabon Jaya, Surakarta, §§ 11.1, 2, 5 (b), 7 – 11, 13.5, AD LKM Sriwedari Mandiri, Surakarta, §§ 11.1, 2 (a - d), 13, AD LKM Bangkit Kepatihan Kulon, Surakarta, §§ 24.2 (a - c), 26.1.

⁴⁵⁹ Tetanel, Rand (2011), p. 30, 31, 33, § 4 B, p. 77, § 10, Summary, WorldBank, Schuler and Dwiyani (2012), p. 3, 4, 16, 17, 20 - 22, UGM / PSSAT - PSPK (2013).

⁴⁶⁰ Participation may have been more difficult, in particular in ND, since projects may have been too complex, too technical in nature. Also, in ND, a smaller number of residents may have perceived direct impact by the projects, as the scheme was dedicated to the poorer neighbourhoods only. In addition, there may have been time and facilitation constraints too. WorldBank (2012), p. 16, 17, § 2.6.

residents who attended. Actually, deliberation and decision-making in *rembug warga*, in particular, in *kelurahan* or *gampong*, seem to have developed into a somewhat guided process. Meetings appear to have been duly prepared. The organising committee processed the outcome of the review and prepared and ranked the ensuing proposals, as one observer phrased, '*opsi opsi*', in order to structure deliberation and decision-making. According to another observer, other, alternative proposals may have been discussed too, and in most *kelurahan* the discussion would have been open. Elite control would have decreased. At the start of the *PNPM Urban* program, elites determined projects. Recently, in Surakarta, in only '*about 20 %*' of *kelurahan*, elites would still have dominated meetings. Facilitators would have prevented discussions to be dominated by any of the participants. Nevertheless, participants, in particular those who were not involved in the preparation, may have perceived decisions to be pre-mediated. As one report cites, '*Some respondents expressed (...) that the process was not, in their view, truly participatory. One respondent (...) because their opinion was not respected, while another stated that meetings were a waste of time because 'higher folk' would not accept proposals in the interest of the 'common folk.'*' Others reported '*that they felt their voices weren't heard and thus didn't bother to participate.*'^{461 462}

Furthermore, similar to *BKM*, male participants seem to have dominated *rembug warga*. Most participants, residents, community leaders and officials as well, were men. Also, as already appeared, this still is a cultural, societal given. However, as observers mention, in the *PNPM Urban* program women seem to have been more active, and women delegates in *rembug warga* in *kelurahan* are said to have been treated more equal, than for instance, in *musrenbang*. In this context, it is mentioned that the *prinsip dasar* were actively disseminated at the start of the program, so that '*people know*'. Also, facilitators and volunteers who ran the program would have been trained to promote the engagement of women in meetings and to foster their equal position. This would have differed from *kelurahan* to *kelurahan*, though. Even in educated, advanced neighbourhoods, women may still not have been treated as equal. As one observer worded, '*Men and women sit bit separately. Men talk, women only when asked*'. Or, as another said, '*Ibu ibu, bapa bapa*'. This would, also, apply to younger, educated participants, at least in, what may be called, '*location-based*' meetings, such as neighbourhood meetings. In '*interest based*' meetings, women, in particular, educated women, would have been treated more equal. In neighbourhood meetings they would still have been seen as '*wife, as second*'.⁴⁶³

In addition, the rather formal, procedural setting of community meetings, such as *rembug warga*, may not have promoted and even have impeded participation as equals. As one report cites, '*Formal meetings (Rembug) are bad for this – It embarrasses people, they are afraid. If you go and talk to people informally then you understand what the conditions (are). Informal meetings are much more effective for learning problems.*' As observers comment, facilitators indeed fulfilled a critical role in this.⁴⁶⁴

Promoting openness

Establishing easy access, proximity

Rembug warga in *kelurahan* and *gampong*, and other *rembug*, were proximate forums for participation by residents in *kelurahan* and *gampong*, *RT*, *RW* and *jurong*. Also, residents

⁴⁶¹ Ardian, Rand (2011), p. 32, § 4 B.

⁴⁶² In Surakarta, members of *BKM* seem to have had a right to vote in *rembug warga kelurahan*, along delegates *RT / RW*. AD LKM Keprabon Jaya §§ 11.5 (b), 13.5, AD LKM Sriwedari Mandiri § 13.5, AD LKM Bangkit Kepatihan Kulon § 26.1

⁴⁶³ Ardian, Dwiyani, WorldBank (2012), p. 10, § 2.1, Rand (2011), p. 33, § 4C.

⁴⁶⁴ Rand (2011), p. 39, 4 D.

are likely to have had easy access to the delegates to the *rembug warga* who acted as their representatives, or may have attended *rembug* themselves. However, similar as appeared concerning members of *BKM*, delegates may not have been known that well in that capacity by residents in their *RT*, *RW* or *jurong*.

Realising forums open to all

Pursuant to guidelines and instruction, *rembug warga* in *kelurahan* and *gampong* were open to all residents who wished to attend, delegates and interested residents as well, and also local and community leaders and others, including media. Also, *rembug* in *RT*, *RW* and *jurong* were intended to be open to all residents, local and community leaders, and others.

As appears, besides delegates, leaders, officials and invited volunteers, only few residents, though, came to meetings in *kelurahan* and *gampong*. The attendance of meetings in *RT*, *RW* and *jurong* is perceived to having been better. Quite often, though, not all residents or households were invited to meetings, or, meetings were poorly notified. According to one report, residents who did not attend meetings said *'they did not attend because they did not wish to (...), but because they were not invited'*, adding that those who indicated that they had personally been invited to a meeting, by the head of *RT* for example, said they would certainly attend. This is supported by other, more recent research. Observers confirm that not all residents were invited to attend *rembug warga* in *RT*. For instance, in Surakarta, in contrast to what articles of association of *BKM* stipulated, only leaders, heads of *RT*, *RW*, and community organisations, and representatives of women (*PKK*) and poor were invited. To comply with the requirements regarding the quorum, the number of residents that had to be present at the meeting, additionally just about the needed number of households would have been invited. Constraints in facilities and means would have forced to so. As one observer says, *'When you invite people, they have to sit and eat well'*. Also, for this reason, more and more *rembug warga* in *RT* would have been combined with regular *musyawarah RT*. In contrast, in Banda Aceh, all households would actually have been invited to *rembug* in *jurong*. To cope with restraints in facilities, several, consecutive meetings were held. About 60 % of households would have attended. Convening multiple, consecutive meetings so that all adult residents got the opportunity to attend would have been a more common practice in other cities, too. Also, elsewhere, *rembug* in *RT* would increasingly have been combined with regular *musyawarah RT*.⁴⁶⁵

In many places, meetings appear actually not to have been open to women, apart from invited representatives of women organisations, as mentioned above. As reports document, often, women were not invited and did not attend. Often, only male heads of household were invited, or as one report adds, when household invitations are received, they are assumed to be for the male heads of household. Furthermore, female-headed households reported not having been invited. Women tend to have participated only as substitutes for their husbands when the latter could not do so. In addition, meetings were commonly held at evening time. This prevented many women to attend because of their obligations to take care for their family at that time, and social conventions as well. As one report finds, *'The perspective often given by community members suggests that the PNPM Urban elected leaderships and other elites can also be exclusionary. Participation in meetings reflects pre-selection by the BKM and / or often RT heads, RW heads and other community leaders.'*⁴⁶⁶

Information allowing to participate

Guidelines and instructions promoted that residents and others who would like to participate would attain the information that would enable them to actually participate, in all phases of the program and the implementation of plans. Reference is made to what is discussed above in section 6. As said, the actual dissemination of information differed locally. As

⁴⁶⁵ Ardian, Rand (2011), p. 32, § 4 B, UGM / PSSAT - PSPK (2013), AD LKM Keprabon Jaya, Surakarta, § 11.3, AD LKM Sriwedari Mandiri, Surakarta, § 12.1.

⁴⁶⁶ Rand (2011), p. 33, 35, 36, § 4 C, p. 77, § 10, WorldBank (2012), p. 10, § 2.1, UGM / PSSAT - PSPK (2013).

appears, part of the information, still limited in content, was made public through the information boards at *kelurahan* and *gampong* offices and other places. Another part was only disseminated at meetings. As ensues from what is said in the above, there may be some doubt whether the dissemination of information actually has been as adequate as aimed for. Indeed, as a report states, at community level, there seems to have been a relatively low understanding of the program and this would have been particularly acute for the poor. Research, also, shows that dissemination failed to actually reach major parts of the community.⁴⁶⁷

Ensuring 'We' are represented

Representative composition of forums for participation

At *RT* and *jurong* level, representation in *rembug warga* was direct. At *RW* and *kelurahan* and *gampong* level, representation in *rembug warga* was indirect, through elected representatives. This is appropriate considering their respective functions and scale. *Rembug warga* at *kelurahan* and *gampong* level consisted of delegates of the *RT* (or: *RW*) in the *kelurahan*, or *jurong* in the *gampong* respectively. Commonly, about 2 or 3 delegates from each *RT* (or: *RW*), or *jurong* would attend. As guidelines and instructions did provide, all adult citizens in *RT* and *jurong*, both men and women, were eligible as a delegate. All adult citizens in *RT* and *jurong* had the right to elect. In addition, other residents who would like to attend *rembug* were allowed to do so. Also local and community leaders, members of *BKM* and *KSM*, facilitators and consultants, and volunteers were allowed to attend *rembug*. Reference is made to what is said above. *Rembug* at *RT* and *jurong* level consisted of all adult residents in the *RT* and *jurong* who wished to attend. The head of *RT* or *jurong*, other officials, and community leaders in the area, and facilitators were also allowed to attend. The institutional design allowed for and may even have promoted a representative composition of *rembug* at *kelurahan* and *gampong* level and *RT* and *jurong* level as well.

Locally, representation may have deviated from what the guidelines proposed. For instance, in Surakarta, *rembug warga RT*, *RW* and *kelurahan* seem, partly, to have been composed differently. In the first year of a cycle, *rembug warga* at the different levels were composed moreless in conformity with the guidelines. Other than provided in the guidelines, though, *rembug warga kelurahan* that had to discuss and determine plans (other than to elect members of *BKM*) were attended by leaders only, heads of *RT* and *RW*, current *BKM*, *KSM*, representatives of community organisations, including representatives of women organisations and poor, volunteers and consultants. Delegates of *RT* or *RW* were not invited to attend. Likewise, in the second and third year, other than the guidelines provided, *rembug kelurahan* were attended by leaders only. In similar fashion, to *rembug warga RT* and *RW* only leaders were invited. The head of *RT* was tasked to keep residents abreast. This practice, too, deviates from what articles of association of *BKM* did provide. As observers explain, the above has been unwritten '*standing practice*' in Surakarta as from the start of the *PNPM Urban* program. To their opinion it worked better this way and was better to manage with little staff, being more integrated with *musrenbang* and other existing structures. Common feeling seems to be that it was not well feasible indeed to have '*everyone*' to attend meetings. This would, primarily, have been due to limited facilities. For this reason, also, at *RT* level, often only officials and leaders were invited who were deemed to represent the community, and, also, to be representative of the community, such as heads of *RT* and *RW* and leaders of community organisations. It was considered belonging to their task to communicate with the community. Problem is, though, that this was often not done properly.⁴⁶⁸

⁴⁶⁷ WorldBank (2012), p. 9, § 2.1, UGM / PSSAT - PSPK (2013).

⁴⁶⁸ Ardian, Sudarmo, Dwiyani, Dewayanti, AD LKM Keprabon Jaya, Surakarta, §§ 11.3, 5(a), AD LKM Sriwedari Mandiri, Surakarta, §§ 12.1, 2, AD LKM Bangkit Kepatihan Kulon, Surakarta §§ 24.1.

Overall, nation-wide the participation of residents appears to have been low. This negatively affected the representativeness of these forums. Reports demonstrate that less than or about 20 % of the residents in *kelurahan* attended meetings, participating in deliberation and decision-making concerning plans and their implementation, or did vote to elect delegates to *rembug* and / or members of *BKM*. According to other, less recent data and sources, about 40 % of the adult residents in *kelurahan* would have been engaged in decision-making and voting. Also, participation seemed hard to sustain over time, in particular, in the further course of the program cycle, due to fatigue, work or family obligations. As one report observes, particularly in urban areas, the opportunity costs of participation were high. Participation in meetings also varied depending on the subject of the meeting. As reports state, participation appears to have been better in *kelurahan* and *RT* where education was relatively high, communities had previous experience with community mobilisation, or the local culture and conditions were conducive to participation and mobilisation. Participation seems also to have been better in communities where substantial efforts aimed at dissemination and outreach to encourage participation within the community were made, for instance by *BKM*.^{469 470}

Also as a result of the low participation of residents in meetings in *kelurahan* and *gampong*, *RT* and *jurong*, as discussed above, meetings, often, were dominated by officials, community leaders, and invited elite, 'prominent people'. This reduced the representativeness of *rembug* as forums for participation. Furthermore, women and poor seem to have been underrepresented in meetings. Representation of women in Surakarta would have been better, though, at least in the first year of a cycle. On average, women would recently have made out about 40 % of the delegates *RT / RW* to the annual *rembug warga* in *kelurahan*. In some *kelurahan* this would have been about 80 %, in other this would just have been about 20 %. The quota that was aimed for was 30 %. Besides, women would mostly have been active in the early phase, being engaged in mapping and poverty assessment. Thereafter, their active participation would have declined. In Banda Aceh, over the last years, the representation of women in the annual *rembug warga* in *gampong* has been increasing considerably, from between 25 and 30 % to about 40 % most recently. In one *gampong* this would even have been near 90 %, as the men, fishermen, were on sea. Also, representation of poor in both Surakarta and Banda Aceh would have been better than average and gradually have been increasing. In both cities, middle class residents may have been best represented, or even over-represented, at the same time, the *PNPM Urban* program seems to have been quite successful in engaging under-represented groups, including poor residents, attending *rembug warga* in *RT* and *jurong*. Similarly, in these cities, comparatively, younger residents seem also have been better represented, participating more actively.^{471 472}

Representation of interest groups and others that have interest

Guidelines and instruction did not provide for representation in *rembug warga* in *kelurahan* and *gampong*, and *RT*, *RW* and *jurong* of interest groups and others who have interest, such as non-resident businesses that operate in the area. As discussed above, the participation of these groups as such was not sought.

⁴⁶⁹ Rand (2011), p. 32, § 4 B, p. 38, 39, § 4 D, p. 68, § 9 B, p. 89, Annex 1, Table A1, p. 94, Annex 2, Illustrative MIS Analysis, WorldBank (2012), p. 9, 10, § 2.1.

⁴⁷⁰ Actual participation in the *PNPM* program in selected cities and districts: Cluster 3 (Infrastructure): 41 %, cluster 2 (Economic development): 63 %. UGM / PSSAT - PSPK (2013).

⁴⁷¹ According to recent data, nation-wide the participation rate of women in planning and decision-making meetings would have been 43 %. Participation rate of poorest and vulnerable community members in planning and decision-making meetings would have been 34 %. These figures contrast with findings in earlier reports and seem flattered. See, for instance, Rand (2011), p. 33 – 36, p. 89, Table A1, p. 94, Annex 2, WorldBank (2014).

⁴⁷² Reports on the Aceh post tsunami reconstruction project mention comparable figures regarding the participation of women in community meetings, hearings and the like. This would have been about 26 % on average (rural and urban). (BRR (2009b), p. 6.35, Table 6.18).

The program actively promoted the participation of women. It aimed to have at least 30 % female representation in meetings and committees. Locally, separate meetings for women were held. Mandatory affirmative measures were not provided for. These efforts seem gradually to have resulted in an increasing participation of women. Nevertheless, their participation was found still to be low. As discussed above, on average, women were still under-represented in *rembug*. Their attendance varied. As cited, women may have been nearly absent in meetings, not being invited or attending to their family roles, due to social norms, or limited outreach to women. In other places, as observers mention, women attendance may have been satisfactory, or, dependent on the subject of the meeting, even high. Also, convening meetings in the daytime appears to have increased women attendance. In Banda Aceh, for example, meetings held during the day, seem to have been well, even mainly, attended by women, whereas meetings at evening were primarily attended by men. As discussed above, the representation of women appears generally to have been better in areas where women volunteers, often elite women, already participated, and in areas with an educated and socio-economical stronger and less traditional population. In areas with a lower educated, poorer and more traditional population women participation was often less. As said, it appeared to be difficult to overcome locally deeply ingrained traditions and patterns. As one report emphasises, *'fostering participation for marginalised groups where the marginalisation is perpetrated by the communities them selves (groups such as women, recent migrants (...)) is a problem inherent to all CDD programs. (...) PNPM Urban relies on pre-existing structures for community mobilisation, especially at the sub-kelurahan level (RT / RW). As a result, community members who are marginalised from discussions prior to PNPM Urban may also be excluded during PNPM Urban decision-making processes, including women.'*⁴⁷³

Also, as appears from the above, notwithstanding policies to actively promote the participation and inclusion of poor residents, in general, the participation of poor seems to have been limited. Poor seem to have been underrepresented in meetings. The inclusion of vulnerable groups and poor depended very much on the efforts of facilitators. Dissemination efforts seem to have failed in actually engaging, in particular, the very poor. As cited above, socio-economic and institutional barriers for participation for poor seemed too high to overcome easily. As one report quotes respondents, the poor have immediate needs and these needs usually outweigh longer-term issues. According to another report, local and community leaders feel that *'poorer segments of community can be difficult to engage and exhibit entrenched 'slumlike' behaviour.'* One observer said *'The very poor have no capacities (to substantively participate)'*, adding that diversity is an important factor, and circumstances differ, regionally, culturally, and in context. Observers agree that a more active approach of poor groups is wanted. Such an approach has been developed as a part of the *ND* program.⁴⁷⁴

Optimising Empowerment

Creating capacity to act

Within the program, as guidelines and instruction did provide, the *rembug warga* was the supreme forum of community in *kelurahan*. In short, in the consecutive phases of the program cycle, its functions and powers were to determine the program and plans in the *kelurahan*, or *gampong*, to monitor, evaluate and control their implementation and the

⁴⁷³ WorldBank (2012), p. 10, § 2.1, Rand (2011), p. 33, § 4 C, p. 40, § 4 D, p. 94, Annex 2, Illustrative MIS Analysis.

⁴⁷⁴ Lestari, Rand (2011), p. 36, § 4 C, p. 94, Annex 2, Illustrative MIS Analysis, WorldBank, Schuler and Dwiyani (2012), p. 5.

disbursement of funds by *BKM*. The *rembug warga*, furthermore elected and recalled members of *BKM*. Its decisions were binding and had to be implemented by *BKM*.

The functions of the *rembug warga* in *kelurahan* and *gampong* were decision-making within the mandate, and consultative as well. *Rembug* in *RT / RW* and *jurong* had functions that may be qualified being predominantly consultative and supportive in nature. With these functions and related powers, the *rembug warga* may be considered as having been well empowered and having had the capacity to act according to its purpose. The actual functioning, though, strongly depended on the capacity of the delegates who represented the community, and other participants, and the support provided by facilitators and local government as well. As discussed above, this varied locally, and was, also, dependent on the way *rembug warga* at the different levels were actually implemented.

Providing adequate resources

The funding of activities within the program and by communities them selves is commonly considered to having been adequate. Reference is made to what is said above. However, as discussed, the view is widely shared that the availability and capacity of facilitators has been too limited. This actually seems to seriously have constrained the capacity to act of *rembug warga* and their actual functioning, and pursuant to this, the effectiveness of the program. As appears, this partly has been compensated by the assistance and apparent increasing engagement of local government, *lurah*, *keuchik*, and heads of *RT*, *RW* and *jurong*, in the process and the implementation of the program and plans in *kelurahan* and *gampong*, *RT* and *jurong*.

Improving responsibility

Enhancing responsiveness to actual needs

As discussed, the program and, also, its institutional design seem to have enhanced the responsiveness of local government and community institutions to the actual needs of communities in *kelurahan* and *gampong*. *Rembug warga* in *kelurahan* and *gampong*, *RT*, *RW* and *jurong* have been instrumental mechanisms. However, as noted, some concern has been emerging, whether and up to what extent the program actually met the needs of poor residents, and, in particular, the very poor. Reference is made to what is discussed above.

Establishing accountability

As described above, the participatory monitoring, inspection and evaluation by the community it selves were the principal downward direct mechanisms to establish accountability. The *rembug warga* had to evaluate and control the implementation of the program and plans in the *kelurahan* and *gampong* and the management of funds by *BKM* and related entities, and its institutional performance. *BKM* had to render account to the *rembug warga*. The *BKM* was obliged to report monthly, quarterly and annually. *BKM* had, furthermore, to disseminate all relevant information. In addition, *BKM* had to facilitate inspection and monitoring by the community by providing access and by disclosing information as requested. On behalf of the *rembug warga*, annually, a community review team conducted a participatory review, the *tinjauan partisipatif (TP)*, and an independent auditor had to audit the *BKM*. In its annual meeting (*RWT*), the *rembug warga* discussed the review, audit and annual report. In addition, the *rembug warga* had the right to recall and replace members of the *BKM* as a result of the evaluation. The implementation of the above mechanisms varied locally, as discussed above. As observers mention, the participatory monitoring and evaluation started to function well. Increasingly, communities in *kelurahan* and *gampong* did do it by them selves. In coherence with the other mechanisms that were part of the program, they appeared to be quite effective in establishing accountability.

10. FINDINGS

Introduction

Legislation on participation and its implementation

As discussed in section 3, following the *'reformasi'*, and the subsequent decentralisation of the Indonesian administration, the government enacted a series of laws and regulations on regional administration.

Over the following decade, municipalities have adopted and implemented municipal regulations and arrangements concerning their administration and municipal development planning, including regulations and arrangements on the administration of wards and neighbourhoods and their development, conforming to the legal and institutional framework as laid down in national legislation. These regulations, also, include arrangements on community participation. These arrangements, in particular, relate to the annual development planning cycle, *musrenbang*. Since, cities have been in the process of gradually further developing and improving these arrangements, learning by doing, and sharing best practices with each other and the national government. A number of cities has been more in the forefront, some leading by example, others followed.

Fall 2014 a new law on regional administration has been enacted. Essentially maintaining the concept of decentralisation adopted earlier, the law re-defines and re-delineates the distribution of authority concerning administration affairs between the government and regional governments, and, also, between municipalities, sub-districts and wards. The law is yet to be implemented by the government and local governments. In addition, the government is considering further policy initiatives to further institutionalise and promote citizen participation in all domains of administration, including policy-making, legislation, development planning, and their implementation, pursuant to the priorities listed in *NawaCita*, the Presidential nine priorities agenda.⁴⁷⁵

In sections 4 and 5, we presented an overview of the legal and institutional arrangements as have been adopted and continue to develop today in Surakarta and Banda Aceh. Surakarta has widely been saluted for its efforts to embed community and citizen participation in urban governance. Under the special autonomy arrangements for Aceh, Banda Aceh is rebuilding traditional, indigenous structures for local governance and participation in *gampong*, that offer promising inroads to promoting participation of community and citizens in the administration of their wards and neighbourhoods.

Though definitely distinct in context, together, these cities offer a sample that may be seen as representative for the legal and institutional framework for community and citizen participation in urban governance in Indonesia and, also, for its diversity and dynamics.

As we saw, in Surakarta and Banda Aceh, a range of distinct arrangements has been adopted for community and citizen participation at ward and neighbourhood level in the general, day-to-day urban administration, and development planning (*musrenbang*) respectively. These arrangements are still further evolving. In addition, as discussed in section 6, other, parallel participatory programs have been initiated, such as the *PNPM Urban* program that was part of the National Program for Community Empowerment (*PNPM Mandiri*). The *PNPM Urban* program has been phased out by April 2015. The government

⁴⁷⁵ NawaCita (2014).

has launched a new program, *P2KKP Urban*. Under the new program, the institutional design and arrangements for participation will not substantially change, at least for the time being.

Whether the changes that may ensue from the new law on regional administration will substantially affect local arrangements on the governance of wards and neighbourhoods and the participation of citizens is yet too early to tell.

Assessment

In sections 7 and 8 we assessed the current regulations and arrangements in Surakarta and Banda Aceh, and in section 9 we assessed the arrangements that were part of the *PNPM Urban* program. To this end, we applied the analytical framework developed in section 2. Five sets of organising principles for participation and engagement, mutually correlating and partly overlapping were considered:

Participatory. Do legislation and institutional arrangements create participatory processes? Do they create and realise equal opportunities to participate for all, as equals?

Open. Do these arrangements promote openness? Do they establish easy access and proximity? Does information allow citizens and community to participate?

'We'. Do these arrangements ensure representativeness? Do they promote citizens and community ('We') to be adequately represented?

Empowered. Do these arrangements optimise empowerment? Do they establish capacity to act as centres of self-government?

Responsible. Do these arrangements improve responsibility and do they foster responsiveness and accountability?

It was found that legislation and arrangements as have been evolving over the past decade do not, or do not yet, generate participation and engagement as aimed for. Initially, promising developments have been reported. In more recent discussions, though, mention is made of dissatisfying outcomes and a decreasing participation. A commonly shared feeling seems to be that in Indonesia, current legislation and supporting policies do not, or, at least not yet, adequately promote and sustain participation and engagement, and fail to actually remove barriers for participation and engagement. Local governments seem duly aware of this, and over the last years, jointly with civil society groups, have undertaken efforts to further develop and improve mechanisms for participation, making mechanisms more participatory, better empowered and more effective.

Forums for participation

As demonstrated in the preceding sections, in Indonesia, an intricate, multi-tiered arrangement of forums and processes for participation in local governance at grassroots in cities has come into being. This structure is unique and valuable.

These forums partly root in traditional, indigenous community institutions. Their functioning still strongly relies on customary concepts of community self-organisation, *swadaya masyarakat*, and mutual cooperation, *gotong royong*, and they are relatively small-scale in nature. These forums have gradually been developed further, and have over time become embedded in a more contemporary governance structure to better accommodate the demands of today's local urban administration. Also, other elements and processes have been added.

As set out in sections 3 and 4, in most parts of Indonesia, in wards, the main forums for participation of residents in the general, day-to-day administration of the ward are the *kelurahan* community empowerment institution (*LPMK*), and, to a lesser extent, the *kelurahan* community meeting (*musyawarah kelurahan*). In Aceh, the main forums consist of the *gampong* representative council (*tuha peuet gampong*), and the *gampong* community meeting (*musyawarah gampong*). Reference is made to what is said in section 5. In neighbourhoods, the neighbourhood association (*rukun tetangga*, or *RT*) and neighbourhood community meeting (*musyawarah RT*) and, to a lesser extent, the citizen association (*rukun warga*, or *RW*) and meeting (*musyawarah RW*), and in Aceh, the *jurong* and the *jurong* community meeting (*musyawarah jurong*), serve as main forums for participation. In addition, or alternatively, a range of other ward and neighbourhood community organisations exist, that, also, offer opportunities for engagement of residents, such as the family empowerment and welfare organisations (*PKK*) and youth organisations (*karang taruna*).

At ward level, main forum in the annual municipal development planning cycle (*musrenbang*) is the ward development planning meeting (*musrenbang kelurahan*, in Aceh *musrenbang gampong*), and in neighbourhoods, the neighbourhood community meeting (*musyawarah RW*, *RT*, and in Aceh, *musyawarah jurong* or *dusun*). In addition, recently, in Surakarta a new forum for participation in development planning has been introduced, the community strategic plan development planning meeting (*musrenbang rencana strategis masyarakat*).

Within the former *PNPM Urban* program, as set out in section 6, the most relevant forums for participation in the management of the program in wards were the community self-organisation council (*BKM*) and the citizen meeting (*rembug warga*).

Furthermore, accidentally, both at ward and neighbourhood level, hearings and information meetings are held with regard to, for instance, spatial planning. These meetings, increasingly, seem to offer residents a forum to participate in the preparation of spatial plans and their implementation in their ward or neighbourhood. It is envisaged to make spatial planning part of the municipal development planning cycle. Actually, spatial planning as such is not, at least, not yet, integrated in *musrenbang*, though.

At the sub-district level (*kecamatan*), no standing forums for participation in the administration of the area do exist, other than as part of the development planning cycle, the *kecamatan* development planning meeting (*musrenbang kecamatan*). This forum has a merely coordinating function.

One may question, whether, seen from a viewpoint of governance and participation as well, the current multitude of forums and processes at ward and neighbourhood level is an optimal situation. One may argue that, at present, there are just too many forums and processes at this level, whose functions, as discussed in the above sections, partly overlap and seem not that clearly delineated. In addition, creating novel, parallel structures beyond local, ward government, such as, for instance, were part of the *PNPM Urban* program, is generally seen as to weaken, or, at least, not being conducive to strengthening and further developing this government. The *PNPM Urban* program initially, in its earlier phases, purposely sidelining ward administration, may have had this effect. At the same time, as was also one of its goals, the program has contributed to the development of governance at ward and neighbourhood level by opening up new spaces for more substantial participation, more successfully engaging members of community, other than leaders and elite, and effectively empowering ward and neighbourhood communities. Meanwhile, it is widely recognised that simplification, alignment and integration of these forums and processes are desirable. Alignment and, up to some extent, integration are part of current government policies, both national and local, and in the process of being implemented. Also, local, bottom-up community initiatives have been started.⁴⁷⁶

⁴⁷⁶ WorldBank, Dwiyani (undated), PRIA (2010), p. 39, *PNPM Roadmap* (2012).

Does institutional design create participatory processes?

Creating participatory processes

As discussed in section 2, to realise substantive participation and engagement, processes should be participatory, inclusive and democratic. Processes should warrant that the outcome is representative, in that it sufficiently reflects the aspirations and interests of the community and the citizens belonging there-to. Substantive participation implies and demands to actively engage the community and citizens in wards and neighbourhoods in the entire cycle of local governance processes in matters concerning their ward or neighbourhood. Institutional arrangements should offer adequate opportunity for such engagement.

Arrangements should preferably embed processes that offer and warrant appropriate and equal opportunity to participate to all. Participation should be enshrined as a right to all and as an enforceable right. Arrangements should, furthermore, aim at creating conditions that enable all to participate as equals, compensating for inequality of opportunity.

To this end, arrangements should embed participatory methods and comprise a clear and comprehensive description of available means of participation and procedures. Minimum procedural requirements providing for the inclusion and participation of under-represented and excluded groups may promote actual equality of opportunity for their participation. Such arrangements, though, may not settle all barriers for participation. In addition, affirmative measures may be considered.

Opportunities to participate improving, but not yet realised in full

Do the above-mentioned forums actually offer communities and individual residents appropriate opportunities to participate in the day-to-day administration and development of their ward or neighbourhood? Does their institutional design indeed create participatory processes? Do processes warrant that the outcome is representative in that it sufficiently reflects the aspirations and interests of the community and the individual residents belonging there-to?

As argued in section 7, in *kelurahan*, *LPMK* come most close to what could be considered as a forum for participation in the general, day-to-day administration of *kelurahan*. *LPMK* cannot be considered as a standing representative or consultative council, though, nor as a forum with an equivalent status. *LPMK* have no legislative, budget, or oversight powers, and their functions are limited. *LPMK* assist the *lurah* in the field of development and community empowerment. Nevertheless, as appears, *LPMK* have an important function in the administration of the *kelurahan*, and their role in its administration seems to be gradually increasing, in particular, with regard to development planning and the management and oversight of its implementation and funding. This may improve opportunities of communities in *kelurahan* to substantially participate in its day-to-day administration.

Differently, in Aceh, in *gampong* is established a standing representative council, the *tuha peuet*. As discussed in section 5, *tuha peuet* are part of the *gampong* administration, jointly with the *keuchik*, having a coordinate and equivalent position. *Tuha peuet* have (co-) legislative, budget and oversight functions, and serve as a forum for the participation of the *gampong* community in the general administration of the *gampong*. The actual functioning of the *tuha peuet* differs from *gampong* to *gampong*. However, *tuha peuet* have the potential to develop as a forum offering residents substantial opportunities to participate in the administration of their *gampong*.

The new law on regional administration explicitly instructs municipal governments to encourage community participation in administration matters, and to develop institutions and mechanisms that enable communities to participate. At the same time, the new law seems to limit the functions of *kelurahan*.^{477 478}

Community meetings, that are held in wards, *musyawarah kelurahan*, or *musyawarah gampong*, do provide opportunities to participate, however, they cannot be seen as standing forums. They appear to be held infrequently and ad hoc. Municipal regulations, for instance in Surakarta, do not expressly provide for such meetings. It is left to *lurah* and *LPMK* to convene a *musyawarah*, and to determine its functions and functioning. Regulations in Aceh and Banda Aceh refer to *musyawarah gampong*. As yet there are no express municipal arrangements on this, though. Similar applies to *musyawarah* in *RT*, *RW*, and *jurong*. Whether *musyawarah* actually offer opportunities to residents to substantially participate very much depends on the commitment of *lurah*, *keuchik*, and heads of *RT*, *RW*, and *jurong*, and differs locally.

The series of ward and neighbourhood community meetings that are held annually as a part of the municipal development planning cycle, *musrenbang kelurahan*, or *musrenbang gampong*, and *musyawarah lingkungan* (or *RW*, *RT*), or *musyawarah dusun*, and the dedicated women meetings, *musrena*, that are held in Banda Aceh, may be seen as forums of a more standing nature. These meetings aim to offer a forum for the community to participate in the planning of development of the *kelurahan* and *gampong*, and are prepared and do proceed according quite detailed national and municipal guidelines and instructions. Yet, as mentioned in sections 7 and 8, there is discussion whether these forums as they have been developing over the last decade and until recently have been functioning actually do offer opportunities to substantial participation. Substantial deliberation seems to be limited. The process is widely seen as too technocratic, still too much top-down, and too little bottom-up, or as a 'guided bottom-up process', 'ritual'. This would be due to a culture within the administration that is a heritage of thirty years of centralistic planning under *Orde Baru*. The budget that is actually available to allocate to projects that are proposed in *musrenbang* is considered to being insufficient. Dissatisfaction seems to have grown over the years. Also, as a result, participation is said to be decreasing, in particular, in qualitative terms. The involvement of residents is limited and may even be called passive. Current processes do, often, not result in outcomes that, primarily, reflect the aspirations of the communities involved. As quoted above, participation, up to present, often, is perceived as merely serving as a vehicle for legitimization of policies determined at municipal level.⁴⁷⁹

Mechanisms that enhance substantial participation, such as participatory budgeting, planning, or monitoring and evaluation, are not yet common in the day-to-day administration of *kelurahan* and *gampong*. Over the last years, some mechanisms have been added that may allow for this, mainly related to development planning. They aim to address some of the issues mentioned above. Their purpose is to make the process more effective, and to improve participation, shifting the focus of *musrenbang* from short term to a longer term planning, and making it more need-based. For instance, in Surakarta, after introducing the *kelurahan* development plan, recently, a new feature has been introduced, the medium-term

⁴⁷⁷ UU 23 / 2014 §§ 354, 229.4. Compare UU 32 / 2004 §§ 127.2, 3.

⁴⁷⁸ The provisions concerning *kelurahan* in the law on regional administration, UU 23 / 2014, would not (necessarily) apply to *gampong* in (Banda) Aceh. The specific arrangement regards *gampong* in the law on the administration of Aceh, UU 11 / 2006, would have precedence over the general arrangement on *kelurahan* in the law on regional administration. Reference is made to what is said concerning the special status of *gampong* in section 5.

⁴⁷⁹ See for similar observations regards the functioning of *musrenbang*: Antlöv, Brinkerhoff, Rapp (2008), p. 6, 18, Asia Foundation (2004), p. 2, Asia Foundation / ADB (2006), p. 6, 14, ANSA - EAP (2012), p. 8, 36, Aswad, Heywood and Susilawati (2011), p. 9, 10, GTZ (Undated), Muluk and Suherman (2011), p. 92, Nugroho (2005), cited in Aswad, Heywood and Susilawati (2011), p. 11, Sumarto (2008), p. 19, 20, Sudarmo and Sudjana (2009), p. 14.

community strategic plan (*renstra masyarakat*). *LPMK* are involved in the drafting of these plans and overseeing their implementation. Residents will be invited to participate in issue mapping in *RW*. *LPMK* manage and oversee the implementation of the development activities in the *kelurahan* and, recent, the *kelurahan* development fund (*DPK*). The *DPK* may actually function as a budget indicative ceiling mechanism, mitigating the disconnect between planning and budgeting. Also, the community strategic plan may mitigate this disconnect, as is intended. In Banda Aceh, too, arrangements are being introduced that may foster a more substantial engagement of residents in the administration and the longer-term development of their wards. *Tuha peuet* already have budget and oversight functions. *Gampong* medium-term development plans (*RPJMG*) have now been introduced in all *gampong*. *Tuha peuet* and *gampong* community are engaged in the preparation of the plan. It is intended, as soon as the medium-term planning for all *gampong* has been finalised and improved, to consequently introduce indicative budgets for *gampong*. The provision of grants to *gampong* (*alokasi dana gampong*, or *ADG*, and *alokasi dana desa*, or *ADD*) could help to foster developing such a mechanism. Furthermore, it is envisaged to further integrate and align *gampong* medium-term planning with *musrenbang*. Mechanisms for participatory monitoring and evaluation by the community itself will be introduced one of the coming years. Recently, 'e-musrenbang' and 'e-planning', IT applications that support participation, have also been introduced.

Differently, the *PNPM Urban* program was participatory in design. As discussed in section 9, the view is widely shared that it has successfully realised a more bottom-up approach. Participatory planning, budgeting, and monitoring and evaluation were central to the program. Within the *PNPM Urban* program, *BKM*, and *rembug warga*, were shaped to provide actual opportunities for residents to substantially participate. The *BKM* was intended as a standing, representative council, established by residents themselves. The *BKM* with related entities, such as *KSM* and *UP*, had to manage and oversee the program and plans in the ward. The *rembug warga*, understood as the complex of citizen meetings in the ward and neighbourhood, was the supreme forum, as the instructions stipulated, determining the program and plans in the ward and overseeing their implementation by the *BKM*. *Rembug warga* offered residents a forum to directly participate, at least they had this potential. Introducing *BKM*, the *PNPM Urban* program has successfully created a standing forum for participation for residents at ward level, actually improving the opportunities to substantially participate. As appears, *BKM* have indeed had a leading role in deliberation and decision-making concerning the program and plans in their ward, along with local government and other community leaders. Members of *BKM*, also, seem to have acted as intermediaries, representatives of their communities as envisaged. In contrast, *rembug warga* as forums for direct participation of residents seem to have functioned less well. As appears, direct participation by residents in deliberation and decision-making in *rembug warga* has been low. Decisions seem often to have been made by delegated community representatives, as well as by local and community leaders. Residents participated indirectly. Members of *BKM* and *KSM* and local leaders functioned as intermediaries. In *PNPM*, too, participation seems to have been decreasing, possibly, also as a result of other, competing programs, and seemed hard to sustain over time.

Findings. Current forums for participation in wards and neighbourhoods, *LPMK*, *tuha peuet*, *musyawarah* and *musrenbang*, do offer community and residents opportunity to participate in the day-to-day administration and the development of their ward and neighbourhood. At present, the opportunities to substantial participation still seem limited, though. Mechanisms that enhance substantial participation and may make processes more effective, such as participatory planning and budgeting, monitoring and evaluation, have not yet commonly been adopted in the day-to-day administration, and are only, quite recently, being introduced in development planning. Currently, in *musrenbang* too, processes still are seen as too technocratic, too much top-down, merely legitimising pre-determined policies and plans. Substantial deliberation seems limited. The potential these forums have to offer opportunities to substantial participation is not yet realised in full. Offering such opportunities may promote participation and may be seen as a necessary pre-condition. Even when

offering opportunities, though, as, for instance, has been realised in the *PNPM Urban* program, it appears hard to get residents to participate and to sustain their engagement over time.

Municipal governments are in the process of improving arrangements for participation, and to make them more effective, and, at, at the same time, to create more substantial opportunities for residents to participate. It has to be seen whether this will indeed make these processes at *kelurahan* and *gampong* level as participatory as aimed for. They will, at least, contribute to this.

Equal opportunities to participate for all, as equals, not yet warranted

Do arrangements entitle all residents in wards and neighbourhoods to participate? Do they offer and even warrant equal opportunities for all citizens to participate? Do they create conditions that enable residents to participate as equals?

As discussed in the above sections, current municipal regulations, in Surakarta and Banda Aceh as well, do not include express provisions that entitle all residents to participate in the general, day-to-day administration of their ward or neighbourhood, and that aim to ensure, or, at least, adequately promote equal opportunity to participate for all residents. Provisions do not explicitly entitle all residents to participate, to speak and to take part in discussions in meetings of the *LPMK* or the *tuha peuet*, in *musyawarah* in *kelurahan* or *gampong*, or *musyawarah* in *RT*, *RW* or *jurong*. Neither is provided that all residents are entitled to take part in decision-making and to vote in meetings in which they participate, or which they attend. Furthermore, regulations do not entitle residents to demand that issues be put on the agenda, or to call for a meeting, nor that they be consulted regarding issues that affect them. Regulations do not provide, or not in very much detail, with regard to the actual functioning of these forums. In some instances, it is left to these forums to establish rules regards their functioning themselves. In other, their functioning is governed by customary rules that ensue from *adat* and are not in writing. This, for instance, is the case in Banda Aceh.

Similarly, neither do *musrenbang kelurahan* or *musrenbang gampong* offer equal opportunity to participate to all residents in discussing the development of their ward. As explicitly stipulated in regulations, and operating procedures, in Surakarta and Banda Aceh, only invited representatives, leaders of community institutions and officials are entitled to participate in meetings as a participant or as an informant, to speak, and to take part in deliberation and decision-making, or to demand that issues be put on the agenda. In *musrena*, in Banda Aceh, only women leaders who are invited participate, seemingly excluding other women who would like to attend. Neither have any express rules been made that ensure equal opportunity to participate to all residents in *musyawarah RT*, *RW*, or *dusun*, that are part of the development planning cycle. The way, at present, *musyawarah* seem to be conducted, seems not to be conducive to creating actual equal opportunities to participate to all residents who attend.

Rules that create conditions that promote that residents who participate do participate as equals are not provided for. At present, there are little or no rules to ensure the due process and fair course of deliberation and decision-making in *LPMK*, or *musyawarah kelurahan*, *RW* and *RT*, nor in *tuha peuet*, or *musyawarah gampong* and *jurong*. By a deeply ingrained tradition, decisions tend to be made after deliberation and in consensus, *musyawarah dan mufakat*. This may foster that participants actually participate as equals. This, however, is, usually, not expressly provided for. Likewise, rules that ensure that participants participate as equals are neither provided for concerning *musrenbang*. Municipal guidelines, for instance in Surakarta, or operating procedures in Banda Aceh, do not include all relevant principles (*prinsip pemberdayaan*, *prinsip-prinsip musrenbang desa*, *kelurahan*) cited in section 3 that are part of the national guidelines. The principles would actively be promoted

in dissemination meetings, or *sosialisasi*. Officials and facilitators leading meetings have to ensure the due process and fair course of discussions and decision-making. As described above, in *musrenbang* too decisions tend to be made through agreement in joint discussion.

As appears, in most forums, residents, leaders and other officials do actually not participate as equals. Common view is that leaders and local elites dominate, whether in *LPMK*, or *tuha peuet*, or in *musyawarah* in *kelurahan* and *gampong* or *musrenbang*. People seem reluctant to engage in discussions in the presence of local leaders, even when expressly invited by facilitators to do so. Proposals are often made by elites. Also, as appears, other than tradition would imply, decisions are often made by majority, and not in consensus. Women do not equally participate in meetings. In Javanese culture, women tend to refrain from giving their opinion in public, and even more so, in the presence of men. This seems true in Aceh, too, even though the Acehnese culture is considered being more egalitarian, and there would be a tradition of participation of women in community, in public and social life, and even a history of women leadership. As a result, men dominate discussions and decision-making. In Banda Aceh, since *musrena* started, participation and representation of women in the *musrenbang* process have improved. However, *musrena*, also, seems to be dominated by vested leaders and experienced participants. In *musyawarah* in *RT* participants seem to feel more equal and they feel better at ease to actually participate in discussions and to express them selves. The setting of these meetings is more informal. This is seen as conducive to promoting engagement. Similar applies to the participation of poor. Poor who attend meetings do often not participate as equals. Also as a matter of culture, poor them selves do not see them selves as equal, and they are not seen as equal by other participants. They would feel and act shy and subservient. Over time, step-by-step, the situation would get better, though.⁴⁸⁰

In contrast, *PNPM* guidelines and instructions explicitly did promote equal opportunities for all residents to participate in *rembug warga* and public meetings of *BKM*. All residents were entitled to participate in the initial *rembug* in *RT* or *jurong*. In *rembug* in *RW* and *kelurahan* or *gampong* delegates were equally entitled to participate, to take part in deliberations and in decision-making, and to demand that issues be put on the agenda. Also, residents - non-delegates – that attended were entitled to participate and to engage in discussions, save that they did not have the right to vote, or to demand that issues be put on the agenda. In addition, residents had the right to be consulted regarding issues that did affect them. Similar arrangements applied to public meetings of *BKM*.

PNPM guidelines and instructions, furthermore, did foster participants to engage as equals. Equal opportunity and equality were enshrined in the basic principles. The principles were actively disseminated. The principles expressly stipulated, among others, that men and women had an equal role, and that all decisions should be made in deliberation and consensus. Guidelines and instructions, though, did not include express rules that aimed to ensure the due process and fair course of discussion and decision-making in *rembug warga*. Much did depend on the intervention of facilitators and organising committees. In more detail was provided with regard to the functioning of *BKM*. *BKM* were supposed to function as a collective leadership, without any formal hierarchy, all members having equal rights, and decisions to be made jointly. Articles of association of *BKM* had to provide in more detail with regard there-to. For instance, in Surakarta, articles of association of *BKM*, generally, did refer to, or even explicitly list the above principles and values.

As we saw in section 9, in spite of the above arrangements, and other than envisaged, deliberation and decision-making in *rembug warga* seem to have been dominated by leaders and local elites, also including members of *BKM* and *KSM*, who overruled residents and community delegates. Deliberation and decision-making in *rembug warga*, in particular in *kelurahan* or *gampong*, seem to have developed into a somewhat guided process.

⁴⁸⁰ See with regard to *RT*, *RW*, informal meetings, Sutiyo and Maharjan (2012), p. 104. Similar findings.

Participants, in particular those who were not involved in the preparation, may have perceived the outcome to be pre-mediated. In *rembug warga*, too, male participants dominated. Most participants were men, whether resident, leader or official. However, in *rembug warga* women seem to have been more active, and would have been treated more equal than in other forums for participation. This would have been different from ward to ward, though. Furthermore, a more formal setting of these meetings may not have fostered participation as equals. In this, facilitators fulfilled a critical role.

To what extent in *BKM* meetings members of *BKM* actually participated as equals differed locally, and very much depended on the composition of *BKM*. Both in Surakarta and Banda Aceh, many *BKM* would have operated collegial. Members of *BKM* would have considered each other as equals. In other *BKM*, though, there may have been dissimilitude between members. Members of a higher standing or who had been in *BKM* for a longer period may have been more leading and having had preponderance in discussions and decision-making, even if decisions tended to be made in consensus. Much, also, depended upon the coordinator and how active members themselves were in *BKM*. Domination by elites seems to have been decreasing, though. Participation of women in *BKM* varied. Quite commonly, male members seem to have dominated meetings, purportedly due to a societal system that is still patriarchal. Even in *BKM* that had a comparatively better representation of women, men would actually decide, and women would have been less engaged in decision-making.

Findings. Arrangements do not expressly entitle all residents in wards and neighbourhoods who would like to participate to actually participate, nor do they offer equal opportunity to participate. In forums, such as *LPMK*, *tuha peuet* and *musrenbang*, only members or invited participants are entitled to participate in meetings. In *musyawarah*, as a rule, all attendees may participate.

Also, arrangements do not create conditions that enable participants to participate as equals. Some traditions may foster participation as equals. For instance, decisions tend to be made in deliberation and consensus (*musyawarah dan mufakat*). Rules that ensure so are not provided for, though. Often, decisions actually appear to be made by majority, and not in consensus. Other traditions and perceptions, though, do certainly not promote participants to participate as equals, and seem hard to overcome. Even when rules do provide for this, as is shown, for instance, in the *PNPM Urban* program, participants do not necessarily participate as equals. Whether in forums for participation in the day-to-day administration, development planning, or in the *PNPM Urban* program, vested leaders and elites, predominantly male, dominate meetings. Women and poor who attend meetings do often not participate as equals. They themselves, quite generally, do not see themselves as equal, and other participants do not see them as equal.

Does institutional design promote openness?

Promoting openness

Institutional arrangements should ideally establish easy access and proximity. As discussed in section 2, forums for participation should be as near to citizens as feasible and easily accessible, so that citizens can directly intervene. Their scale should allow for effective participation.

In addition, the processes of governance and institutional arrangements should be transparent and easy to understand. Information with respect thereto should be directly and easily accessible and made available and disclosed *suo motu* as a principle. Information should allow citizens to understand and to monitor the processes and the institutions and to participate.

Forums for participation proximate and accessible

Are forums in wards and neighbourhoods indeed proximate and accessible, and does their scale allow effective participation?

Forums for participation in the general day-to-day administration in wards are, without any doubt, proximate, and easily accessible. Also, their scale seems to allow to participate effectively. *Kelurahan*, in Surakarta, have an average size of about 10,000 people. In Banda Aceh, *gampong* have a size of about 3,000 people on average. *LPMK*, and, in Aceh, *tuha peuet* tend to be easily accessible. Most residents will, also be acquainted with the *lurah* and other *kelurahan* officials, and in Aceh, with the *keuchik* and *gampong* officials. Forums in neighbourhoods, *RW*, *RT*, and in Aceh, *jurong*, may be considered even more proximate and accessible. In Surakarta, *RW* consist of 90 – 250 households, and *RT* of 30 – 50 households. *Jurong* in Banda Aceh are about 800 people on average, or 200 – 250 households.

Operating at the ward and neighbourhood level as well, forums for participation in local development planning, *musrenbang kelurahan*, and in Aceh, *musrenbang gampong* and *musrena*, are, also, proximate. Residents seem to have easy access through the participants who act as their representatives. Meetings at neighbourhood level, *musyawarah RW / RT*, and in Aceh, *musyawarah dusun*, are, also, proximate and easily accessible to residents who would like to attend and to participate.

Rembug warga in *kelurahan*, *gampong* and *RW*, *RT* or *jurong*, and *BKM* as well were definitely proximate forums for participation in the *PNPM Urban* program for residents in wards and neighbourhoods. Residents likely have had easy access to the delegates who represented them in *rembug warga* at *kelurahan* or *gampong* level, and to members of *BKM*, or they may have attended *rembug warga* them selves. However, delegates to *rembug warga* and members of *BKM* appear to have been less known to their constituencies in that capacity, in spite of the dissemination efforts that were part of the program. Nevertheless, both in Surakarta and Banda Aceh, residents would easily have approached members of *BKM*.

Findings. Forums for participation in both the general day-to-day administration and development planning in wards and neighbourhoods are proximate. Residents, also, have easy access through the members or participants who act as their representatives in *LPMK*, *tuha peuet*, *musyawarah kelurahan* or *musyawarah gampong*, *musrenbang*, or have access them selves, for instance, to *musyawarah RT* or *musyawarah jurong*. The scale of these forums allows effective participation. Residents, also, have easy access to the ward administration and other officials, such as *lurah*, or, in Aceh, *keuchik*, and heads of *RT* or *jurong*. Similar applies to forums that were part of the *PNPM Urban* program, both *rembug warga* and *BKM*.

Actually, forums often not open to all

The forums mentioned above may be proximate and accessible, and their scale may allow for effective participation, but are they actually open to all residents who would like to attend and participate, or to others who are interested?

As demonstrated in sections 7 and 8, forums for participation in wards are, actually, not open to all residents who would like to attend and to participate. In Surakarta, *LPMK* board meetings seem not open to the public, or only limited. Others, such as leaders of other community organisations, *kelurahan* officials, may be invited to participate in discussions. In Banda Aceh, commonly, meetings of *tuha peuet*, too, are not open to the public, only limited. Neither appear *musyawarah kelurahan* to be open to all residents who would like to attend and to participate. In most *kelurahan*, only heads of *RW* and *RT* will be invited, along

with other leaders and 'elders'. In Banda Aceh, apart from *musyawarah gampong* specially held to elect *tuha peuet*, *musyawarah gampong* are presumed to be open to all households. Commonly, though, only about five representatives of each *jurong* in the *gampong* will be invited to attend, mostly heads of *jurong*, members of *tuha peuet*, leaders of community organisations and religious leaders, and, occasionally, representatives from women organisations. Who will be invited depends on the issues that will be discussed. Furthermore, meetings are generally not open to the general public or media.⁴⁸¹

Likewise, not all forums in neighbourhoods are open to all residents. To *musyawarah RW* only heads of *RT*, board members of *RW*, and other leaders will be invited. Differently, *musyawarah RT* tend to be open to all households. Also, *musyawarah jurong* are open to all households, often upon invitation by the head of *jurong*. However, for instance, in Surakarta, invitations to *musyawarah RT* are generally limited to households of residents that have an ID card and who are registered in the *RT*, excluding households of residents who have no ID card and are not registered. Dependent on 'local wisdom', temporary residents who have been granted an ID card in the *RT* by the head of *RT* may be invited to attend, and dependent on the matter at hand even residents who have no ID card at all. They are not entitled to being invited. Furthermore, commonly, only heads of households, predominantly men, will be invited. Regulations do not provide how meetings should be announced, by public notification, in media, or otherwise, and in what frequency meetings should be held. Mostly, only those who are invited will be notified. Meetings are held infrequently, and often ad-hoc. This varies. For instance, in some *RT*, *musyawarah* are held quite frequent throughout the year, even monthly, in other *RT* this may be once a year only. Many meetings are held after evening prayer. This withholds women to attend, even if invited.

According to the municipal guidelines, in Surakarta, *musrenbang kelurahan* are only open to representatives of the community who are registered and invited by the organising committee to attend. Invited are representatives of *RT* and *RW*, community institutions, other local community organisations, and local businesses, officials and 'elders'. Meetings are not open to others who would like to participate and who are not invited. Municipal operating procedures imply that *musrenbang gampong* in Banda Aceh would be open to all residents in a *gampong*, as 'stakeholders'. Actually, participation is limited to representatives of community institutions, heads of *jurong* and *gampong*, and other officials, and facilitators who are invited. Other residents would be allowed to attend and witness meetings, not to participate. However, this is not explicitly provided for. Similarly, preparatory *musrena* meetings in *gampong* are not open to all women in *gampong* who would like to attend and to participate. Meetings are only open to invited representatives of women organisations.

In Surakarta, *musyawarah RW* that are part of *musrenbang* would, generally, only be open to a limited number of invited participants, the leadership of *RT* and *RW*, officials and 'elite'. To *musyawarah RW* that are held as part of *musrenbang renstra masyarakat*, or issue mapping in *RW*, also *PKK* and a representation of poor residents would be invited. *Musyawarah RT* that are part of *musrenbang*, commonly, are open to heads of households of residents registered in the neighbourhood only. However, as discussed above, also heads of unregistered households may be invited. *Musyawarah dusun* in Banda Aceh would, usually, be open to all households. This is not explicitly provided for, though. Guidelines provide that *musrenbang* meetings have to be announced publicly and in advance. In spite of this, in Surakarta, in many *kelurahan* only invited participants are notified. Operating procedures in Banda Aceh do not contain rules regarding the due notification of meetings. Participants are notified when invited. Mostly, this is done orally. Meetings would, also, be announced in *mashid*, or *musholla*, and, sometimes, in *gampong* offices, and by loudspeakers. However, in practice, meetings seem not to be notified properly, or even not at all. Similar applies to the preparatory *musrena* meetings. For that reason, too, the openness of venues is limited.

⁴⁸¹ See in this context, Ito (2007), p. 14, 15.

In contrast, pursuant to *PNPM* guidelines and instructions, *rembug warga* in *kelurahan* were open to all residents that wished to attend, delegates and interested residents as well, local and community leaders and others, including media. Also, *rembug warga* in *RT* and *RW* were intended to be open to all concerned residents and others that would like to attend. In spite of this, quite often, not all residents or households were invited to meetings, or meetings were poorly notified. For instance, as mentioned in section 9, in Surakarta, only leaders, heads of *RW* and *RT* and representatives of community organisations, women and poor would have been invited, and, in addition, a number of other residents, to comply with the requirements on quorum. Constraints in facilities and means would have forced to do so. Differently, in Banda Aceh, all households were invited to *rembug* in *jurong*. To cope with restraints in facilities, several, consecutive meetings were held. Convening multiple, consecutive meetings so that all adult residents got the opportunity to attend would have been a more common practice in other cities, too. Also, in many places, meetings appear actually not having been open to women, apart from invited representatives of women organisations. Often, only heads of households were invited, or, even, only male heads of households, preventing women to attend. Regular meetings of *BKM* were not open to residents that were not a member of *BKM*, or to the wider public. Public meetings of *BKM* appear not to have been as open as intended. Often, not all residents or households were invited. Women did often not attend as invitations were addressed to the head of household, and meetings were often held at evening time. Apart from this, in many *kelurahan*, public meetings of *BKM* appear to have been held less frequent than guidelines and instructions proposed. In Surakarta and Banda Aceh, public meetings of *BKM* would, generally, only have been with heads of *RW* and *RT* or *jurong*, community leaders, *KSM* and local government officials. In Surakarta, heads of *RT* were tasked to inform community. Households would only accidentally have been invited to meetings, dependent on the subject. In Banda Aceh, meetings with all residents would have been organised at least once a year, in a consecutive series of meetings. This would have been a more common practice elsewhere in Indonesia, too.

Findings. Forums in wards, actually, are not open to all residents who would like to attend and to participate. Meetings of *LPMK* and *tuha peuet*, *musyawarah kelurahan*, *musyawarah gampong*, and, generally, *musrenbang* are open to members and invited officials and leaders only. Forums in neighbourhoods, too, seem not open to all. Generally, *musyawarah RW* are open to invited officials and leaders only. *Musyawarah RT* and *musyawarah jurong*, commonly, tend to be open to heads of all households. Commonly, though, this is restricted to households of residents who have an ID card and are registered in the neighbourhood, excluding poor residents who, often, do not have an ID card and are not registered. Depending on 'local wisdom' and the subject, heads of households that have a temporary ID card in the neighbourhood and non-registered households may also be invited. Also, meetings appear actually not open to women, as meetings are often held after evening prayer, withholding women to attend, even if invited. Likewise, other than provided for, *rembug warga* and meetings of *BKM* that were part of the *PNPM Urban* program seem, often, not having been open to all residents who would like to attend.

Often, not all relevant information available, disclosed and accessible to all

Is information that allows residents to understand and to monitor the process of governance and the institutions in their ward and neighbourhood available to them? Is all information that enables them to actually participate made available timely and in an accessible way?

In Surakarta, municipal regulations do not provide how information pertaining to what will be discussed, or has been discussed in *LPMK*, or *musyawarah kelurahan*, has to be disseminated, whether it has to be made timely available, in simple and accessible format and wording, and to whom, all residents, the general public and / or media. As discussed in section 7, commonly, what is to be discussed and what has been discussed, and the decisions made in *LPMK* are only communicated to the heads of *RW* and *RT*. They are supposed to disseminate the information within their *RW* or *RT*. Similar applies to

information pertaining to *RW* or *RT*. In some *RT* information is timely disseminated and in an accessible way. In other *RT* information is not shared timely, or even not at all. In Banda Aceh, too, regulations do not expressly provide with regard to the dissemination of information pertaining to *gampong*, *tuha peuet*, *musyawarah gampong*, or *jurong*. Dependent on the subject, information will be disseminated to invited people, prior to the meeting, or through the mosque. Dissemination to residents and the general public seems ad hoc, differing from *gampong* to *gampong*. The municipal regulations concerning public information disclosure would apply. Residents may request the *kelurahan* and *gampong* administration to provide information. Residents may, also, ask the municipal public information officer (*PPID*) to mediate. Similar, would apply to the disclosure of information by *LPMK* and *tuha peuet*.⁴⁸²

Municipal guidelines on *musrenbang kelurahan* in Surakarta used to stipulate that an 'effort' has to be made to have documents timely available and prior to meetings to allow participants to engage. Remarkably, the latest guidelines do not include provisions with respect there-to. Neither do the guidelines provide with regard there-to regarding *musyawarah RW* and *RT*. Likewise, operating procedures in Banda Aceh do not provide on the subject. No further provisions are given regarding the dissemination of information to other residents, the wider public, or media. Currently, in Surakarta, most often, information appears not to be made available in time. Information is, often, disseminated at meetings, and not prior to meetings. Not in each *kelurahan* information would be provided in an accessible format and simple, for instance, on posters, or at information meetings, by *socialisasi*, easily to understand for all participants. Also, municipal guidelines would be too complicated to understand for all residents. Furthermore, the dissemination of information strongly relies on facilitators. Whether, actually, the information provided is sufficient, strongly depends on them. Some *kelurahan* are just too large, facilitators cannot attend all meetings, and their training is limited. Dissemination of information in Banda Aceh faces similar problems. In some *gampong* information, including evaluation, budget and resources, is timely distributed to participants. In other *gampong* information is not distributed by *keuchik*, and only read aloud in the meeting. Overall, the dissemination of information pertaining to *musrenbang* would be quite good. However, the feedback to community with regard to further decision-making and the implementation of plans would often be deficient. In *musrena*, information is shared at preparatory meetings in *gampong*, and not disseminated to participants prior to meetings.⁴⁸³

Guidelines and instructions on *PNPM* expressly stipulated that residents and others who would like to participate attain the information that enables them to participate, in all phases of the program and the implementation of plans. Reference is made to what is said in section 9. As a general rule, it was provided that all relevant information should be made public and disseminated *suo moto* to the community, the wider public, media, and other parties. Provided was, also, for frequent reporting. More specific rules applied to reporting in the framework of control, monitoring and evaluation. The dissemination of information by *BKM*, or related to *rembug warga*, differed locally, and from *BKM* to *BKM*. Part of the information, still limited in content, was made public through the information boards at *kelurahan* and *gampong* offices and other places. Part of the information was only shared at meetings. Most information would have been disseminated in simple and understandable format, also, considered in relation to the level of education of the residents in *kelurahan* and *gampong*. There may be some doubt, though, whether it has been as adequate as aimed for. A low understanding of the program is reported. Information and dissemination seem to have failed to actually reach major parts of the community, in particular the (very) poor.

⁴⁸² It is argued that the municipal regulations concerning public information disclosure are applicable with respect to the dissemination of information by *LPMK*, or, in Banda Aceh, *gampong* and *tuha peuet*. Reference is made to what is said above in sections 7 and 8.

⁴⁸³ See, Aswad, Heywood and Susilawati (2011), p. 10. Similar observations FITRA (2011), Local Budget Study.

Findings. Often, information that allows residents to effectively participate is not made available to them, or not timely, neither in a way that they can easily access and understand the information. Information with regard to the general, day-to-day administration and development of wards and neighbourhoods, often, is only disseminated to officials who are supposed to disseminate this information to the residents in their area, or information is shared at meetings, and not prior to meetings. Current regulations do not provide with regard there-to, or, at least, not mandatory. The regulations concerning public information disclosure would apply. Differently, in the *PNPM Urban* program it was stipulated that all residents and others who would like to participate should attain the information that allows them to participate. Also, an express obligation was provided for that all relevant information should be made public and disseminated *suo moto*. Notwithstanding, also in the *PNPM Urban* program the dissemination of information to the community seems not always have been as adequate as aimed for.

Does institutional design ensure 'We' are represented?

Ensuring 'We' are represented

Institutional arrangements should preferably ensure representativeness. As argued in section 2, the composition of forums for participation should adequately reflect the community that is represented and should be inclusive.

Direct representation and participation, where reasonably practicable and appropriate, may promote representativeness most effectively. Where direct representation would not be feasible or appropriate, indirect participation would be most suitable. It may be preferable to structure and develop forums of direct participation coordinate to forums of indirect representation, being sovereign in their domain and not as complementary as they are often seen within current structures of governance.

Forums of indirect representation should ideally consist of elected members only. Selection of representatives by election by the local constituency may be considered the most transparent and appropriate method of composition. Other methods of selection are seen as inherently undemocratic and conflicting with the core notion of participation.

To further the actual equality of opportunity to participate for groups that are under-represented or even excluded, such as women, poor and marginalised groups, and to enhance representativeness, affirmative action may be considered. Electoral quotas or reservation of seats do not necessarily conflict with understandings of representation in diverse models of democracy, and may be justified when no other effective remedies are available or practicable and this would not unacceptably infringe on or restrict fundamental rights of others. One should, however, critically consider whether apparent under-representation of a group actually implies under-representation of, for instance, interests involved and would necessitate affirmative action in the form of an electoral quota or reservation of seats.

Representativeness promoted, not yet ensured

Do regulations promote that forums for participation be representative of the community that is represented? Do they promote a representative composition that is also inclusive?

Legislation aims at, at least allows for a composition of forums for participation in wards and neighbourhoods that may be considered as being representative of the community, in that it reflects the community that is represented.

At ward level, indirect representation in standing forums, such as *LPMK* or *tuha peuet*, may be considered appropriate. Direct representation would reasonably not be practicable, taking into account their functions and the size of their constituencies. In Surakarta, all residents in *kelurahan* who qualify according to the legal requirements are eligible as a member of *LPMK*. Candidates are elected by their constituency in consecutive *musyawarah RT* and *RW*, after deliberation and in consensus. In contrast, in Banda Aceh, not all residents in *gampong* seem to be eligible as a member of *tuha peuet*. Regulations explicitly stipulate that *tuha peuet* will be composed of members of the cleric in the *gampong*, community and traditional leaders, and 'wise and capable persons' among the community in the *gampong*.

In forums, such as *musyawarah kelurahan*, or *musyawarah gampong*, both direct and indirect representation may be appropriate, dependent on the functions that have been assigned to them and what would be reasonably practicable in fulfilling these functions. Concerning the composition of *musyawarah kelurahan*, or *musyawarah gampong*, legislation does not include express arrangements, nor do municipal regulations. It is left to wards and neighbourhoods themselves to make arrangements. *Musyawarah kelurahan* and *musyawarah gampong*, *de facto*, seem to have indirect representation. Participants tend to be invited, or even designated by ward and neighbourhood officials. They are not elected by the residents themselves.

In neighbourhoods, in *musyawarah RT* and *musyawarah jurong*, direct representation seems feasible and appropriate. Indeed, commonly, all households in the neighbourhood will be invited to attend *musyawarah RT* and *musyawarah jurong*. In contrast, *musyawarah RW* may be seen, in a way, as having indirect representation, as, generally, only heads of *RT* and other officials and leaders will be invited to attend. This may be seen as fitting, as *musyawarah RW* generally have a mere coordinative function.

Similar to what is said above, in *musrenbang kelurahan* and *musrenbang gampong* both direct and indirect representation may be appropriate. Regulations provide for indirect representation. Participation is restricted to invited representatives, leaders of the official community institutions and organisations, local government officials, and the like. Similar applies to *musrena* in Banda Aceh. Participation in preparatory meetings in *gampong* is expressly limited to invited women leaders. As ensues from the above, representation in *musrenbang kelurahan* and *gampong* is, predominantly, through participants who act as representatives *ex officio*, who are not elected by their constituency in that capacity. Likewise, in Surakarta, participation in *musyawarah RW* is indirect, and is restricted to those who are invited to attend, commonly, officials and leaders. On the other hand, similar to regular *musyawarah*, *musyawarah RT*, and *musyawarah dusun* that are part of the *musrenbang* cycle have direct representation, commonly being open to all (registered) households in the neighbourhood.

Representation in forums established as a part of the *PNPM Urban* program was along similar lines. Representation in *BKM* was indirect, through elected representatives. Representation in *rembug warga* was direct at *RT* or *jurong* level, and indirect, through elected representatives, at *RW* and *kelurahan* or *gampong* level. As *PNPM* guidelines and instructions did stipulate, all residents who did meet the criteria established by the community were eligible as a member of *BKM*. The election process was designed to have the community select 'good and pure people' to represent the community and to act on its behalf. The arrangements concerning *rembug warga* allowed for and may even have promoted a representative composition of *rembug* in *kelurahan* or *gampong* and *RT* or *jurong*. *Rembug warga* at *kelurahan* or *gampong* level consisted of delegates of *RT* (or: *RW*), or *jurong* in the area. All adult citizens in *RT* or *jurong*, both men and women, were eligible as a delegate. Also, other residents could attend. *Rembug* at *RT* or *jurong* level consisted of all residents in the *RT* or *jurong* who would like to attend or, at least, all households. Locally, representation may have deviated from what guidelines and instructions proposed. In Surakarta, for instance, *rembug warga* at the different levels that had to discuss and

determine plans (other than to elect delegates to *rembug warga kelurahan*, or members of *BKM*) were attended by leaders only, heads of *RW* and *RT*, incumbent *BKM* and *KSM*, representatives of community organisations, including women and poor, and volunteers and consultants. Households, or delegates of *RT* or *RW*, were not invited to attend. The head of *RT* was tasked to keep residents abreast. Overall, nation-wide, actual participation of residents seems to have been low. This did negatively affect the representativeness of these forums.

As ensues from the above, representation in forums for participation in wards, often, or even predominantly, is through representatives of official, co-opted and guided community organisations, or so-called 'functional' groups, and officials, leadership of *RW* and *RT*, or *jurong*, who represent the community *ex officio*. It can be argued that the composition of these forums is representative of the community. The *ex officio* participants are part of the community, and may be considered as representing the community or at least certain groups within that community. On the other hand, the current practice perpetuates the present constellation in which the community, mainly, is represented by government co-opted and guided community organisations, along leaders *ex officio*. The concept of representation by functional groups came into being in the second half of last century as part of the corporatist governance structures that were established in the *orde baru* era, and it may be seen as a remains from this era. The concept may have had its merits at that time, there is some discussion, though, whether today co-opted functional groups actually represent residents in wards and neighbourhoods and their interests as diverse as they are, in particular, in more heterogenous and volatile urban environments that have a strong socio-economic dynamic. To better ensure representativeness, representatives should, preferably, be elected by the residents them selves, and not being invited or designated by officials.

Findings. Legislation aims at, at least allows for a composition of forums for participation in wards and neighbourhoods that may be considered as being representative of the community, in that it reflects the community that is represented. Forums at ward level commonly have indirect representation. Dependent on their functions and the size of their constituencies, indirect representation may be deemed appropriate. Direct representation would reasonably not be practicable. Members of *LPMK* and *tuha peuet* are elected by the residents. Likewise, in *PNPM*, guidelines and instructions did provide that members of *BKM* and representatives in *rembug warga* at *kelurahan* and *gampong* level were elected. Representatives in *musyawarah* and *musrenbang kelurahan* or *gampong*, generally, appear not to be elected by the residents. They are invited by officials.

Representation in forums in wards, often and even predominantly, seems still to be based on representation by leaders of co-opted functional groups, and by officials *ex officio*. One may doubt, though, whether, today, these functional groups actually represent residents in wards and neighbourhoods and their interests, as diverse as they are, in particular, in more heterogenous and volatile urban environments that have a strong socio-economic dynamic, and whether in this respect current regulations actually do ensure representativeness. To better ensure representativeness, representatives should, preferably, be elected by the residents them selves, and not being invited by officials.

In neighbourhoods, forums have direct representation, as is appropriate and practicable. To *musyawarah RT* and *musyawarah jurong*, and *musyawarah RT* and *musyawarah dusun* that are part of the development planning cycle, generally, all (registered) households in the neighbourhood are invited and may be represented. Also, in the *PNPM Urban* program, in *rembug warga* at *RT* or *jurong* level all residents, or, at least, all households were invited and might have been represented. Locally, though, practices seem to have deviated.

Local elites dominate, even control

As demonstrated in sections 7 and 8, actually, forums for participation in wards and neighbourhoods may be considered often being less representative for their constituencies, or, not as representative as aimed for, neither are they inclusive.

Though seemingly open, leadership selection processes quite generally appear to result in a less representative composition of forums for participation in the general, day-to-day administration of wards, such as *LPMK* and *tuha peuet*. Both *LPMK*, in Surakarta, and *tuha peuet*, in Banda Aceh, predominantly, have members who may be qualified as vested leaders and local elite. Both *LPMK* and *tuha peuet*, for the most part, consist of male senior residents, often retired civil servants and persons who have a higher education, and, also, religious leaders. Women, younger residents and poor seem to be underrepresented, as will be discussed in more detail below. Selection processes that may be qualified as 'guided' seem to reinforce these dynamics. In addition, in Banda Aceh, established leadership, experience and capability seem to have been deemed more relevant as selection criteria than representativeness. The requirements for eligibility effectively limit the range of candidates.

Similarly, *musyawarah kelurahan*, if held, and *musyawarah gampong* as well, appear to be dominated by local leaders and elite, and seem not, or less, representative of the constituency. As appeared in section 7, in Surakarta, *musyawarah kelurahan* are not open to all residents or households in the *kelurahan*. Usually, only heads of *RW* and *RT* and other leaders, 'elders', will be invited to participate. Dependent on the subject that will be discussed, also, women leaders will be invited. As discussed in section 8, *musyawarah gampong* in Banda Aceh are supposed to be open to all households in *gampong*. As appeared, not all households, or heads of households, will be invited to participate, but only a limited number of representatives from each *jurong*, mostly, heads of *jurong*, members of *tuha peuet*, and other community leaders, predominantly senior male residents, and accidentally, leaders of women organisations. The actual composition differs from *gampong* to *gampong*, and who will be invited, also, depends on the subject that will be discussed.

Likewise applies to *musyawarah RW*. In Surakarta, *musyawarah RW* are generally attended by heads of *RT*, *RW* board members, other leaders, and 'respected people'. Also, the composition of boards of *RW* and *RT* is less representative. In Surakarta, boards of *RW* and *RT* mostly consist of senior and retired residents. Few of them are women. In contrast, *musyawarah RT* and, in Banda Aceh, *musyawarah jurong* seem more representative. They are open to all registered households in the area. Residents, and, in particular, older, educated middle class residents, would still have a feeling of community and would attend. However, this might change, as, particularly, younger, upcoming and educated middle class residents in a more urban environment feel less neighbourhood bound and tend to participate less actively, leaving matters to others who have more time, and who have their confidence to act on their behalf. Their participation may become more accidental and issue-based. In *musyawarah RT*, commonly, households are represented by the male head of the household. Women do not, or little, attend. Also, households that are not registered in the neighbourhood, residents having no ID card, often poor, may not be represented, as they, generally, are not entitled to being invited to attend. In many *RT*, though, the head would also invite non-registered households.

In the current design of *musrenbang*, also, local government officials, leaders, and representatives of co-opted community organisations are likely to dominate, and even to effectively control the process at ward level. This increases the risk of elite capture. As we saw, actual participation in both *musrenbang kelurahan* and *musrenbang gampong* is restricted to, basically, representatives of the official, co-opted community organisations in the ward, local leaders, such as heads of *RW*, *RT* or *jurong*, officials of *kelurahan* or *gampong* administration, who are invited as participants, and other officials, who are invited to attend as informants. Also, participation in *preparatory musrena* meetings in *gampong* in

Banda Aceh is limited to invited leaders of women organisations in *gampong*. Furthermore, for the reasons discussed below, in *musrenbang* women tend to be underrepresented. As a consequence, the representativeness of *musrenbang kelurahan* and *musrenbang gampong* may be limited, or, less than aimed for. Similar applies to *musyawarah RW* that are part of the *musrenbang* cycle. In contrast, *musyawarah RT* and *musyawarah dusun* may be considered being more representative. As a rule, all heads of households in the neighbourhood will be invited to attend. Nevertheless, in some neighbourhoods local elites dominate. Not all residents are in the opportunity or willing to attend. Also, women and younger residents tend to be underrepresented. Reference is made to what will be discussed below. In addition, meetings may be less representative because part of the residents actually living in the *RT*, has no ID card and is not registered in the *RT* and is not entitled to being invited to attend, though heads of *RT* may actually invite them.⁴⁸⁴

Local elites up to a certain extent, also, dominated *BKM*. Even though the community set the selection criteria, the selection process, guided by facilitators, seems to have resulted in a composition of *BKM* that was not necessarily being representative of the community, other than aimed for. Indeed, as discussed in section 9, *BKM*, predominantly, consisted of well-educated, known and respected residents, who were active in the community and in other forums. Over time, though, as the *PNPM Urban* program progressed, the composition of *BKM* gradually seems to have become more representative. There seems to have been some change in patterns of selection of leadership. Control by former, local elites seems to have abated. The composition of *BKM* may even be seen as having been representative of its constituency. *BKM* also consisted of less educated and poorer members, for instance, in Surakarta and Banda Aceh. Comparatively more women and younger, educated residents have been elected a member of *BKM*. In this respect, the composition of *BKM* would have contrasted with other forums for participation in wards. Elite capture is said to have remained limited to a few places, and would even have been decreasing. *Rembug warga* had the potential to develop as representative forums for participation of residents. However, the representativeness of these forums has negatively been affected by a reportedly low participation of residents. Also, participation seems to have been hard to sustain over time, in the further course of the program cycle. In addition, as a result of this, meetings appear to have been dominated by officials, community leaders, invited 'elite' and 'prominent people'. This did further reduce the representativeness of *rembug warga* as forums for participation. Also, younger residents seem to have been represented less.

In itself, domination by elites, or even elite control, does not need to be problematic. As long as these elites act in the interest of the community they represent, it may even be beneficial, as research demonstrates. However, elite control may substantially increase the risk of degeneration into elite capture that is detrimental. For this reason, too, arrangements should ensure that forums stay open to others, non-elites. Arrangements should ensure equal opportunity to compete and replace incumbent elites to others, non-elites, who, in a way, at their turn produce new elites. A regular and timely succession of elites and others, non-elites, should be warranted. However, often, the regeneration and succession of elites seems still limited.⁴⁸⁵

Findings. Forums for participation in wards and neighbourhoods seem less representative of their constituencies than aimed for. Vested leaders, local elites and officials dominate and even control forums at ward level, *LPMK*, *tuha peuet*, *musyawarah kelurahan* and *gampong*,

⁴⁸⁴ See for similar observations: Asia Foundation / ADB (2006), p. 14, 22, ANSA – EAP (2012), p. 36, GTZ (undated), Sumarto (2008).

⁴⁸⁵ Santoso, Sudarmo. According to Santoso, elite making may even be seen as a useful and indispensable process. It serves to advance people in community with leadership qualities, to introduce them and to create support. Those who have *keterikatan*, and a good record will be invited to be leaders. This is not to be likened to self-promotion as in many other democratic, competitive systems, where candidates designate and promote themselves. See in this context, Antlöv (2007), p. 4, 5, 10.

and *musrenbang*. At neighbourhood level, similar applies to *musyawarah RW*. In contrast, *musyawarah RT* and *musyawarah jurong* seem more representative, being open to all households in the area. In some *RT* and *jurong*, though, neighbourhood leaders and elite may control meetings. Also, in the *PNPM Urban* program, up to a certain extent, local elites and leaders dominated *rembug warga* and *BKM*. Over time, the composition of *BKM* gradually seems to have become more representative, as patterns of selection of leadership seem to have changed.

Domination by elites, or even elite control, in it selves, does not need to be problematic, as long as elites act in the interest of the community they represent, and it does not degenerate into elite capture, and arrangements ensure that forums remain open to others, non-elites, and offer equal opportunity to compete and to replace incumbent elites, promoting a regular and timely succession of elites and non-elites, and diversity.

Women still underrepresented

As mentioned above, in forums for participation in wards and neighbourhoods women, still, seem underrepresented.

The representation of women in forums for participation in the general, day-to-day administration of *kelurahan* and *gampong* appears to be poor, and even far below what may be expected. Currently, in Surakarta, the number of women in *LPMK* is less than 14 %. None of the *LPMK* is being chaired by a woman. Women would supposedly participate in and through the *PKK*. At present, in Banda Aceh, in *tuha peuet* women are even represented less. The share of women in *tuha peuet* is about 6 % on average. In most of the *gampong*, *tuha peuet* are male only. Until recent, all of the 90 *keuchik* were men. Recently, in one *gampong* a woman has been elected *keuchik*. Neither are women well represented in *musyawarah kelurahan* or *musyawarah gampong*. Leaders and officials who are invited to attend tend to be mostly male. Similar applies to *musyawarah RW*. Open to all households registered in the neighbourhood, women are, also, less represented in *musyawarah RT* and *musyawarah jurong*, as, generally, only the male heads of households will be invited to attend. In Surakarta, in some *RT*, though, 'mixed' meetings, and, also, separate women meetings are held, for instance, organised by *PKK*. Reference is made to sections 7 and 8.

In *musrenbang*, also, representation of women is still relatively low. In Surakarta, the representation of women in *musrenbang kelurahan* seems to improve gradually. Currently, representation would be over 30 %, as municipal guidelines aim for, and slowly increasing. In *musrenbang gampong* in Banda Aceh, too, participation of women would be improving, apparently fostered by the *musrena* process, holding *musrenbang gampong* during daytime, and strong support by local women organisations. However, women who attend, would, for the most part, be women from the elite. Common women would be less represented. In *musyawarah RT*, *RW* and *dusun* that are part of *musrenbang*, also, women are less represented.

Likewise, as appeared in section 9, in spite of the strong promotion of women participation in the *PNPM Urban* program as from its inception, still, women tended to be underrepresented in *BKM* and *rembug warga* as well. Women participation in *BKM* varied. As research shows, overall, women were underrepresented, but their representation would have been improving. A commonly quoted average figure would be close to 20 %, though counts seem to increase over time. Recently, on average, over 35 % of members of *BKM* in Surakarta and about 40 % of members of *BKM* in Banda Aceh would have been woman. Women attendance in *rembug warga* too varied, and is found to have been increasing. In some areas, women may have been nearly absent, in other areas, and depending on the subject, attendance may have been satisfactory, or even high, up to about 80 %. In Surakarta, recently, women would have made out about 40 % of delegates *RT / RW* to the annual *rembug kelurahan*. In Banda Aceh, too, over the last years, the representation of

women in the annual *rembug warga* in *gampong* increased considerably, from over 25 % to about 40 % now. Women would mostly have been active in the early phase, being engaged in mapping and poverty assessment. Thereafter, their active participation would have declined.

As discussed in the above sections, a number of factors negatively impact women participation and representation. First of all, there are cultural barriers that prevent women to attend, and that prevent women who attend to actually participate and to represent themselves. Meetings are often held at evening time, after evening prayer. Social norms that traditionally live in communities and family roles keep women from attending. Besides, often, women are not even invited. As a rule, only leaders or heads of households will be invited. Local leaders are for the most part male. In most communities, even in urban environment, men are still considered to be the head of the household. Even today, quite commonly, women are not expected to attend. Traditionally, the engagement of women primarily concerns domestic and social issues, the family, '*women issues*'. Even when attending, women are not expected to actually participate and to represent themselves. In Javanese culture, but similar seems true in Aceh, women do not give their opinion in public. Speaking in the presence of men is even considered impolite. Also, the formal setting and venue of meetings keeps women from actually engaging in discussions. They would feel more at ease in an informal setting. The representation of women appears to be better in areas with a higher educated, socio-economic stronger and less traditional population, and, also, in areas with a long standing presence of active women volunteers, such as *PKK*, often elite women. Apart from this, low participation of women may also be the result of a limited outreach to women.

There is some discussion whether the above cultural barriers, in present day urban communities, actually still prevent women from participating, and whether in urban environment gender still is an issue. Some argue that, on a longer term, this may change, as in younger, educated generations different views and patterns evolve. It appears to be difficult, though, to overcome local, deeply ingrained traditions and patterns. In a way remarkably, these patterns seem to survive even in more urbanised environments. The opinion is quite widely shared that affirmative measures, such as quota, would effectively promote women representation, and are needed. Others, academia in particular, doubt whether such measures would effectively work, and, even, would be desirable. In their opinion, 'culturally sensitive' measures gradually alleviating cultural and institutional barriers that keep women from participating may be more effective.

As discussed above, municipal regulations in Surakarta and Banda Aceh, currently, do not provide for affirmative measures, nor are there any policies promoting the representation and participation of women in forums for participation in the general, day-to-day administration of wards and neighbourhoods, such as *LPMK*, *tuha peuet*, *musyawarah kelurahan*, *musyawarah gampong*, *musyawarah RW*, *RT* and *jurong*, and more in particular, to have women elected in *LPMK* or *tuha peuet*, or even as a *lurah* or *keuchik*, or to foster their representation in *musyawarah*.

Differently, in the area of development planning affirmative measures have been adopted. They seem to promote women representation and participation, at least, in the longer run. In Surakarta, *musrenbang* guidelines expressly stipulate that in *musrenbang kelurahan* 30 % of the participants should be women, as an 'ambition'. As appeared in the above, this quota seems to resort in effect. *PNPM* guidelines and instructions, also, aimed for at least 30 % female representation in meetings and committees. Furthermore, it was promoted to let women have priority over equally qualified male candidates. In spite of all efforts, until recent, in the *PNPM Urban* program, women participation still fell behind the goals set. Operating procedures in Banda Aceh do not include quota regards the participation of women in *musrenbang*. Instead, operating procedures provide for the inclusion of women leaders and representatives of family and welfare organisations as participants to *musrenbang gampong*. To further promote women participation, the municipal government has initiated a parallel

forum for women, *musrena*, creating a separate space for engagement. This seems successful in attempting to promote women participation. Also, convening meetings in daytime appears to increase women attendance.⁴⁸⁶

Findings. In forums for participation in wards and neighbourhoods women appear to be underrepresented, or even not represented at all. Members of councils, such as *LPMK*, and *tuha peuet*, and local leaders, officials and others who participate are, predominantly, male. This is, also, true for *musyawarah kelurahan* or *musyawarah gampong*. In *musyawarah RT* and *musyawarah jurong*, commonly, men represent the household. Representation of women in *musrenbang* is gradually improving, but still relatively low, notwithstanding affirmative measures. Barring exceptions, similar applied to *BKM* and *rembug warga* in the *PNPM Urban* program. In urban environment, too, cultural barriers, along institutional barriers, still prevent women to attend, and when they do attend, to actually participate and represent them selves. These barriers seem hard to overcome. There is a wide consensus that measures to promote women participation are needed. Affirmative measures, such as quota, seem to have some effect in the long run. In addition, other, culturally sensitive measures alleviating barriers for women participation should be considered.

Poor, marginalised groups often not included

Forums for participation in wards and neighbourhoods appear not to be inclusive. Poor and marginalised groups seem, often, not included and represented, or, at least, poorly represented.

As discussed above, forums for participation in wards and neighbourhoods, *LPMK*, *tuha peuet*, *musyawarah*, *musrenbang* and the like, commonly, for the most part consist of, and are attended by local leaders and elite, officials, and representatives of community institutions. *Musrena* is attended by women leaders. In *LPMK* that have poor members, these members would not consider, nor present them selves as being poor, or representing poor residents in the *kelurahan*. Representation of poor in *musyawarah RT* and *jurong* may be better, as all households registered in the neighbourhood tend to be invited. As mentioned above, residents who have no ID card and are not registered in the neighbourhood, often poor, are, generally, not entitled to being invited, though. In many *RT* the head may invite them nevertheless. The *PNPM Urban* program appears to have been more successful in engaging under-represented groups, including poor residents. Yet, it seemed hard to include poor residents, in particular, the very poor. In *BKM* and *rembug warga* representation of poor appears to have been limited, and less than aimed for. The inclusion of poor and other vulnerable groups very much depended on the efforts of facilitators.

Constraints that poor face and that are not easy to overcome appear to keep poor from participating. These constraints are, first of all, socio-economic in nature. As mentioned in above sections, poor have immediate daily needs to meet. Meeting these needs usually outweighs the longer-term benefits of participating. For poor, the opportunity costs and time involved in engagement are often too much. In particular, the time involved in engaging in standing representative or consultative bodies or alike, such as *LPMK*, *tuha peuet*, or *BKM*, is substantial. Membership is volunteer work. Many poor just cannot afford this. Other barriers may also be too high to overcome. For instance, poor education may impede to participate effectively. Also, being lowly educated, poor may not meet legal requirements for being eligible in consultative and representative bodies mentioned above. Besides, being poor and often less educated, community will, generally, consider them less suited and

⁴⁸⁶ Zakiyah and Enita (2011), p. 138, 142, mention that, in *musrenbang* in Yogyakarta, access to women improved by holding regular *musrenbang* meetings during daytime. In combination with other interventions this resulted in 50 % women participation.

capable. In addition, as discussed, many poor have no ID card and are not registered in the neighbourhood. As a result, they may be excluded from participating anyhow. Furthermore, dissemination efforts seem to fail in actually engaging poor, in particular, the very poor. Inclusion of poor and vulnerable groups depends very much on the efforts of local officials, *lurah*, *keuchik*, heads of *RT* and *jurong*, and facilitators to actively engage poor residents. It has, in the context of *PNPM*, also been noted that poor can be difficult to engage, and some communities exhibit, what has been called, as quoted above, an entrenched 'slum like' behavior that is not conducive to substantial participation.

As appeared in the above sections, affirmative measures to promote the participation and inclusion of poor and marginalised groups are not common. Current municipal regulations in Surakarta and Banda Aceh do not include express measures, such as quota, or reserved seats. Such measures would, also, be complicated to design and not easy to implement, apart from whether such measures would be desirable anyhow. Reference is made to what is said in section 2. Best practicable policy seems to provide that those groups should be invited to attend and to participate. This obligation should also extend to residents who are not registered in the neighbourhood, or have no ID card. Operating procedures in Banda Aceh comprise such an active obligation to invite. They provide for the inclusion of 'marginalised' (read: dis-abled) community as participants in *musrenbang gampong*. *Keuchik* are tasked to actively promote their attendance and to support their interests. Guidelines in Surakarta expressly provide for the participation of representatives of poor residents in mapping meetings of *RW* that are part of *musrenbang renstra masyarakat*. Their actual participation seems not easy to realise, though. Another option is to have facilitators and local government actively promoting and facilitating poor and other vulnerable groups to engage, as, at present, is done in *musrenbang* in Surakarta and Banda Aceh, and has been done as part of the *PNPM Urban* program. Also, holding separate meetings for poor residents may be considered, as is already part of the *PNPM Peduli* program.

Findings. Poor and marginalised, vulnerable groups seem not, or poorly, represented in forums for participation in wards and neighbourhoods. The constraints that keep them from participating are, primarily, socio-economic, and seem not easy to mitigate. To them, the costs of participation are high. Poor education may impede to participate effectively. Also, being lowly educated, poor may not meet legal requirements for being eligible in consultative and representative bodies, or other functions. Furthermore, many do not have an ID card and are not registered in the neighbourhood and may not be invited to attend and participate. Also, dissemination efforts seem to fail to reach them, particularly the very poor, and to get them to engage. Measures to promote their participation may, in particular, aim at actively facilitating participation. Furthermore, an obligation 'to invite' may be considered. It may be expected, that over the years increasing education will foster their engagement.

Younger residents less represented and hard to engage

As ensues from the above, in forums for participation in wards and neighbourhoods, younger residents, too, may be considered being less represented. Even the more so taking into account their growing numbers as part of the population.

The low participation of younger residents ensues from causes that partly are of an institutional nature, and partly have a cultural background. Requirements to be elected in consultative or representative bodies, such as *LPMK* or *tuha peuet*, or in *BKM*, and the way these criteria are, commonly, understood by constituencies, do not foster the election of younger residents in such bodies. This contributes to consultative or representative bodies, such as *LPMK* and *tuha peuet*, predominantly consisting of senior residents, community and other leaders. Recently, though, the number of younger residents in *LPMK* in Surakarta seems to be rising. This would concern younger residents in their thirties who are already active in their neighbourhood and in community, and younger, starting politicians. In Banda Aceh, some *tuha peuet*, also, would now have some younger members. To *musyawarah*

kelurahan and *musyawarah gampong*, commonly, only leaders, officials and senior residents are invited. Though younger residents are deemed to be represented by the leaders of the youth organisation in the *kelurahan* or *gampong*, *karang taruna*, or by the *ketua pemuda*, they tend to be not well represented. Likewise, *musyawarah RT* and *jurong* are only open to heads of households, excluding part of the younger residents who still live with their families, or who are not registered in the neighbourhood, for instance, students. Mostly, only older residents will attend. Similar would apply to *musrenbang*, and, in the *PNPM Urban* program, to *rembug warga* and *BKM*. As mentioned above, though, also younger residents have been elected a member of *BKM*, and seem to have been participating more actively.

For another part, socio-economic developments may not foster participation. Younger residents, increasingly, seem less bound to their ward or neighbourhood. They more often study, work and have part of their social life elsewhere in the city. In addition, they have less time to participate, or, at least, they make other choices. The engagement of younger residents is said to become accidental and more issue-based. As cited in section 7, older residents may still have a stronger sense of belonging in their ward or neighbourhood, and may, generally, feel more obliged to attend and to participate.

Part of youth is active in the *karang taruna* in their ward or neighbourhood. One of the official community organisations in the ward, the *karang taruna* is supposed to represent the younger residents. As argued above, one may question, though, whether today government co-opted functional organisations, such as *karang taruna*, who are supposed to represent youth as a group, actually still do represent the younger residents in a ward or neighbourhood and their interests, as heterogenous and diverse as they are.

Findings. Younger residents appear to be less represented in forums for participation in wards and neighbourhoods. They, also, seem hard to engage, being less bound to their ward or neighbourhood, and, believed to have a weaker sense of belonging. Their engagement is perceived to become more accidental and issue-based. Yet, participation of younger residents and their number in consultative and representative bodies seem slightly to increase. It is questionable whether *karang taruna*, who are supposed to represent youth, still are representative of a diverse group as youth, in particular, in cities.

Local businesses and other interests commonly not represented

Local businesses and occupational workers operating in a ward or neighbourhood, and their interests, seem commonly not represented in forums for participation in the general, day-to-day administration of the ward or neighbourhood, whether in *LPMK*, *tuha peuet*, or *musyawarah*. Many of these businesses, such as street vendors, *becak* drivers, smaller neighbourhood shops, and, also, larger businesses, are operated by people who do not reside in the area. Neither are represented civil society organisations and community-based organisations, other than the 'official' ward and neighbourhood community organisations, such as *PKK* and *karang taruna*, nor are others whom are affected. They are not entitled to being invited to attend and to participate in meetings, to speak, and to take part in discussions, where their interests, or the interests they advocate, may be concerned. Municipal regulations in Surakarta and Banda Aceh do not provide for this.

In contrast, in *musrenbang*, arrangements seem to allow for the representation of such groups. As discussed in section 7, in Surakarta, guidelines provide that representatives of local businesses and other community groups in *kelurahan* that have registered and are invited by the organising committee may participate. They may, also, participate in other, dedicated forums, at other levels, such as sector forums (*forum SKPD*) and focus group discussions. As described in section 8, operating procedures in Banda Aceh, too, appear to allow for their participation as 'other stakeholders in the *gampong*', but do not explicitly entitle these groups to attend. In Banda Aceh, civil society and community-based

organisations indeed seem to participate in *musrenbang*. Local businesses do not attend. Incidentally, consultations are held on an ad-hoc basis. This is not yet institutionalised, though.

With regard to the *PNPM Urban* program, businesses and other interested groups may have been invited to public meetings of *BKM*. As set out in section 9, guidelines and instructions allowed for this in the event the interests of such groups were affected by plans and activities that were part of the program. However, this seems not to have happened very often. Concerning *rembug warga*, a similar arrangement was not provided for.

Opinions are divided on whether local businesses and other groups as mentioned above should be included. As discussed, they are not considered being part of the local community. Civil society and community-based organisations have become better involved, particularly, through sectoral forums. Businesses would prefer to deal with local government 'off' - forum. Reference is made to what is said in above sections. As set out in section 2, for a number of reasons, though, it seems preferable to have them to participate in public local forums and to have them engaging in direct discussions with all interested parties and the local administration. Likewise, civil society organisations and community-based organisations, other than the official organisations, should be allowed to participate. This is particularly relevant since matters that concern these groups often cut across wards.

Findings. Local businesses and occupational workers operating in a ward or neighbourhood are not represented in forums for participation in the general day-to-day administration in wards and neighbourhoods. Neither are represented civil society organisations and community-based organisations, other than the official ward and neighbourhood community organisations. Businesses, civil society organisations and community-based organisations may be invited to participate in *musrenbang*. In the *PNPM Urban* program, they may have been invited to meetings of *BKM* and to *rembug warga*. Civil society and community-based organisations have become better involved, particularly, through sectoral forums. Businesses, though, often seem to prefer 'other' contacts with the administration. Although not being seen as a part of community, it seems preferable to have them engage in forums for participation in wards in particular. This is particularly relevant since matters that concern these groups often cut across wards.

Does institutional design optimise empowerment?

Optimising empowerment

Forums for participation should adequately be empowered. Institutional arrangements should preferably establish actual capacity to act as centres of local self-government. Decentralisation is considered a necessary pre-condition. An appropriate extent and depth and a well-devised institutional design are essential. Devolution of functions, powers and resources according to the notions of subsidiarity and necessity is considered to promote participation and engagement most effectively. Devolution has to be real and meaningful and should include all relevant powers and resources necessary to fulfil the mandate and to deliver the services. The delineation should be clear and unambiguous.

No real, or limited capacity wards to act as centres of local self-government yet

Have forums in wards adequately been empowered enabling them to actually function as centres of local self-government? Do they have actual capacity to act? Have functions and powers been devolved appropriately?

As shown, in Indonesia, wards in cities fulfill an essential and even indispensable role in the administration of their area. Yet, in the current design of local governance, wards have limited mandate to govern them selves. Being part of the municipal apparatus, *kelurahan* and their administration have little autonomy. *Kelurahan* have functions that are or delegated, or de-concentrated. Substantive matters with regard to relevant areas of the administration of *kelurahan* are not devolved. At present, the main functions of *kelurahan* consist of organising the administration in their area, community development, and executing administration affairs delegated by the mayor. In the implementation, *kelurahan* have to act according to instructions of the municipality and *kecamatan*. Reference is made to what is said in sections 3, 4, and 7. This makes *kelurahan* mere executing agencies of the municipal government. Pursuant to the new law on regional administration the functions of *kelurahan* may become even more limited, even the more making *kelurahan* executing agencies of the municipal government.⁴⁸⁷

LPMK operate within this limited domain. The functions of *LPMK* are even more restricted. *LPMK* have to assist *lurah* in the implementation and are entitled to advise the *kelurahan* administration. These functions are predominantly consultative and supportive. Notwithstanding, more advanced *LPMK* may actually exercise substantial influence, beyond their formal powers. *Musyawarah kelurahan*, when held by *LPMK*, are consultative only. In Surakarta, *LPMK*, also, oversee the development in the *kelurahan*, manage the *kelurahan* development fund (*DPK*) and the implementation of development activities, and compile the *kelurahan* development plan. *LPMK*, also, are involved in the preparation of the community strategic plan. These functions have the potential to actually better empower *LPMK*. Overall, one may question whether, at present, *kelurahan* and the current forums for participation in their general day-to day administration are sufficiently empowered, and do have adequate capacity to act as centres of local self-government.

As described in section 5, the constellation in Aceh seems different. A traditional, indigenous community institution, *gampong* are perceived being more autonomous than *kelurahan*. Autonomous institutions, *gampong* are entitled to manage their domestic affairs by them selves. Within their authority, *gampong* have legislative powers. Also, *keuchik*, being directly elected by the *gampong* community, are perceived to act more autonomous. *Tuha peuet* are part of the *gampong* administration, and are having a coordinate and equivalent position towards the *gampong* government. Along consultative and supportive functions, *tuha peuet* have co-legislative, budget, and supervisory functions. The functions of *musyawarah gampong* are consultative and supportive in nature, apart from electing the *tuha peuet* in a special meeting. Actually, as discussed in section 8, at present, *gampong* appear to function less autonomous than perceived, though. The functions that are entrusted to *gampong* are comparable to those assigned to *kelurahan*, as is likely to be the remains of previous, pre-autonomy national legislation. The main part of the functions of *gampong* consists of matters that are delegated or de-concentrated. The functions that are devolved are few, and seem primarily to concern matters that were, pursuant to *adat*, traditionally the domain of *gampong*. These functions seem, predominantly, being of a social, cultural and religious nature. Other matters are not devolved. The municipal government of Banda Aceh intends to further empower *gampong*, to strengthen their autonomy, and to gradually transfer more functions to *gampong* along with increased funding. This may indeed create a more adequate capacity to act according to purpose, and may increase the potential of *gampong* and their institutions to actually function and to further develop as centres of local self-government. The *gampong mid-term development plan (RPJMG)* arrangement that the municipal government introduced in all *gampong* recently and the *gampong* fund (*ADG*) and village fund (*ADD*) arrangements may be seen as promising steps. Indicative budget ceilings (*pagu indikatif gampong*) are under consideration.⁴⁸⁸

⁴⁸⁷ UU 23 / 2014 § 229.4. Compare UU 32 / 2004 § 127.2, 3.

⁴⁸⁸ The provisions concerning *kelurahan* in the law on regional administration, UU 23 / 2014, restricting their functions, would not (necessarily) apply to *gampong* in Banda Aceh. The specific arrangement regards *gampong* in the law on the governance of Aceh, UU 11 / 2006, would have precedence over the general arrangement on

Forums for participation in development planning in wards, too, have a limited mandate. Designed for consultation, as a part of a process that once has been initiated as a, primarily, technocratic and top-down centralistic planning mechanism, *musrenbang* are not substantially empowered and have no substantive capacity to act. Actual decisions are made at the municipal level. In Surakarta, over the last years, the mandate of *musrenbang kelurahan* has gradually been extended. Still, its capacity to act is limited. *Musrenbang kelurahan* discuss and determine activities and priorities of the *kelurahan* in accordance with the community strategic plan and / or priorities at *kelurahan* level and synchronised with the municipal development priorities, the *kelurahan* development work plan, and the activities to be proposed to the *musrenbang kecamatan*. Meetings primarily identify and list problems, needs and wishes, and function as an intermediary between community and municipality to convey demands. Their functions could best be qualified as primarily consultative and coordinating. The reported use of so-called 'negative lists' as ensues from regulations on *DPK*, that in it selves is a useful concept, further restricts the mandate of *musrenbang kelurahan*. The *musrenbang renstra masyarakat* that has recently been introduced seems to have a wider mandate, and potentially increases the capacity to act of *kelurahan* communities. Likewise, in Banda Aceh, *musrenbang gampong* discuss and establish the priority activities that the *gampong* will finance it selves through *ADG* and the activities that it will propose to the *musrenbang kecamatan*. *Musrena* preparatory meetings in *gampong* are consultative only. Their function is to prepare *musrena* at *kecamatan* level and, also, *musrenbang gampong*. As from now, *musrenbang gampong* will, also, discuss and determine the *gampong* mid-term development plan. This may be considered as a substantial addition to its functions, further empowering *gampong*.

In contrast, as discussed above, community empowerment has been central to the *PNPM Urban* program. Forums have been designed to empower communities in wards and create capacity to act, so that they actually can act by them selves. Material functions with regard to the implementation of the program and plans in the ward have actually been assigned to entities that have been created at ward level. As described in sections 6 and 9, *BKM* had to manage and oversee the implementation of the program and plans in *kelurahan* and the use of funds. Within this mandate, their functions were executive and consultative as well. Reference is, also, made to the Neighbourhood Development program. Common view is that *BKM* were adequately empowered to fulfill their functions and had actual capacity to act. Whether *BKM* actually did act effectively differs. Practice was not uniform. Overall, *BKM* would have functioned well. In some places *BKM* functioned less, and problems occurred. Many *BKM* operated entirely by them selves. Other needed support of the local government apparatus. Within the program, *rembug warga* were the supreme forum in *kelurahan*. In the consecutive phases of the program cycle they had to determine the program and plans in *kelurahan*, to monitor, supervise and control their implementation and the disbursement of funds by *BKM*. *Rembug warga*, furthermore, elected and recalled members of *BKM*. The decisions of *rembug warga* were binding and had to be implemented by *BKM*. The functions of *rembug warga* in *kelurahan* were decision-making and consultative as well. With these functions and powers, *rembug warga* may be considered having been well empowered and having had the capacity to act according to purpose. The actual functioning, though, did strongly depend on the capacity of delegates and other participants, and varied locally. It was, also, dependent on the way *rembug warga* at the different levels were actually implemented.

To better empower *kelurahan* and *gampong* and to create actual capacity to act, so that they can function as centres of local self-government, a wider ranging devolution of functions and powers from municipality and *kecamatan* to *kelurahan* and *gampong* should be considered. This opinion is widely shared. As ensues from the principles of subsidiarity and necessity discussed in section 2, *kelurahan* and *gampong* may be entrusted with al

kelurahan in the law on regional administration. Reference is made to what is said with regard to the special status of *gampong* in section 5.

matters that relate to their area and practicably can be determined and done at their level, leaving matters that cannot be dealt with at that level and that can be more effectively dealt with at upward levels, *kecamatan* or the municipality, to be assigned to these upward levels. This would, for instance apply to matters that, also, concern other, adjacent *kelurahan* or *gampong*, or the municipality, such as shared infrastructure and amenities, or matters that require a certain scale of economy or operations, or are reasonably too complex to be dealt with at the level of *kelurahan* and *gampong*.

However, for a number of reasons, the functions and powers that, at short term, actually may be devolved to wards may appear limited in number and width. Transferring certain functions to *kelurahan* and *gampong* may not turn out optimal in terms of efficiency, effectiveness and quality. The current scale of *kelurahan* and *gampong* is quite small, as mentioned above. For instance, in Surakarta, at present, *kelurahan* have a population of about 10,000 people on average. In Banda Aceh, *gampong* have just 3,000 inhabitants on average. Also, at present, the resources and capacity to discharge all functions may be insufficient, or even entirely lacking. This may impede, at least yet, to devolving to wards all functions that in view of empowerment and creating actual capacity to act, preferably, should be devolved. To wards should then, also, be allocated the resources needed to enable them to fulfill the extended mandate and to deliver the related services. At least, these resources should be distributed better or shared among the local government entities involved. As will be discussed below, at present, resources allocated to *kelurahan* and *gampong* already appear insufficient to fulfill their current mandate.⁴⁸⁹

As may be anticipated, though, the issue of scale is likely to resolve its selves over time. Ongoing urbanisation and continuing immigration from rural areas result in higher population densities in Indonesian cities and a rapidly rising population of *kelurahan*. *Kelurahan* and (perhaps) upto a lesser extent *gampong* will in the longer run grow into a more adequate size. In this context, reference is made to the current numbers of population of larger *kelurahan* in cities. At present, in Surakarta, the population in the largest *kelurahan* is about 50.000. Larger *kelurahan* in other cities have populations of a similar size. In addition, the present lack of capacity of *kelurahan* administrations could be addressed by having them sharing resources and services and to cooperate with other *kelurahan* and *gampong* within the *kecamatan* or municipality as will be further discussed below. Also, smaller *kelurahan* and *gampong* could merge with contiguous *kelurahan* and *gampong*.^{490 491 492}

Findings. Until now, wards have only limited mandate to govern them selves. Wards, and forums for participation in their day-to-day administration, seem not sufficiently empowered and do not have adequate capacity to act as centres of local self-government. *Kelurahan* presently, have nearly no autonomy, being merely executive agencies of the municipal government. Substantive matters have not been devolved. *Gampong* seem more autonomous. They are entitled to manage their domestic affairs and have legislative powers within their authority. Actually, the functions that have been entrusted to *gampong* are comparable to those assigned to *kelurahan*. Functions that have actually been devolved are few. Also, forums for development planning have a limited mandate. Over the last years, the mandate of *musrenbang* has gradually been extended. Still, its capacity to act is limited. *Musrenbang kelurahan* and *musrenbang gampong*, primarily, still have consultative functions. They, too, are not well empowered and have no real capacity to act. Still, actual

⁴⁸⁹ Kota Surakarta (2014)), Dalam Angka Surakarta 2013, p. 31, table 3.1.3), Kota Banda Aceh (2015), Statistik Banda Aceh 2014, p. 45, table 3.1.

⁴⁹⁰ Kota Surakarta (2014)), Dalam Angka Surakarta 2013, p. 31, table 3.1.3.

⁴⁹¹ Compare, for instance, Surabaya. *Kelurahan* have a population of about 20.000 on average. The population of the largest *kelurahan* is about 55.000. Kota Surabaya (2014), Informasi Data Pokok Surabaya 2013.

⁴⁹² At the same time, as observers note, from a viewpoint of proximity the size of *kelurahan* with higher densities in cities, particularly in Java, may become too large to allow substantial participation of residents. Splitting *kelurahan* may than be desirable.

decisions are made elsewhere, by the municipal administration. In contrast, in the *PNPM Urban* program, *BKM* and *rembug warga* are seen as having been adequately empowered and having had actual capacity to act according purpose.

To better empower wards and to create actual capacity to act to enable wards to function as centres of local self-government, further devolution from municipalities to wards would be needed. At short term, the functions and powers that actually may be devolved to wards may appear limited in subject and in reach, though. Considering the current size of wards, it may turn out less efficient and effective to devolve all functions that in view of empowerment and creating capacity to act, preferably, should be devolved. Also, the present capacity and resources of wards to discharge all functions may be too little. Over time, though, as may be anticipated, the population of wards will increase as a result from ongoing urbanisation and immigration. Their capacity may improve. This will enable a gradual further devolution of functions and powers to wards.

Empowerment of neighbourhoods more adequate?

Community institutions in neighbourhoods seem more appropriately empowered, more in particular, in relation to their scale and purpose. In a way, similar to the above, the functions assigned to neighbourhood organisations are limited in subject and reach. The functions of *RW*, *RT*, and, in Aceh, *jurong*, are merely of a consultative and supportive nature. Their capacity to act is limited. Heads of *RW*, *RT* and *jurong* assist *lurah* and *keuchik* respectively in the management of their neighbourhood. Notwithstanding, as mentioned above in sections 7 and 8, their significance in the day-to-day administration of the *kelurahan* and *gampong* should not be under-estimated. *Musyawarah* have a consultative function only. Apart from this, *musyawarah RT*, also, elect the head and board of *RT*, and, as ensues from custom, *musyawarah jurong*, elect the head of *jurong*. *Musyawarah RW* and *RT* held as part of the *musrenbang* cycle, also, are of a mere consultative nature. Similar applies to *musyawarah dusun* that are part of the *musrenbang* cycle. These meetings are supposed to collect ideas and to coordinate with leaders in *jurong*. In the *PNPM Urban* program too, *rembug* in *RT* had functions that may be qualified as predominantly consultative and supportive.

It would be conceivable to assign more functions, and even to devolve certain functions, in order to create substantive capacity to act, to heads of *RW*, *RT* and *jurong*, and to *musyawarah*. However, the scale of neighbourhoods is small. As mentioned above, in Surakarta, *RW* consist of 450 households at maximum, and *RT* of about 50 households at maximum. *Jurong* in Banda Aceh have about 250 households. Their managerial and organisational capacities are generally restricted, as are their resources. In terms of efficiency, effectiveness and quality, assigning more demanding functions to neighbourhood community organisations may be less optimal. Such would, also, imply a corresponding transfer of resources to fulfill such a mandate or may at least require an appropriate management arrangement with respect to the provision there-of. It would also imply higher procedural and institutional requirements. This may do harm to the comparatively open and informal character of *musyawarah* in *RW*, *RT* and *jurong*. Over-institutionalising forums for participation at this level should be avoided. The gains would be little. Considering the above, a sensible approach would be to focus on strengthening the role of *RT*, *RW* and *jurong*, and, more in particular, *musyawarah RT*, *RW* and *jurong*, as proximate, open and informal forums for direct participation and engagement in neighbourhoods, extending their consultative functions.

In addition, as observers mention, the functions of heads of *RT* and *jurong* may already have become too many and too demanding, also considering the volunteering nature of the position. This would, particularly, concern the administrative and assistance tasks heads perform on behalf of the *kelurahan* and *gampong* administration and that are perceived burdensome. This would cause residents not to aspire to become a head of *RT* or *jurong*.

Also, possibly, these tasks may be better be done by the *kelurahan* and *gampong* government and apparatus. For these reasons, it may be preferable to discharge the heads of *RT* and *jurong* of all, or at least, a major part of the administrative and assistance tasks. This may allow heads of *RT* and *jurong* to better focus on their function as representative of the community in the neighbourhood vis á vis the *kelurahan* and *gampong* administration and in forums at *kelurahan* and *gampong* level.⁴⁹³

Findings. Considering, in particular, their scale and purpose, neighbourhood community organisations may be considered being more appropriately empowered. The functions of *RW*, *RT* and *jurong* are, primarily, consultative and supportive. Assigning more demanding functions may be less optimal. Strengthening their current role as proximate, open and informal forums for direct participation and engagement in the administration and development of the neighbourhood, extending their consultative functions, and facilitating monitoring and evaluation of the implementation of policies and plans in the area may be a sensible approach.

At the same time, it may be considered to discharge heads of *RT* and *jurong* of all, or, at least, a major part of the administrative and assistance tasks they perform on behalf of the *kelurahan* and *gampong* administration, allowing them to concentrate on their representative functions on behalf of the neighbourhood community.

Resources often too little

Have resources necessary to discharge the mandate and to deliver the services been allocated to wards and neighbourhoods?

As discussed in the above sections, municipalities provide most of the funding of wards and ward institutions. *Kelurahan* are funded through the municipal budget. In Surakarta, the municipality, also, allots funding to *LPMK*, at present, up to about 30 %, additional to funding by other sources and contributions of the community. In addition, the municipality supplies *kelurahan* with staff. Apparatuses of *kelurahan* consist of municipal civil servants. Also, facilities, such as offices are provided. *Gampong* are funded through their own *gampong* revenues and other sources as well, including the municipal budget. At present, in Banda Aceh, the municipality bears most of the operating costs of *gampong*. In contrast, neighbourhood community organisations, *RW*, *RT* and *jurong*, are primarily funded by communities them selves. Specific projects may be funded by other sources, for instance, by the municipality. Increasingly, *RT* depend on additional government funding. There is some discussion whether the funding of wards actually is adequate. In Surakarta, the funding of *kelurahan* would not be sufficient to discharge the mandate. In particular, the funding of staff and operational costs of larger *kelurahan* would fall short. Also, the means to actually implement development and other programs would fall short. In Banda Aceh, the funding of *gampong* by the municipal government and by other sources is considered sufficient to fulfil development needs included in the municipal planning. It would not be sufficient to fund all development needs. This shortfall restricts the empowerment of *kelurahan* and *gampong* and their actual capacity to act.

Impression is that the overall level of *lurah* and *kelurahan* apparatus generally could be considered being up to standard. In Banda Aceh, the capacity and quality of *gampong* administration and apparatus are a matter of concern. This, in particular, seems to relate to *keuchik*, who are elected from among the *gampong* community. In many *gampong*, their

⁴⁹³ Opinions seem divided on this issue. To the opinion of some observers, part of the current tasks that heads of *RT* perform on behalf of the *kelurahan* administration, at that level, practically can only be done by them, such as registration of residents, safety, and social tasks. In addition, this would be a cultural matter, it is felt that it would be preferable to have residents take care for their own community.

qualifications would be insufficient and their quality even poor. It appears hard to find suitable candidates. Also, at present, in many *gampong* the capacity of *tuha peuet* would be too low. Over time, *tuha peuet* may acquire more capacity and may function better, as *tuha peuet* in *gampong* that have an educated constituency already do.

Development activities and the costs of the *musrenbang* process in wards and neighbourhoods as well are, for the most part, funded through the municipal budget. To run and facilitate the *musrenbang* process, municipalities supply facilitators and other support. The opinion is widely shared that the budgets that are currently allocated to development activities in wards and neighbourhoods as part of *musrenbang* are insufficient. In Surakarta and Banda Aceh as well, the budgets that are actually available for development activities would be too little to accommodate all proposals made and agreed in *musrenbang*, and to meet all development needs. In Surakarta the budget would even decrease, as, also, the funding by the community it selves has been decreasing, and the funding is said to get problematic. Likewise, in Banda Aceh, the available budget would be insufficient to sustain the *musrenbang* and *musrena* processes as envisaged, and the means available may even decrease. Furthermore, the provision of human resources to *musrenbang* appears to be insufficient. At ward and neighbourhood level, the implementation of the *musrenbang* process very much relies on the deployment of facilitators. As cited in sections 7 and 8, in Surakarta and Banda Aceh, there are too little facilitators to attend all meetings and to adequately guide the process. In spite of improved education, their training is still limited, and their quality too low.

The government and other, private sources provided funding of plans that were part of the *PNPM Urban* program. The program, also, provided teams of facilitators to assist communities in the implementation of the program. Communities could, also, assign consultants. As mentioned in section 9, the level of funding of plans under the *PNPM Urban* program is quite generally seen as having been adequate in relation to the project needs and the philosophy of the program. Locally, funding is considered having been too little, for instance, in Banda Aceh. More may have been needed to substantially support poor residents and to actually alleviate poverty. Also, the provision of human resources seems not to have met the demands. Similar to *musrenbang*, at ward and neighbourhood level, the implementation of the *PNPM* process heavily relied on the deployment of facilitators. They are considered having been indispensable, at least, in that phase of the program. In the *PNPM Urban* program too, the number of facilitators was too low, and their workload is considered having been too high. Also, facilitators lacked adequate training. In addition, in *PNPM*, their continuity is said to have been problematic. On longer term, if the program would have been continued, the need for facilitators would have decreased, as *BKM* and residents gradually would have become more capable in managing and implementing plans and projects by them selves and less dependent on the support of facilitators.

Findings. There is some discussion whether the funding of *kelurahan* and *gampong* actually is adequate. There is some evidence that the funding is not fully sufficient to discharge the mandate. In particular, the funding of staff and operational costs of larger *kelurahan* would fall short. Also, the budget that is actually available for development activities would be too little to actually implement development programs and to meet all development needs, and is said even to be decreasing. In contrast, the level of funding of plans under the *PNPM Urban* program is quite generally seen as having been more adequate in relation to the project needs and the philosophy of the program. Locally, funding is considered being too little. More may be needed to substantially support poor residents and to actually alleviate poverty. The shortfall in funding restricts the empowerment of *kelurahan* and *gampong* and their actual capacity to act.

In terms of human resources, the overall level of *lurah* and *kelurahan* apparatus generally could be considered being up to standard. In contrast, in many *gampong* the capacity of the *gampong* administration would be too low. Over time, it may acquire more capacity and may function better, as administrations in *gampong* that have an educated constituency

already do. Furthermore, the provision of human resources to *musrenbang* appears to be insufficient. There are too little facilitators to adequately guide the process, and, in spite of improved education, their training is still limited, and their quality too low. Similar seems to apply to the former *PNPM Urban* program. On longer term, if the program would have been continued, the need for facilitators would have decreased, as local forums and residents gradually would have become more capable themselves and would have been less dependent on their support.

Improving responsibility?

Improving responsibility

Local government, its institutions and officials are responsible to those from whom they derive their authority and whom they represent. They, also, should be responsive. Responsibility and responsiveness are sustained by accountability. For that reason, accountability is considered being a pre-condition to participation and engagement. Institutional arrangements should establish accountability, ensuring propriety and improving responsiveness. Arrangements should provide for both upward and downward, and direct and indirect mechanisms, including social accountability mechanisms. Furthermore, arrangements should enhance enforceability.

Responsiveness to actual needs often still low

The current institutional design does not enhance the responsiveness of *kelurahan* administrations to the actual needs of residents. Opportunities of *kelurahan* residents to participate in its day-to-day administration are little. The functions and powers of *kelurahan* and those of *lurah* and *LPMK* are limited. Substantive matters have not been devolved, or delegated. Also, the funding and resources of *kelurahan* are actually not sufficient to discharge even its limited mandate. Likewise, in spite of their autonomous status, at present, *gampong* seem not well equipped to adequately fulfil the needs of their constituencies. Currently, the responsiveness of *gampong* administrations – *keuchik* and *tuha peuet* jointly – to the actual needs of residents seems less satisfying than aspired. Opportunities of *gampong* residents to actually participate in the day-to-day administration are still not very substantial. The empowerment of *gampong* is limited. At present, *gampong* still have too little capacity to act. Also, their funding and other resources seem too little to fulfill all needs, in particular, to realise all development needs. Much depends on the ability and drive of *kelurahan* and *gampong* administrations and local community institutions as well to effectively address community needs, even within their limited mandate.

RT, *RW* and *jurong* function *de facto* as the lowest level of the local government, the most proximate to residents. Even if their powers are limited, being this proximate and easy accessible to residents, as an intermediate between residents and local government, heads of *RT*, *RW* and *jurong* fulfil an indispensable function, and enhance the responsiveness of local government to the actual needs of residents.

The *musrenbang* process, as such and in *kelurahan* and *gampong*, as it evolved over the past decade, does contribute less to enhancing the responsiveness of *kelurahan* and *gampong* administrations to the needs of residents than envisaged. On the whole, the responsiveness to the actual needs of residents is still quite low. For a part, causes seem to lie in the process. The process is much too formalised, and still technocratic and top-down. There is little substantial participation. There is no actual discussion. The process results in too many projects that are questionable and that are not as beneficial to the communities concerned as should. In addition, the budget that is actually available for development activities is one of the restraining factors. The process has gradually become more inclusive,

better including women and poor. However, the orientation to the needs of women and poor is still insufficient. Whether the participatory arrangements that recently have been introduced by municipal governments, also including an increased focus on a longer term planning and actual needs identification and assessment, will contribute to improve responsiveness is to be seen.

In contrast, the *PNPM Urban* program seems actually to having enhanced the responsiveness of local government and community institutions to the actual needs of communities in *kelurahan* and *gampong*. The program seems to have been successful in fulfilling, at least, part of the basic needs. The program is perceived to have met community needs better than, for instance, *musrenbang*. For a part, this seems due to the way the process was designed, starting with needs identification. Also, forums have been created that were relatively open, increasingly representative of the community, well empowered and had adequate capacity to act, and were accountable. The program seems, also, to having been quite successful in enhancing the responsiveness to the needs of women. Program and plans tended to be more geared to women wants. Concern has been emerging, though, whether and up to what extent the program actually did meet the needs of the poor, and more in particular, the very poor.

Findings. The current institutional design does not enhance the responsiveness of *kelurahan* administrations to the actual needs of residents. Also, in spite of their autonomous status, at present, the responsiveness of *gampong* administrations to the actual needs of residents seems to be less than aspired. Currently, *kelurahan* and *gampong* seem not well equipped to adequately fulfil the aspirations and needs of their constituencies. Opportunities of residents to actually participate in their day-to-day administration are still not very substantial. The empowerment of *kelurahan* and *gampong* is limited. They still have no real capacity to act. Also, their funding and resources are actually not sufficient to discharge even their limited mandate, and to effectively address community needs.

The *musrenbang* process, in its present design, does contribute less to enhancing the responsiveness of *kelurahan* and *gampong* administrations than envisaged. Often, outcomes do not reflect community aspirations. Main causes seem to lie in the process. Whether the participatory arrangements that recently have been introduced will contribute to improve responsiveness is to be seen. In contrast, the *PNPM Urban* program is perceived as having been more successful in improving the responsiveness of local government and community institutions to the needs of residents.

Arrangements establishing downward accountability wards still weak

Do institutional arrangements establish downward accountability? Have mechanisms been adopted that establish both direct accountability between the government, elected representatives and other officials, and community and citizens, and indirect accountability, through agencies that monitor, control or audit on behalf of the community and citizens?

At ward level, arrangements that establish downward accountability appear to be weak. In *kelurahan*, express arrangements that allow the community to control the *kelurahan* administration with regard to the general day-to-day administration have not been made. *LPMK*, in this respect, have a limited function. As discussed in section 7, in Surakarta, *LPMK* have just to control the development of the *kelurahan*. *LPMK* have not been entrusted with controlling the implementation of other functions of the *kelurahan* administration. *Gampong* as they have been developing over time, traditionally, have potentially stronger downward mechanisms. As described in section 8, along legislative and budget functions, *tuha peuet* oversee the *gampong* administration. Also, *tuha peuet* are entitled to ask *keuchik* to render account. In many *gampong*, though, the capacity of *tuha peuet* is low, and a considerable limiting factor in exacting accountability of the *keuchik* and the *gampong* apparatus. At present, in Surakarta, neither in Banda Aceh, do regulations

include arrangements for monitoring, evaluation and social auditing. Civil society organisations, individual residents, or other interested parties, may do so at their own initiative. The cooperation of the *kelurahan* or *gampong* government would not be enforceable. However, in Surakarta, in some *kelurahan* this is facilitated. In Banda Aceh, the municipal government is planning to introduce monitoring and evaluation by *gampong* communities in the next few years.⁴⁹⁴

With concern to *kelurahan*, direct recall mechanisms are not provided for. *Lurah* and *kelurahan* administration are not elected by the *kelurahan* community, but appointed by the mayor and the municipality respectively. Being civil servants, they are hard to dismiss. Incidentally, they are transferred to another post. Only the members of the board of *LPMK* are elected by the community and can also be dismissed. The community has the option to not to re-elect members of the board that do not fulfill expectations. In contrast, in *gampong*, officials may be recalled. *Keuchik* are elected by *gampong* residents. Residents have the choice to not to re-elect *keuchik*. In this context, the present, regular tenure of *keuchik* of 6 years may be too long, though. Furthermore, *keuchik* may be dismissed or suspended upon the proposal of *tuha peuet*. Members of *tuha peuet* themselves are elected by the *gampong* community and can also be ousted, not being re-elected, or dismissed.

Grievance redressal mechanisms, such as complaints procedures, are being introduced and developing, but not yet firmly established. In Surakarta, complaints procedures have just recently been introduced. Residents may file complaints concerning administration and service matters with the municipal service complaints units, and, at *kelurahan* level, with the community complaint posts. In Banda Aceh, complaints concerning the *gampong* administration are dealt with in the traditional way, informally and in harmony. A formal complaints mechanism has not been established, and is, currently, not intended, as it is not felt needed to create a novel mechanism in addition to the existing, informal mechanism. Disputes between community, or individual residents, and the *kelurahan* or *gampong* administration are, primarily, settled in the traditional way through deliberation, by *lurah*, or *keuchik*, and other officials. This may be an appropriate mechanism to settle disputes in first instance. However, complainants, ultimately, should, preferably, also have recourse to an independent forum that is proximate and easily accessible to settle disputes that remain unresolved. Currently, there is no such forum.

The development planning cycle includes mechanisms that enhance accountability. In Surakarta, annually, the development plan and activities are evaluated and discussed in *musrenbang kelurahan*. *LPMK* oversee the implementation of the *kelurahan* development plan. Also, *LPMK* monitor and evaluate the implementation of development activities funded by the *kelurahan* development fund (*DPK*). *LPMK* have to report annually. Monitoring and evaluation by the community itself does not yet function satisfactorily, though. Residents would refrain from actually calling each other to account. Also, the capacity of members from the community may still fall short. In addition, the monitoring and evaluation is limited to only part of the development activities, those funded by *DPK*, and do not include projects funded by the community itself, through *swadaya*, or other sources. Furthermore, reporting is only once annually. This would be too little. Mechanisms that establish accountability at the *gampong* level are not yet provided for in *musrenbang* in Banda Aceh. Monitoring, evaluation and control is, primarily, done at the municipal level, and not in *gampong*, at least not yet.

The mechanisms included in the former *PNPM Urban* program may be qualified being more robust, as appeared in section 9. In coherence with other properties of the program, these mechanisms have shown to be quite effective in exacting accountability. At ward level, the

⁴⁹⁴ According to Antlöv, Brinkerhoff, Rapp (2008), p. 17, accountability still is oriented toward higher tiers in the administrative hierarchy, rather than towards citizens.

principal downward mechanisms to establish accountability consisted of participatory monitoring, inspection and evaluation by the community it selves. *Rembug warga* annually evaluated and controlled the implementation of the program and plans in the ward, and the management of funds by *BKM*. To this end, a community review team conducted a participatory review. This mechanism started to work well. Furthermore, communities increasingly seemed to do monitoring and evaluation by them selves, including the annual evaluation, and seemed to rely less on the support of facilitators. Also, an independent auditor audited *BKM*. Year round, *BKM* had to render account to *rembug warga*. *BKM* had to report and to disseminate all relevant information. The implementation varied locally. Reporting and account by *BKM* was mostly verbal, and often not as extensive as should. Recently, in Surakarta, the majority of *BKM* would have reported in conformity with the guidelines. Similar would apply to *BKM* in Banda Aceh. Most *BKM* would have reported by them selves. Facilitators assisted the other *BKM*. Reporting, though, would have been merely 'project administration', rather than substantial reporting. Reports would have been made public, commonly, put on the information boards in *kelurahan* and *gampong*. In addition, guidelines and instructions explicitly allowed for monitoring, evaluation and social auditing by the wider community, civil society organisations, or other interested parties. *BKM* were obliged to facilitate inspection and monitoring by providing access and disclosing information as requested. In addition, recall mechanisms have been included. Members of *BKM* were elected officials. *Rembug warga* were entitled to recall and replace members of *BKM* as a result of the annual evaluation. The recall mechanism seems to have functioned. As a result of the annual evaluation, members of *BKM* that did not function properly were actually being dismissed and replaced. Guidelines, furthermore, provided for a community complaints system. An independent dispute resolution mechanism was, however, not included.

Findings. In wards, arrangements that establish downward accountability appear to be weak. In *kelurahan*, arrangements that allow *LPMK*, or others, to monitor, evaluate, and control the day-to-day administration of the *kelurahan* have not been made. *Lurah* are not elected by the residents. They are appointed by the municipal administration. Recall is not provided for. *Gampong* have potentially stronger downward mechanisms. *Tuha peuet* oversee the *gampong* administration, and are entitled to ask the *gampong* government to render account. Express arrangements that allow community, residents, or others to monitor, evaluate, or audit the *gampong* administration have not been made, though. *Keuchik* and *tuha peuet* are elected by the residents, and may be recalled. Grievance redressal mechanisms at the *kelurahan* and *gampong* level are developing, but not yet firmly established. Independent resolution of disputes between community, residents and *kelurahan* or *gampong* government that is proximate and easy accessible is not provided for.

Downward mechanisms with regard to development planning seem slightly stronger. Recently, in Surakarta, the *musrenbang* cycle includes monitoring and evaluation mechanisms that enhance downward accountability. In Banda Aceh, such mechanisms are not yet provided for. Mechanisms included in the *PNPM Urban* program, such as participatory monitoring, inspection and evaluation by the community it selves, and by others, and election and recall of officials may be seen having been more robust, and, in coherence with other properties of the program, have shown to be quite effective in exacting accountability. Participatory monitoring and evaluation did not yet function as satisfactory as expected, though. Neighbours do not easily call each other to account. Also, the capacity of communities, often, still fell short.

Arrangements establishing upward accountability wards stronger

Do institutional arrangements, along downward mechanisms, also, include mechanisms that establish upward accountability, direct or indirect, between ward and municipality?

Mechanisms that enhance upward accountability between ward and municipality seem stronger and appear to have been further developed. *Lurah* and *kelurahan* administration are working under supervision of the mayor and the municipality, and are accountable to both. *Lurah* have to report to the mayor. In addition, the municipal inspectorate annually audits *kelurahan*. The inspectorate has to report to the mayor. These reports are not made public, though. Progress reports are sent to the municipal council (*DPRD kota*). An external, independent audit is not provided for. As discussed above, *gampong* have an autonomous status and are formally not part of the municipal apparatus. For that reason, the guidance and supervision by the municipality may have a more distant character. Nevertheless, in Banda Aceh, *gampong* are annually audited by the municipal inspectorate as a part of the audit of *kecamatan*. Currently, regulations do not stipulate that reports shall be made public and disseminated to the public. In practice, the reports of the inspectorate are partially made public. Annual reports on the implementation of the *gampong* budget by the *keuchik* and *tuha peuet* have to be submitted to the municipal government for evaluation. In Banda Aceh too, an independent external audit of *gampong* is not provided for, though.

With concern to the development planning process, *musrenbang*, as such, regulations do not provide specifically for mechanisms that establish upward accountability at ward level, apart from monitoring and evaluation by the municipality. Upward accountability related to the implementation of *musrenbang* has, in particular, to be realised through the common arrangements that enhance the accountability of *kelurahan* and *gampong* mentioned above, and whereas it concerns the use of public funds, in particular, by the regular municipal arrangements for control, report, inspection and audit. This would, however, not extend to the spending of community funds.

Upward mechanisms to establish accountability that were part of the former *PNPM Urban* program included inspection, monitoring and control of the implementation of the program and plans by government and independent parties as well. In addition, *BKM* and all units were annually audited by independent auditors. Apart from this, inspection was done by government inspectorates. Most of these reports were made public. As cited above, these mechanisms, along other properties of the program, have shown to be quite effective in exacting accountability.

Findings. Mechanisms that enhance upward accountability between ward and municipality seem stronger and appear to have been further developed. Wards, both *kelurahan* and *gampong*, are supervised by the municipality and *kecamatan*. Annually, wards are audited by the municipal inspectorate. An external, independent audit is not provided for, though. The implementation of development planning activities, *musrenbang*, is, in particular, subject to the common arrangements that enhance the accountability of wards. The *PNPM Urban* program did provide for inspection, monitoring and control by government and independent parties, and for annual independent audits as well. These mechanisms have shown to be quite effective in exacting accountability.

Informal mechanisms foster accountability neighbourhoods

With concern to neighbourhoods, *RW*, *RT* and *jurong*, downward direct mechanisms that establish accountability seem, primarily, to rely on informal mechanisms that are own to and exist in communities of this size, or come into being if circumstances cause so.

Currently, regulations do not provide for monitoring, evaluation, or control of *RW*, *RT* or *jurong* by the community, or other interested parties. The community, or civil society organisations, may do so at their own initiative. On the other hand, options for recall of officials exist. Heads of *RW*, *RT* and *jurong*, and members of boards of *RT* are elected officials. Regulations in Surakarta, also, provide for their dismissal. In a number of *RT* in Surakarta, heads of *RT* report to *musyawarah*. This may work as a strong informal mechanism. Complaints and disputes between the community, or individual residents, and

heads are resolved in the traditional fashion by the head him selves, or other officials, through deliberation. An independent forum that is proximate and easily accessible is not provided for.

In *RT* and *RW*, at 'grassroots', as one observer emphasises, leadership is responsible and acquires legitimacy, primarily, in '*informality*', in conformity with local traditions and culture. At this level, the availability of information and communication is essential. This might be different, though, in dense and more heterogeneous neighbourhoods in larger cities that have a larger populace. At a larger scale, matters tend to get more formal.⁴⁹⁵

Likewise, upward mechanisms seem limited. In Surakarta, regulations in general terms provide for guidance and supervision of *RW* and *RT* by the municipality. Recently, *RW* and *RT* have to report concerning the spending of costs funded by the *kelurahan* development fund (*DPK*). A general obligation to report is not provided for. In Banda Aceh, regulations do not explicitly provide for supervision of *jurong*. Also, an annual audit of *RW*, *RT*, or *jurong* by the municipal inspectorate, or by independent auditors, is not expressly provided for, neither for an obligation to report to the municipality, *kecamatan* or *gampong*.

Findings. In neighbourhoods, mechanisms that establish downward accountability seem, primarily, to rely on informal mechanisms that exist in communities of this size. Regulations do not provide for monitoring, evaluation and control of *RW*, *RT*, or *jurong* by their communities, or others. Heads of *RW*, *RT*, and *jurong* are elected by the community. Options for recall exist. Complaints and disputes between community, individual residents and *RW*, *RT*, or *jurong* officials are resolved informally, in the traditional way. Similar, upward mechanisms, such as an annual audit, seem limited.

⁴⁹⁵ Santoso

11. RECOMMENDATIONS

Introduction

Challenges of today, tomorrow

Participation of citizens and community in urban administration is variable and hard to sustain. As we saw, this is no less true in Indonesian cities.

Today, still, one of the major challenges to participation is a society that, even in cities, remains somewhat patriarchal. Another persistent challenge is a culture within the administration, and not less within municipal administrations, that is often technocratic and top-down and not that much bottom-up, a heritage from of 30 years of centralistic planning under *Orde Baru*.⁴⁹⁶

In the coming decade, three events may largely shape the manner citizens participate in the administration and development of their ward and neighbourhood. These events are both challenges and opportunities. First is the on-going urbanisation, and, in some of the major Indonesian cities, even metropolitanisation. Second is the rapid spread and evolution of the Internet, and, more in particular, social media, radically changing the way people communicate and have access to information. Third is the rise of a young, educated urban middle-class.

The vertical kampung

In about ten years from now, in 2025, about 60 % of the Indonesian population will be living in cities. Twenty years from now, in 2035, this will be about 67 %. In 2014 this was 53 %. In cities, many wards and neighbourhoods will become more densely populated than they already are. In some areas, neighbourhoods will become highrise, even metropolitan, *kampung susun*. Other areas may remain just as they are now, a sprawl of village-like low-rise neighbourhoods that is so typical to Indonesian cities and other cities in South-East Asia, with slum-like pockets. Overall, the use of public space, streets, alleys and the like, where neighbourhood residents daily meet and socialise, as they do now, may be expected to change. Also, the population of wards and neighbourhoods is likely to further change, becoming more diverse and heterogeneous. Social cohesion that today still prevails in many neighbourhoods in cities may become less. Communities in neighbourhoods will evolve from what may be qualified as still being close to *Gemeinschaft* into mere *Gesellschaft*. This will impact the ways residents deal with each other and with local government.^{497 498}

⁴⁹⁶ Tetanel, Antlöv, Brinkerhof, Rap (2008), p. 6.

⁴⁹⁷ Sudarmo, referring to Tönnies, *Gemeinschaft und Gesellschaft* (1887) (Community and Society), www.kampungnesia.org.

⁴⁹⁸ Recent data urbanisation in Indonesia: In 2020: 56,7 % of population will be living in cities, in 2025: 60 %, in 2030: 63,4 %, in 2035: 66,6 %. Natural population growth contributes 35 – 40 %, urbanisation (*desa* becoming *kota*) 30 – 40 %, and immigration from *desa* to *kota* 25 – 30 %. According to current figures, there-of about 12 % are slum households. Kementerian PPN / BAPPENAS (2014), *Presentation Kebijakan dan Program Nasional Perancangan Permukiman Kumuh 2015 – 2019*, 22 December 2014, WorldBank (2015), WorldBank population estimates and urban ratios from the United Nations World Urbanization Prospects, 20 August 2015.

The virtual kampung

The rapid proliferation and evolution of the Internet and, more in particular, social media, such as Facebook and Twitter, and even the more in Indonesia, increasingly affects the way people, and, particularly, younger generations, communicate. It, furthermore, makes information more easily and, potentially, near unlimited accessible and easier to share, and at low, even decreasing cost. It highly impacts the way people, especially young people, engage in public life, expressing opinions on matters which affect them or in which they are interested. As experience demonstrates, this participation is mainly issue-based and accidentally, often limited to whatever issue is 'trending' at that moment and shortlived. Social media make it easy to engage, lasting engagement seems hard to realise, though. Also, engagement and outreach often remain limited to the own group, to peers. Initiatives often fail to effectively address others, outsiders. Engagement, also for that reason, appears to be less sustainable. Furthermore, communication is, mostly, one way. At present, the new media still fall short in instrumentation to realise an actual, two-way discussion and substantial deliberation. Whether a virtual *musyawarah* will once have the capacity to replace actual, face-to-face deliberation remains to be seen.⁴⁹⁹

The young and smart kampung

In Indonesian cities, steadily, a young urban middle class is emerging. Younger residents in wards and neighbourhoods will be better educated than previous generations. They will have better jobs and they will be more affluent. The capacity of residents, including poor, to substantially participate will increase. Residents may become more assertive and more critical. At the same time, as noted above, they may feel less bound to their ward and neighbourhood and their engagement in ward and neighbourhood matters may decline. Younger residents more often work, study, and enjoy part of their social life elsewhere in the city. For this reason too, their engagement may become accidental and more issue-based and less area-oriented. In addition, the nature of their participation is likely to alter. The emphasis may gradually shift to engagement in deliberation and decision-making, and monitoring of the implementation. The implementation will be contracted out, as already increasingly happens in urban middle-class neighbourhoods. The concept of *gotong royong* will change over time.

Further institutional development and reform needed

To create conditions that better promote and sustain substantial and inclusive participation and engagement of communities and citizens in local governance in wards and neighbourhoods in cities, it is considered essential to further develop and partly reshape the institutional and legal framework for participation at these levels. Arrangements for participation need to be made more effective and processes radically simplified. This should be done along with non-institutional interventions, such as promoting and supporting community based initiatives, and continued awareness and capacity building.

The current municipal structure would serve as a basis to build on, extending and strengthening the right to participate and improving the institutional design. The organising principles discussed in section 2, the 'Wheel of Power', may be of use as guidance.

At the same time, expectations concerning participation, its potential and fruits should be realistic and need to be managed to avoid disappointment and dissatisfaction.

⁴⁹⁹ Interesting examples of engagement in politics through social media in Indonesia on the national level concern the Presidential Elections in 2014, and the turmoil concerning the corruption eradication commission (KPK) spring 2015.

Core features for legal and institutional development

Enshrining participation as a right

An advanced framework for participation in urban governance should include basic principles for participation, or terms of engagement. These principles should further embed participation in the administration and development of their ward and neighbourhood as a right to all residents and others concerned.

The right to participate and the related rights should become enforceable rights. The institutional design should ensure that these rights become actually enforceable. Participation should not be up to the sole discretion of any administration. It should not be a favour granted by its grace. Enforceability as an ultimate remedy, if and when an adequate opportunity to participate is withheld, is crucial to actually create conditions that effectively promote substantial participation. Current legislation expressly instructs local administrations to create such opportunities.⁵⁰⁰

Current institutional layout as a basis

With regard to the institutional design, it is recommended that the current multi-tier layout, municipality (*kota*), sub-district (*kecamatan*), ward (*kelurahan*, or, in Aceh, *gampong*), and neighbourhood (*RW*, *RT*, or, in Aceh, *jurong*), be maintained as a basis and that this layout be further developed.

As said above, this intricate arrangement of government and community forums and processes for participation in urban governance at grassroots in cities as it has come into being in Indonesia is unique and valuable, and should be held on to in its essence, at least, for now.

Towards one, single structure

It is recommended that forums and processes for participation in the general day-to-day administration and development planning (*musrenbang*) in wards and neighbourhoods, including dedicated programs, such as the *P2KKP* program, that has replaced the *PNPM Urban* program, gradually be further integrated and aligned. This would, preferably, be at all levels, *kelurahan* and *gampong*, and *RW*, *RT* and *jurong* as well.

Eventually, actual merger or incorporation of institutions, and integration of processes into one, single structure should be pursued. Preferably, this would encompass all domains of administration at these levels, including development planning, spatial planning and infrastructure, education, welfare, poverty alleviation, health care and public order.

⁵⁰⁰ The concept of rights as such is a fundamental principle to Indonesian administrative legislation, and widely shared. Enforceability is inherent and crucial to the very concept of rights. If not, it would be delusive. However, as observers emphasise, historically and culturally as well, the idea of actually claiming rights has been and may still be seen as less common in Indonesia. The tradition has rather been one of 'sensitivity' of rulers to feel the needs of their subjects. For instance, kings of Yogyakarta would send out courtiers to villages to identify issues and to report back (*abdi dalem océh océhan*). The king would then accommodate these needs as he deemed proper. Present days' impromptu visits to neighbourhoods (*blusukan*) by then Mayor of Surakarta and Governor of Jakarta Joko Widodo fit well in this tradition. In Aceh, a similar sensitivity would prevail. In its cultural and religious context the concept of rights is seen as common, strongly informed by notions of equality and righteousness. Citizens have to obey the government, even if it is erring. At the same time, though, citizens have the right and even the responsibility to challenge the government when it is wrong or does not act in the common interest. Challenge is to conciliate these two approaches. As discussed, strengthening substantial participation, promotes administrations to become more sensitive, responsive, to community needs and aspirations. Santoso, Ridha.

Elaborating on the device 'One ward, one plan' (*Satu Desa / Kelurahan, Satu Perencanaan*), the aim would be 'One ward, one plan, one forum'.⁵⁰¹

Creating capacity to act

It is recommended that the position of *kelurahan* and *gampong* as a centre of local self-government be strengthened, having adequate capacity to act and 'full' mandate within the area. *RT*, in particular, and *jurong* may be consolidated as open and informal forums for direct participation by way of consultation and support.

Where appropriate, it should be considered to further adopt participatory methods engaging community and residents in policy-making, planning, budgeting and resource allocation, resource utilisation, service-delivery and performance. This could include methods, such as participatory budgeting and planning, monitoring and evaluation.

Keep it simple

A radical simplification of processes for participation, in particular, at ward and neighbourhood level, needs to be considered. This would, above all, include the annual development cycle, *musrenbang*. Where appropriate, procedures should be de-formalised to foster actual participation. Over-institutionalisation should be avoided. Less is more. Rules should be made more clear and simple, so that all concerned can easily understand.

Allowing and embedding 'virtual' and issue-based participation

The design should allow for and embed 'virtual' participation, and - if feasible - representation through the Internet, complementary to 'physical' participation and representation. At the same time it should observe representativeness. It should offer equal access and a level playing field. Applications, including social media, should, as much as feasible, enable actual two-way communication and easy engagement, and they should warrant substantial deliberation. Residents could actively be invited to participate, both virtually and otherwise, by using social media, alongside traditional, corporeal media.⁵⁰²

Facilitating virtual representation is considered crucial to getting and keeping a younger and educated generation and upcoming middle-class engaged, and, furthermore, to create avenues for issue-based participation. At present, though, the new media still fall short in instrumentation to realise actual two-way discussion and substantial deliberation. They are not yet capable to replace corporeal participation and face-to-face deliberation.

Allowing flexibility, not 'one size fits all'

The design should be flexible and open in order to accommodate various local arrangements and processes for participation and engagement that work. Also, it should allow for future development and innovation.

⁵⁰¹ As discussed above, locally, municipalities have already been in the process of integrating and aligning processes, *PNPM* and, also, spatial planning, with the annual *musrenbang* cycle. Also, local community institutions have taken initiatives to this end. See in this context, also, the policies advocated in the *PNPM* Roadmap (2012), and national and municipal guidelines and instructions on *musrenbang* mentioned in above sections. In similar sense: see FPPD (2011), Position Paper on RUU Desa, p. 17, and WorldBank, Dwiyani (undated).

⁵⁰² See in this context, among others, Fajar (2015), E-participation and Democracy, Jakarta Post 4 August 2015, Panjaitan and Kusuma (2015), E-government, E-participation and Citizen's Mobilization, Jakarta Post 24 August 2015.

These recommendations, also for that reason, are not intended, nor to be considered, as 'one size fits all'. They are meant for discussion purposes. Further research on some of the assumptions made and on a number of essential issues would certainly be needed.

The right to participate

Basic principles for participation

The basic principles for participation or terms of engagement should embody the right of all residents to participate in the administration of their ward and neighbourhood, both individually and collectively, as a community. The principles should ensure equal opportunities to participate to all and they should aim at creating conditions that enable citizens to participate as equals. They should include the right to all residents to elect those who act as their representatives and to be elected in that capacity. The principles should also address the right to participate of others concerned.

In addition, the principles should strengthen the right to information. They should also provide for the right to monitor, evaluate and audit, and reinforce the right to challenge decisions of local government.

Participation as a right to all

All citizens shall have the right to participate in the administration of the ward and neighbourhood where they reside and are registered as a resident, both individually and collectively, as a community. The right to participate and the related rights shall become enforceable rights.

Registration should be open to all citizens who are permanent residents in a ward or neighbourhood, irrespective of their title of use, be it ownership, rent, or use of property otherwise. Easy registration should be facilitated.⁵⁰³

Equal opportunity to participate to all

All adult residents, who would like to attend and to participate in (public) meetings of ward councils or neighbourhood boards, ward or neighbourhood community meetings (*musyawarah*), meetings of (sub-) committees, or any other relevant meeting shall equally be entitled to attend and to participate, either in person or through a representative.⁵⁰⁴

All residents who attend and participate shall equally be entitled to express their views by speaking at meetings and by submitting written documentation, and to engage in deliberation and to witness decision-making. In forums for direct participation, all residents who attend shall have an equal right to take part in decision-making and to vote. In forums with indirect representation, all members shall have an equal right to take part in decision-making and to vote.

⁵⁰³ All permanent residents would mean all residents registered in the ward or neighbourhood who have their main residence in the ward or neighbourhood.

⁵⁰⁴ All adult residents would mean all residents registered in the ward or neighbourhood and who have the right to vote in elections. Under current legislation this would be residents who are 17 years of age and older.

Furthermore, all residents shall also be entitled to demand that issues be put on the agenda and to call for meetings to be held. Residents whose interest is affected shall appropriately be consulted.

Participation as equals

All residents who participate shall be entitled to being recognised and respected as being equal and having equal rights. All shall be treated equally, just and in fairness, with respect and dignity, regardless of differences, of being different or having different views and interests. All participants may expect that other participants recognise and respect their rights, views and interests and act with due regard there-to.

This right is outright and unconditionally mutual. Participants shall recognise and respect the rights, views and interests of other participants and shall act with due regard to the rights of the other, responsibly, reasonably, in due moderation and in fairness when materialising one's own interest and with due concern to the common interest and the interest of others.

To ensure the above, rules should warrant due process and enhance the proper and fair course of consultation, deliberation and decision-making. Deliberation and decision-making should be democratic, and, preferably, be on basis of consensus and consultation (*musyawarah dan mufakat*). Only if no consensus is possible, decisions may be made on basis of majority vote.⁵⁰⁵

Right to elect and to be elected

All adult residents shall have the right to elect those who act as their representatives in forums for participation in their ward or neighbourhood that have indirect representation, such as ward councils or neighbourhood boards, or ward community meetings. All residents who meet the legal requirements shall have the right to be elected as a representative.

Representatives shall be elected after deliberation, in consensus and consultation, or by vote or secret ballot, as residents deem appropriate in their community.

Participation of others concerned

Civil society and community-based organisations, including so-called functional groups, and other groups who represent elements of the community, local businesses and occupational groups who work in a ward or neighbourhood ('sectors'), and others concerned, who are not a resident as referred to above, may be invited to attend and to participate in (public) meetings of ward councils or neighbourhood boards, ward or neighbourhood community meetings (*musyawarah*), meetings of (sub-) committees, or any other relevant meeting, and shall be allowed to do so whenever they request. They shall be invited and heard when their interest or the interest they represent is concerned. They shall be entitled to express their views by speaking at meetings and by submitting written documentation, and to engage in deliberation and to witness decision-making. However, they would not be entitled to take part in decision-making and to vote.

In addition, others who would like to attend, the wider public and the media, shall be entitled to attend all (public) meetings of ward councils or neighbourhood boards, ward or

⁵⁰⁵ Compare: *prinsip pemberdayaan* and *prinsip-prinsip musrenbang desa, kelurahan* in guidelines *musrenbang, prinsip dasar* in *PNPM Urban* program, *prinsip dasar* in *musrena* in Banda Aceh, cited in sections 3, 5 and 7. See, also, Constitution: duty to recognise and respect rights and freedoms of others in exercising rights and freedoms (UUD 1945 (2002) § 28 J (1, 2)).

neighbourhood community meetings (*musyawarah*), meetings of (sub-) committees, or any other relevant meeting. They would not be entitled to participate, though.

Right to information

All residents, others concerned, the wider public, and the media shall have the right to obtain information pertaining to the administration of wards, neighbourhoods, their development, and the functioning of their government, councils, boards, (sub-) committees and officials, or any institution or official that has been assigned and performs administration functions, or any institution or activity that is (co-) funded by public and / or community means.

All relevant information should be accessible and available to all residents, others concerned, the wider public and the media. Regular information should be made public *suo motu*, and disseminated by all available means, from notice boards and bulletins in wards and neighbourhoods, to print and electronic media, website and social media, and information or dissemination meetings (*sosialisasi*).⁵⁰⁶

Right to monitor, evaluate and audit

All residents, both individually and collectively, others concerned, the wider public, and the media shall be entitled to monitor, evaluate and audit the administration of wards and neighbourhoods, their development, and the functioning of their government, councils, boards, (sub-) committees and officials, or any institution or official that has been assigned and performs administration functions, or any institution or activity that is (co-) funded by public and / or community means. They may do so by them selves, or by assigning experts.

All ward and neighbourhood institutions, whether government or community institutions, shall accommodate and assist such initiatives.

Right to challenge decisions

To actually realise and enforce the right to participate, the right to information and other related rights, residents and others concerned as well, such as civil society and community-based organisations, local businesses and occupational groups who work in a ward or neighbourhood, shall have a right to challenge decisions of ward and neighbourhood institutions, whether government or community institutions, or any institution that has been assigned and performs administration functions, that affect their interest.

Mechanisms should create and ensure actual opportunity to challenge decisions and should warrant a due and timely resolution in the event of a dispute between residents, or others concerned, and local government, or any ward or neighbourhood institution that has been entrusted with and performs administration functions. Institutions for dispute resolution should be proximate, easily accessible, and - in ultimate resort - independent.

⁵⁰⁶ Compare Public Information Disclosure Act, UU 14 / 2008, §§ 3 (A), 4 (1): right to know, every person entitled to public information. See also government regulation, PerPem 61 / 2010. Compare municipal regulations mentioned above in sections 4, 5, 7 and 8. See *PNPM urban* program, disclosure of 'regular' information, discussed in section 6. Compare similar provisions under Spatial Planning Act, UU 26 / 2007 § 11.5 (a), Per Pem 68 / 2010 §§ 16 (a, b), 17 (a, b), 18 (a – b), 19, 20.2, 21 (c), 22, 23, 24 (a – d), 25.3).

Ward as a centre of local self-government

Wards as public institutions or as community institutions?

In the context of a further institutional development of wards as envisaged, a preliminary question may concern the status of wards. Wards may be a public entity that is part of the municipality, as presently *kelurahan*, or a community institution and having an autonomous position, as, in Aceh, *gampong*. Also, their further institutional layout may be hybrid public entities, such as *kelurahan*, having community institutions entrusted with administration functions, such as *LPMK*. Whether a public entity, or a community institution, crucial is that the functioning of wards and their institutions meets the criteria that ensue from the organising principles discussed in section 2, in that they have the capacity to function participatory, open, representative, empowered and responsible.^{507 508}

Better empower wards

It is recommended that *kelurahan* and *gampong* be better empowered so that they actually can function as centres of local self-government, having adequate capacity to act and mandate within their area. Devolution, delegation and de-concentration of functions by the municipality and *kecamatan* to *kelurahan* and *gampong* should be optimised as ensues from the notions of subsidiarity and necessity. Transfer of functions should include all powers and resources needed to discharge the extended mandate and to deliver the related services. This transfer could be done on the basis of extensive activity mapping.

Kelurahan and *gampong* may be entrusted with all matters that relate to their area and practicably can be determined and done at their level, leaving matters that cannot be dealt with at that level and that can more effectively dealt with at upward levels, *kecamatan* or municipality, to be assigned to these upward levels. This would, for instance, apply to matters that, also, concern other, adjacent *kelurahan* or *gampong*, or the municipality, such as shared infrastructure and amenities, or matters that require a certain scale of economy or operations, or are reasonably to complex to be dealt with at the level of *kelurahan* or *gampong*.^{509 510}

Nurturing the specific properties that are own to the intricate, comparatively small scale arrangements that have come into being in local governance in wards and neighbourhoods in cities in Indonesia, challenge would be to find a sensible balance between what would be desirable considering the assumed benefits of efficiency and economics of scale on the one hand, and those of, in particular, access and proximity to participation on the other hand. In this context, for reasons of efficiency, economics of scale and cost, where local circumstances do allow, it may be considered to merge smaller *kelurahan* and *gampong* with contiguous *kelurahan* and *gampong*. Also, arrangements for sharing resources and

⁵⁰⁷ Compare criteria *PNPM Urban* program with concern to community self-organisation institutions, mentioned above in section 6.

⁵⁰⁸ As discussed above in sections 5 and 8, *gampong* seem increasingly to be seen as public institution, though.

⁵⁰⁹ See, in contrast, UU 6 / 2014 on *desa*, §§ 18, 26 – 30, PerPem 43 / 2014 on *desa*, §§ 33 – 35. See also FPPD (2011), p, 17 - 19: concept of *perencanaan sendiri*, self-planning.

⁵¹⁰ Under the new law on regional administration the functions of the *kelurahan* seem to be more restricted in nature, different to the previous law. The *lurah* has to assist the *camat* in the execution of a number of duties. In addition, the *lurah* has to perform other duties assigned to him by the *camat* and tasks as provided by legislation. The actual legal meaning of 'to assist' (*membantu*) seems not quite clear. It seems to imply that these tasks would not be devolved or delegated. Whether it actually excludes that these tasks would be devolved or delegated is unsure, and would, also, depend on the nature of these tasks, for instance, whether these tasks have been devolved or delegated to the *camat*. Neither, does 'to assign' (*diberikan*) have a fixed meaning. It may include that other tasks may also be delegated. A broader interpretation seems tenable. Similar applies to tasks that may be provided by law. UU 23 / 2014 § 229.4 (a – e), (f), (g). Compare UU 32 / 2004 § 127.2, 3 (a – e).

services with other *kelurahan* or *gampong* within *kecamatan* or the municipality, and cooperation between *kelurahan* or *gampong* may be considered where appropriate.^{511 512}

Establish ward representative council

Constitution. It is recommended that ward representative councils (*dewan perwakilan*) be established that will serve as a main forum for participation of residents in the administration and development planning of their ward. Preferably, the ward council would be part of the ward administration and would be its supreme forum. Alternatively, the ward council should -at least- have a coordinate, equivalent position towards the head of the ward and the ward government. In *kelurahan*, to this end, a new entity may be established. Alternatively, it would be conceivable to assign this capacity to existing *LPMK*. In Aceh, in *gampong*, *tuha peuet* would keep this capacity.^{513 514}

Composition. Ward councils should be elected democratically by the residents of the ward. Members may be elected directly by all adult residents, or, alternatively, in wards that have a larger population, they may be elected by representatives of neighbourhoods, *RT* or *jurong*, who have been elected in that capacity by their residents. Members shall be elected after deliberation, in consensus and consultation, or by vote or secret ballot, according to rules set by the community themselves. What ratio of members per number of residents would be desirable in view of proximity and representation is to be considered. A certain extent of parity would be desirable. The tenure of members should be limited to two consecutive terms of about three or four years. To further ensure representativeness, ward councils

⁵¹¹ Empowering *kelurahan* and *gampong* so that they can act as centres of local self-government closely builds on the current institutional design of municipal governance. Also, *kelurahan* and *gampong* may be seen as adequately proximate and accessible. At the same time, as is recognised, their current size is relatively small, taking into account economy of scale and efficiency. Also, the present capacity of their administrations is limited. As may be anticipated, though, the issue of scale is likely to resolve itself over time. Ongoing urbanisation and continuing immigration from rural areas result in higher population densities in cities and a steadily rising population of *kelurahan* and *gampong*. *Kelurahan* and (perhaps) upto a lesser extent *gampong* will in the longer run grow into a more adequate size. Reference is made to what is discussed above in section 10. In addition, the present lack of capacity of *kelurahan* and *gampong* administrations could be addressed by having them sharing resources and services and to cooperate with other *kelurahan* and *gampong* within the *kecamatan* or municipality.

⁵¹² It could be argued that *kecamatan* may be better suited to act as centres of local self-government instead of *kelurahan* and *gampong*. Considering economy of scale, efficiency and capacity, *kecamatan* may be better equipped to deal with the increasing complexity that goes along with the further urbanisation and even metropolitanisation of Indonesian cities. On the other hand, compared to *kelurahan* and *gampong*, *kecamatan* would be considerably less proximate to residents and less accessible. The current size of *kecamatan* in Surakarta is already about 116.000 on average. The largest *kecamatan* counts about 173.000. Likewise, the size of *kecamatan* in Surabaya is already about 132.000 on average. The population of the largest *kecamatan* is even about 250.000. *Kecamatan* in Banda Aceh have a smaller size. They have a population of about 28.000 on average. The largest *kecamatan* has about 50.000 inhabitants. Proximity and accessibility would become even less when cities further urbanise and the density and population of *kecamatan* further increase. Also, residents identify rather with their *kelurahan* or *gampong* and even the more with their *RT* or *jurong*, rather than they identify that much with the *kecamatan*. At least, they do not do so at present. In addition, assigning this role to *kecamatan* would require a major overhaul of the current design and structures of municipal administration. For this reason, this option may be too radical. Also, it probably would come at high cost, whereas the gains would not be certain. Kota Surakarta (2014), Dalam Angka Surakarta 2013, p. 31, table 3.1.3, Kota Banda Aceh (2015), Statistik Banda Aceh 2014, p. 45, table 3.1, Kota Surabaya (2014), Informasi Data Pokok 2013, p. 45, table 3.1.

⁵¹³ In Banda Aceh, the *gampong* representative council (*tuha peuet gampong*) is part of the *gampong* administration. In *desa*, the *desa* consultative council is not part of the administration of *desa*. At least, this is not expressly provided for. See UU 6 / 2014 on *desa*, §§ 55, 61 – 62. Compare: Arrangement Jakarta: *lembaga musyawarah kelurahan*. PerDa 5 / 2010 Jakarta §§ 2, 11.

⁵¹⁴ The new law on regional administration does not provide explicitly on the issue. As cited above, the law instructs municipalities to encourage community participation and to develop institutions and mechanisms that enable community to engage effectively in local administration. Further provisions will (or may?) be given by a government regulation that is yet to be promulgated. Whether the regulation will allow for the establishment of a ward representative council having the functions as proposed is to be seen. It may be argued that such a ward council would fit well within the purposes of the law. UU 23 / 2014 §§ 354.3 (a – d), 4 (a – f), 5, 6 (b), 7. See also § 230.3. Compare UU 32 / 2004 § 127.8, PerPem 73 / 2005 §§ 10, 11, PerMen 5 / 2007 §§ 2, 3).

should consist of elected members only, and only members should have the right to take part in decision-making and to vote.⁵¹⁵

Functions, powers. It is recommended that the ward council be empowered appropriately. Ward councils should have (co-) legislative, budget and oversight functions and powers. The functions of ward councils should include the following: to discuss, propose and establish policies, plans and regulations, including ward medium-term, annual, and other development plans, and poverty alleviation and other dedicated programs, to discuss and establish the ward budget, to monitor, evaluate and control the ward administration, the development of the ward, poverty alleviation and other dedicated programs, and the implementation of policies, plans, programs and regulations. Ward councils should have the right to ask the head of ward and ward officials to render account. Also, ward councils should have the right to propose the suspension or dismissal of the head of ward in case of a loss of public confidence, an alleged dis-functioning, neglect of duties, or an improper conduct. In addition, the ward council may be entrusted with tasks that ensue from custom or *adat*, such as amicably adjudicating disputes within the community and between residents, and between residents and the ward government, and other, cultural, social or religious functions.⁵¹⁶

Functioning. Ward councils should convene regularly, for instance once a month, or as frequently as required. Meetings should be public. Meetings should preferably be held at fixed dates and places and should be duly notified by public notice in the media and by other means. All relevant documentation should be made available to the public in a timely manner. It is recommended that rules governing the functioning of ward councils include provisions with regard to the due process and the proper and fair course of consultation, deliberation and decision-making as discussed above. Deliberation and decision-making should be democratic, and, preferably, be on basis of consensus and consultation (*musyawarah dan mufakat*). Only if no consensus is possible, decisions may be made on basis of majority vote.

Ward councils may invite the head of ward, ward officials and other officials to attend and to participate in meetings. Explicit provision may be made that officials who are invited by the ward council to attend and to participate in a meeting as an invitee shall attend when invited, shall disclose all relevant information as requested, and shall provide assistance as needed.

In addition, it may be considered to having the ward council elect from among them selves an executive committee and dedicated sub-committees, such as finance, development planning, poverty alleviation, and audit committees, as it deems appropriate. Such committees may be linked to municipal standing or subject committees. It is recommended to having the ward council appoint a secretary and further staff by them selves, drawing from a pool or a shared support centre within the *kecamatan* or the municipal apparatus.

Rules governing the functioning of the ward council should be in clear and simple wording, so that all concerned can easily understand. These rules should, furthermore, comprise a clear and comprehensive description of available means of participation and procedures, including rules to accommodate 'virtual' participation. The rules should be accessible and disseminated to residents and the wider public.

⁵¹⁵ Compare, for instance, the election of delegates to *rembug* and of members of *BKM* by residents in the *PNPM Urban* program discussed in sections 6 and 9.

⁵¹⁶ Compare: UU 6 / 2014 on *desa* §§ 55, 61 – 62, FPPD (2011), p. 15.

Enhance ward community meeting

Constitution. It is recommended that ward community meetings, *musyawarah kelurahan* and *musyawarah gampong*, be maintained and enhanced as a forum for engagement of residents at ward level. *Musyawarah* may serve as a forum for consultation and deliberation, and as a forum to disseminate information (*sosialisasi*) as well.

Composition. *Musyawarah* in *kelurahan* and *gampong* that have a consultative and deliberative purpose would, preferably, consist of representatives of *RT* or *jurong* in the area. The representatives should be elected by the residents of *RT* or *jurong*. In larger *kelurahan*, *musyawarah* may consist of representatives of *RW*. In *musyawarah RW*, representatives of *RT* would elect representatives of *RW* to the *musyawarah* in their *kelurahan*. Another option may be that in *musyawarah kelurahan* and *musyawarah gampong*, residents of *RT* and *jurong* may be represented by members of the board of their *RT* or *jurong*. To *musyawarah* held for the purpose of hearing or dissemination of information (*sosialisasi*) all residents in *kelurahan* or *gampong* should be invited, and, in addition, all whom's interests are affected.

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Functions, powers. The functions of *musyawarah* in *kelurahan* and *gampong* would, primarily, be consultative. *Musyawarah* would be consulted regards intended policies, plans and activities in the ward. Amongst other, it would discuss the ward development plan and related activities and budget allocation, as a part of the annual municipal *musrenbang* cycle. Also, *musyawarah* would monitor and evaluate the implementation of policies, plans and activities in the ward. To this end, *musyawarah* may perform an annual review. In cities, that would adopt that members of the ward council are elected in *musyawarah*, *musyawarah* would, also, elect the members of the ward council. *Musyawarah*, furthermore, may dismiss or suspend members of the ward council for causes similar to those mentioned above concerning the dismissal of the head of ward.⁵¹⁸

Functioning. *Musyawarah* should be held regularly, for instance, each quarter of a year, or as often as needed, or called for. Residents may call for a meeting to be held. Additionally, on the initiative of the ward council, or the *musyawarah*, meetings may be held for the purpose of hearing concerning specific issues, or for the purpose of dissemination of information (*sosialisasi*). Meetings should be open to all who would like to attend, including media. As mentioned above, meetings should, preferably, be held at fixed dates and places and be duly notified. All relevant documentation should be timely made public. Rules on the functioning of *musyawarah* should include provisions concerning the due process and the proper and fair course of meetings as discussed above. The head of ward and other officials may be invited to attend and to participate. Meeting rules should be clear and simple, accessible and made public. The rules should, furthermore, accommodate 'virtual' participation.

Have head of ward elected?

It may be considered to have the head of ward elected by and from among the residents of the ward. One option may be to have the head elected in direct elections by the residents. Another option may be to have the head elected in indirect elections by the representatives of *RT* or *jurong* convening in a dedicated *musyawarah*, similar to what is proposed above with regard to the election of members of the ward council. Alternatively, the head may be selected from within the municipal apparatus and appointed by the mayor in close consultation with the ward council. The head may be dismissed or suspended by the ward

⁵¹⁷ Compare *rembug warga* in the *PNPM Urban* program, *musrenbang gampong* in Banda Aceh, as described in sections 6 and 9, and 8 respectively.

⁵¹⁸ Compare: *PNPM Urban* program, compare *musrenbang*, as discussed in sections 6, 9, and 7 and 8 respectively.

community meeting upon the proposal of the ward council in the event of a loss of public confidence, an alleged dis-functioning, neglect of duties, or improper conduct. In the alternative, the head of ward would be dismissed or suspended by the mayor.^{519 520 521}

Establish ward public information and documentation office?

It may be considered to establish a ward public information and documentation office, in addition to the municipal public information and documentation agency (*PPID*). The ward public information office may be part of the ward secretariat, and would work under the supervision of the municipal public information and documentation agency. Its functions would be to store all relevant public information pertaining to the administration and development of the ward and the neighbourhoods in the area, to make information available and to disseminate information to residents and the wider public and media in accordance with the public information disclosure law and municipal regulations. The ward public information office may, also, be responsible for the functioning of a ward public information and documentation system and a ward website. To residents information should be made available free of charge, or at low cost.⁵²²

Strengthen and extend monitoring, evaluation, auditing and control of ward

It is recommended that monitoring, evaluation, auditing and control mechanisms with concern to wards be strengthened and extended. Additional to the monitoring, evaluation and control functions of the ward council and the ward community meeting proposed above, arrangements should provide for a right for residents, civil society and community-based organisations, others concerned, the wider public and the media to evaluate and monitor the ward administration, the ward government, the ward council, (sub-) committees and officials, or any ward or neighbourhood institution or official, that has been assigned and performs administration functions, or any institution that is (co-) funded by public and / or community means.

Also, it should be considered to create a qualified right to audit for residents. Regulations may provide that residents of a ward, both individually and collectively, be entitled to call for an audit by the municipal inspectorate, or, alternatively, by an independent auditor, in the event of an alleged improper functioning of the ward administration, or one of the above-mentioned entities, or in the event of an alleged improper use of public or community funds and other resources. A call for audit could be effectuated by means of a residents' initiative,

⁵¹⁹ In Banda Aceh, residents elect the *keuchik*, head of *gampong*. Also, the head of *desa* is elected by its residents. See UU 6 / 2014 on *desa*, § 31. Compare the *PNPM Urban* program: residents elect members of *BKM*.

⁵²⁰ Save for Aceh, legislation on urban governance does not provide for this. In conformity with the previous law and current regulations, the new law on regional administration too provides explicitly that the head of *kelurahan*, *lurah*, be a municipal civil servant appointed by the mayor upon the recommendation of the municipal secretary. For this reason, having the head of ward appointed by the mayor upon consultation of the residents of the ward, as proposed as a second option, may be a feasible alternative. UU 23 / 2014, § 229.3. Similar UU 32 / 2014, § 127.4.

⁵²¹ Opinions are divided on the matter whether heads of wards should better be elected by the residents from among them selves, or better be a civil servant from within the municipal apparatus appointed by the mayor. It is argued that elected officials may be more responsive and accountable to their constituency. Evidence, though, is mixed. Election (and recall) may indeed help to promote responsiveness and accountability, a number of other factors seem co-determinant. Also, elected officials may be less qualified for the function than appointed civil servants. Capacity building and training seem indispensable. In addition, from an administrative vantage point, they may be less easy to manage, less compliant. As cited above in section 8, claiming to have a mandate of their constituency, elected heads some times act as 'little kings'. At the same time, appointment by the mayor increases the risk of political appointments.

⁵²² Compare public information disclosure law, UU 14 / 2008, PerPem 61 / 2010. Compare, also, municipal arrangements in Surakarta and Banda Aceh mentioned above in sections 7 and 8.

supported by a specified number of residents, and possibly, but not necessarily, endorsed by the ward council or the ward community meeting.⁵²³

Furthermore, it is proposed that the municipal inspectorate, partly in addition to its present functions and the oversight functions of *camat* and municipality, explicitly be assigned to annually audit and monitor the functioning of wards, the ward administration, their government, the ward council, (sub-) committees and officials, or any ward or neighbourhood institution or official, that has been assigned and performs administration functions, or any institution or activity that is (co-) funded by public and /or community means. Initially, the focus would be on the propriety of expenditure and the proper keeping of accounts. In the longer term, the inspectorate may also review the outcome of policies and activities. The inspectorate should be assigned adequate powers to investigate. In addition, it should also investigate on its own initiative, and pursuant to a residents' initiative as discussed above as well. Audit reports should be made available to residents, others concerned, the wider public and the media.

All parties concerned, whether public institutions or community institutions, should have the obligation to facilitate monitoring, evaluation, or an audit by providing access and by disclosing information as requested.

Further develop complaints and dispute resolution mechanisms

It is recommended that the existing, traditional and informal mechanisms for amicable dispute resolution and mediation at ward and neighbourhood level be maintained and further developed, so that they better ensure actual opportunities for residents, community, and others concerned to challenge decisions and acts of the ward administration, or any institution that has been assigned and performs administration functions in the ward or neighbourhood, that affect their interest, and a due and timely resolution of disputes relating there-to. Regulations may provide minimum requirements that warrant due process and a proper and fair course.

In addition, there should be a proximate and accessible forum that is independent, that adjudicates disputes between residents, community and ward administration, or any institution that has been assigned and performs administration functions in the ward or neighbourhood, that remain unresolved. Preferably, this would be entrusted to a municipal administrative court.⁵²⁴

In coherence, it is recommended that complaints mechanisms and procedures at ward and neighbourhood level be further developed. Focus may, particularly, be on facilitating access, improving follow-up, and feedback and reporting. In addition, there may be created an ombudsman function at municipal level in municipalities where it does not yet exist.⁵²⁵

⁵²³ Compare, for instance, mechanisms provided for in the *PNPM Urban* program as described in sections 6 and 9.

⁵²⁴ Falling beyond the scope of this study, primarily dedicated to citizen participation, the current mechanisms and institutional arrangements for dispute resolution and their working were not reviewed. Research is recommended.

⁵²⁵ Compare applications like www.lapor.go.id (national), [www.qlue.go.id](http://www qlue.go.id). (Jakarta).

Neighbourhood as a forum for participation and engagement

Neighbourhood associations as community institutions

Neighbourhood associations, such as *RT*, *RW* and *jurong*, are community institutions. They are not public institutions and are not part of local government. At the same time, as described in the above sections, in particular, *RT* and *jurong* fulfill essential functions in the administration of neighbourhoods. In this context, their functioning should, preferably, meet the criteria that ensue from the organising principles discussed above in section 2, in that they have the capacity to function participatory, open, representative, empowered and responsible.⁵²⁶

Consolidate neighbourhood board

Constitution. It is recommended that boards of *RT* be consolidated. It may be considered to establish boards of *jurong*. These boards would serve as a forum for the 'day-to-day' participation of residents in the administration and development of their neighbourhood. Boards of *RW* may be maintained for, primarily, the purpose of coordination between *RT*.

Composition. Boards and heads of *RT* and *jurong* should be elected by the residents of the neighbourhood. They should be elected by all adult residents. All residents who meet the legal requirements should be eligible as a member, or as a head. Election may take place in *musyawarah RT* or *jurong*. Members and heads shall be elected after deliberation, in consensus and consultation, or by vote or secret ballot, according to rules set by the community it serves. Members of boards and heads of *RW* may be elected by representatives of *RT*, or, alternatively, by members of boards of *RT* from among themselves. Similar to what is proposed above concerning ward councils, the tenure of members of boards and heads of *RT*, *RW* and *jurong* should be limited to two consecutive terms of about three or four years. To further ensure representativeness, boards should consist of elected members only, and only members should have the right to take part in decision-making and to vote.

Functions, powers. Board and head of *RT* and *jurong* would act as representatives of the residents of the neighbourhood towards the ward administration and may, also, act in this capacity in *RW* and ward community meetings. In larger wards, board and head of *RW* may represent residents in the area towards the ward administration and in ward community meetings. Their functions would remain, primarily, consultative. They may be consulted concerning intended policies, plans and activities relating to the neighbourhood, and their implementation. In this context, boards would discuss development activities and priorities in the neighbourhood, as a part of the annual municipal *musrenbang* cycle. Boards and heads of *RT*, *RW* and *jurong* may monitor and evaluate the implementation of policies, plans and activities. Boards and heads of *RT*, *RW* and *jurong* may, furthermore, perform functions that ensue from custom, or *adat*, such as mediating disputes between residents in the neighbourhood.⁵²⁷

Functioning. Boards and heads of *RT*, *RW* and *jurong* should meet regularly, for instance, monthly, or as often as needed. Meetings should be public and be held at fixed dates and places and be duly notified. All documentation should be made public timely. Rules with regard to their functioning should provide for the due process and the proper and fair

⁵²⁶ Compare the criteria applied by the *PNPM Urban* program with concern to community self-organisation institutions, listed in section 6.

⁵²⁷ As ensues from what is discussed above, the role of neighbourhood organisations, such as *RT* and *jurong* will gradually change from vehicles for mobilisation for *gotong royong* to forums for actual participation.

course of meetings. The head of ward and other officials may be invited to attend. Meeting rules should be clear and simple, accessible and should be made public.

Maintain and further develop neighbourhood community meeting

Constitution. It is recommended that neighbourhood community meetings, *musyawarah RT* and *musyawarah jurong*, be maintained and further developed as open and informal forums for direct participation by residents in the administration of their neighbourhood, by way of consultation and support, to mutually cooperate, and for the purpose of dissemination of information (*sosialisasi*). *Musyawarah RW* may be maintained for, primarily, coordinative purposes.

Composition. Preferably, all residents of a neighbourhood should be invited to *musyawarah RT* and *musyawarah jurong*. Alternatively, more close to the current practice, all households may be invited to attend and participate. Invitations, though, should not be limited to the heads of household only, but should extend to all adult members of the household. In this context, reference is made to what is said hereinafter. *Musyawarah RW* would, preferably, consist of representatives of *RT* in the area, who are elected in that capacity by its residents. Alternatively, in *musyawarah RW* residents of *RT* may be represented by members of the board of their *RT*.

Functions, powers. The functions of *musyawarah RT* and *musyawarah jurong* would, primarily, be consultative. *Musyawarah RW* would, essentially, have a coordinative function. *Musyawarah* would be consulted regards policies, plans and activities pertaining to the neighbourhood. Among others, as a part of the annual municipal *musrenbang* cycle, in *musyawarah*, the development activities, needs and priorities in the neighbourhood would be discussed. Also, *musyawarah* would monitor and evaluate the implementation of these policies, plans and activities. *Musyawarah* may ask the board and head of *RT*, *RW* or *jurong* to render account. Furthermore, in cities that adopt that representatives of *RT* or *jurong* to *musyawarah kelurahan*, *musyawarah gampong*, or *musyawarah RW* be elected, *musyawarah RT* and *musyawarah jurong* would elect their representatives. In larger wards, *musyawarah RW* may elect representatives to *musyawarah kelurahan*. In cities, that would adopt that the head of *RT* or *jurong* and members of the board of *RT* and *jurong* are elected in *musyawarah*, *musyawarah RT* and *musyawarah jurong* would, also, elect the head of *RT* or *jurong* and the members of the board of *RT* and *jurong*. The head of *RW* and board of *RW* would be elected in *musyawarah RW*. In addition, *musyawarah RT*, *RW* and *musyawarah jurong* may dismiss or suspend the head of *RT*, *RW* or *jurong* or members of the board of *RT*, *RW* or *jurong* in the event of loss of public confidence, alleged dis-functioning, neglect of duties, or improper conduct.

Functioning. Preferably, *musyawarah RT*, *RW* and *jurong* should be held regularly, for instance, each quarter of a year, or as often as needed, or called for. Residents may call for a meeting to be held. *Musyawarah* may, also, be held for the purpose of hearing or dissemination of information (*sosialisasi*). Meetings should be open, also to media, and should, preferably, be held at fixed dates and places and be duly notified. All relevant documentation should be disseminated timely. Rules on the functioning of *musyawarah* should include provisions concerning the due process and the proper and fair course of meetings. Ward and neighbourhood officials may be invited to attend. Meeting rules should be clear and simple, accessible and should be made public.

Discharge Heads of neighbourhoods of administration and assistance tasks

In the above context, it may be considered to discharge the heads of *RT* and *jurong* of all, or, at least, a major part of the administrative and assistance tasks they now perform on behalf of the *kelurahan* and *gampong* administration. It should seriously be considered whether these tasks could better be done by the *kelurahan* and *gampong* government and

apparatus, and to assign these tasks to the *kelurahan* and *gampong* governments. This would better enable heads of *RT* and *jurong*, jointly with their boards, to concentrate on three core functions that would remain, that is representing the community and its interests in forums at upward levels, *RW* and *kelurahan* or *gampong*, managing and facilitating the participation of the community within their area, and maintaining peace within the community.

Sub-district as intermediary administrator

Maintain sub-district as intermediary administrator

In the above recommendations, sub-districts, *kecamatan*, would keep their present position, acting as an intermediary, technical administrator between the municipality and *kelurahan* or *gampong* administrations. The main functions of *kecamatan* would remain to facilitate, coordinate, guide and supervise *kelurahan* and *gampong* administrations.

Further develop sub-district as shared support centre

In addition, as ensues from the above, *kecamatan* would function as a shared support centre on behalf of *kelurahan* and *gampong*, providing staff and services to *kelurahan* and *gampong* administrations in their area on an 'if and when needed' basis. To this end, the support capacity of *kecamatan* apparatuses may need to be increased.

Promoting participation of underrepresented groups

Affirmative measures to promote women participation

It is recommended that a number of affirmative measures be considered that promote the representation and the actual participation of women in forums for participation in wards and neighbourhoods. These measures would be temporal, for as long as needed. It may be considered to adopt 'soft' quota for women in forums for participation in wards and neighbourhoods that have indirect representation, such as the ward council, ward community meeting and neighbourhood board. Regulations may provide that a certain percentage of the representatives be women, as a goal, not as a fixed quota or threshold. Over time, the percentage may gradually raise. Currently, a ratio of 30 % seems common. Eventually, an increase to 50 % may be pursued. Also, it may be considered to promote women representation in ward and neighbourhood forums and other functions by letting women have priority over equally qualified male candidates.⁵²⁸

Furthermore, regulations may expressly provide that forums that have direct representation, such as neighbourhood community meetings, be equally open to women and men. Women and men alike should be invited to attend. Women may even be explicitly invited. Invitations to attend *musyawarah* in *RT* and *jurong* should, preferably, be addressed to all residents. In cities where such may prove culturally a too radical shift, alternatively, more close to custom, invitations may be addressed to households, expressly including female members of households, leaving it to the households themselves to decide who will attend, both husband and spouse, or just one of them, anticipating traditions to gradually change.

⁵²⁸ Compare, for instance, the soft quota for women representation in *musrenbang* in Surakarta and the *PNPM Urban* program cited in sections 4 and 6. Compare, also, *PNPM* strategy for 2012 – 2014.

Invitations should not be addressed to the (male) heads of households only, as, presently, is common. Also, meetings should, preferably, be held late afternoon instead of evening time, after evening prayer. This would allow both men and women to attend.⁵²⁹

In addition, establishing separate, dedicated consultative forums for women may be considered, similar to the concept of 'women only' meetings that has come into being in some cities. The purpose of such meetings would be to discuss issues, to prepare meetings of the other, 'regular' forums for participation in wards and neighbourhoods, and dissemination of information (*sosialisasi*).⁵³⁰

Also, to foster that women who attend meetings actually participate and represent themselves, it is recommended that minimum requirements providing for the inclusion and participation of women in meetings be considered, in particular, with regard to the due process of meetings and the fair and proper course of deliberation and decision-making along the lines proposed above. Furthermore, as mentioned above, a more informal setting of meetings may foster their actual participation.

In coherence with measures that promote the quantitative representation of women, it remains of paramount importance to continue building their capacity and capability to actually participate.

Measures to promote participation of poor and marginalised residents

Options for affirmative measures to promote the representation and participation of poor and marginalised residents in forums for participation in wards and neighbourhoods seem limited. The circle of beneficiaries is not very well to delineate. Besides, the composition of this group seems to be fluid and heterogeneous, and their interests and needs diverse. A number of interventions, though, may be considered.

It may be considered to make registration as a resident in wards and neighbourhoods easier, including registration as a temporary resident, and to promote that unregistered residents, often poor, register and be invited to meetings. The participation of poorer residents may, even more, be fostered by providing for an active obligation to inviting them to attend and participate.

In addition, it may be considered to ease legal requirements to being eligible as an executive official, head of ward or head of *RT* or *jurong*, or as a representative in forums for participation that have indirect representation, or in any other official function in wards and neighbourhoods. This may, in particular, concern requirements relating to the level of formal education aspiring candidates should have. Easing these requirements may effectively remove barriers for participation of poor residents. They, often, have had less education, not having had the opportunity, precluding them from being eligible.

It may, also, be considered to have separate, dedicated consultative forums for poor and marginalised residents, preferably as part of a sectoral, or project-based approach, similar to the women forums recommended above. Furthermore, minimum requirements providing

⁵²⁹ Opinions regarding deleting households as a basis for representation in *musyawarah RT* are divided. According to one observer, quoted above, '*Measures to overcome the problem of under-representation of women should be culturally sensitive. Arrangements should be contextual, pushing to what is acceptable to society. Doing away with households as a basis for representation would be culturally un-acceptable. In Islam and Indonesian society, family is the measure of all things and culturally embedded*'. Other observers expect the concept to change. The composition of families is changing. Responsibilities are increasingly shared by men and women, and negotiated. Santoso.

⁵³⁰ Compare, for instance, *musrena* in Banda Aceh, and activities initiated by *balee inoeng*. As discussed in section 8, *musrena*, is a potentially promising concept to promote the inclusion of women.

for the inclusion and participation of poor and marginalised residents in meetings as discussed above may be considered. Also, as said, a more informal setting of meetings may promote their actual participation.

In coherence with the above, interventions of a non-institutional nature should be considered. Dissemination (*sosialisasi*) efforts should be intensified to actually reach poor and marginalised residents, in particular, the very poor. Current communication apparently fails to reach these groups. Apart from this, it is recommended to have facilitators and local government to continue and increase efforts to actively foster and facilitate poor and other vulnerable groups to engage, as, at present, is done in *musrenbang* and has been done as part of the former *PNPM Urban* program as well.

Path forward: the next decade

Introduction

What would be a feasible path forward for implementation? How could the legal and institutional development and reform recommended above best be implemented?

The decentralisation of the administration in Indonesia as it came into being in the wake of the *reformasi* and consolidated over the past decade, has given considerable freedom to municipalities to act and to adopt arrangements that fit local conditions and needs. Concurrently, the national government has been confining the autonomy of municipalities through its 'guidance', issuing a series of increasingly detailed regulations, guidelines and instructions, and by fiscal arrangements. The new law on regional administration, UU 23 / 2014, essentially maintains the concept of decentralisation as it has been evolving over the years. In this context, two different, possibly parallel, approaches may be pursued.

A first approach would be to focus on legislation at the municipal level. Municipalities have adopted regulations and arrangements on the administration of wards and neighbourhoods, municipal development planning and participation conforming to the legal and institutional framework as laid down in national legislation on regional administration and development planning. In the course of the coming years, municipalities will have to align the municipal arrangements with the new law on regional administration and the regulations that the government will issue in the context of its implementation. Also, the new law expressly instructs local governments to further develop institutions and mechanisms for participation. Apart from this, on the basis of their own experiences over the past period, municipalities themselves may appear quite susceptible to improving the framework for participation. Furthermore, the government just introduced the follow-up program to the *PNPM Urban* program, the *P2KKP* program. This program is likely to impact the development of wards and neighbourhoods. This may provide opportunities to promote '*next generation*' municipal arrangements on urban governance, and, in particular, on the participation of citizens and community in the administration and development of wards and neighbourhoods.⁵³¹

Efforts may primarily be directed at further enhancing existing municipal arrangements on the administration of wards and neighbourhoods and the participation of the community and citizens in their administration and development along the lines as set out above, and promoting such arrangements where they do not exist as yet. This seems to be a feasible policy. As has become apparent, national legislation leaves considerable leeway to municipalities to provide for supplementary arrangements. It may be considered to exploit this space, while accepting the restrictions and objections inherent in the current legislation. These restrictions, though, would be rather limited, as this study suggests. This leaves

⁵³¹ UU 23 / 2014 §§ 236.1 - 4, 354,2 (c), 5, 6 (c), 7, 407, 410.

municipalities sufficient free scope to adopt arrangements that conform both to mandatory provisions of national legislation and that are more participatory. The national government may appear prepared to accommodate such local arrangements or may even appear willing to actively support such efforts. Alternatively, more modest, incremental changes, supplementing current regulations and institutional arrangements may be aimed at. This would also be informed by learning by doing, and sharing best practices with each other and the national and provincial government. Pilots in selected cities may be pursued.

A second approach would focus on influencing legislation at the national level. As discussed above, the government is expected to issue a number of regulations to implement the new law on regional administration that will replace, or adapt, existing regulations on the administration of wards and neighbourhoods, development planning and participation within two years after the promulgation of the law. The approach would aim at including arrangements on the administration of wards and neighbourhoods, their development and the participation of citizens, community and others concerned as outlined above. This may fit well with policies and programs that the government is expected to initiate in the forthcoming years to further institutionalise and promote public participation in administration, including local administration, in line with the priorities outlined in *NawaCita*, the Presidential priorities program.⁵³²

Considering the way current legislation on local administration and participation is structured, both at the national and municipal level, it seems obvious to direct efforts at promoting two distinct, correlating sets of regulations. One set would concern the administration of wards and neighbourhoods as such, comprising its institutional design. Another one would specifically concern the basic principles, or terms of engagement, for citizen and community participation in the administration and development of wards and neighbourhoods.

Towards a next generation legislation on urban governance and participation

One intervention that may be pursued would aim at promoting that arrangements on the administration of wards and neighbourhoods and the participation of community and citizens along the lines as recommended above be included in the municipal regulations or bylaws, *PerDa* and *PerWal*, that will revise or replace the present regulations on the subject. These bylaws should, preferably, provide for the establishment and constitution, functions, powers, functioning, funding and resources, oversight and auditing of wards and neighbourhoods, the functions, powers, functioning, selection and dismissal of heads of ward and heads of neighbourhoods, the establishment and constitution, functions, powers and functioning of ward councils, ward community meetings, neighbourhood boards and neighbourhood community meetings, the establishment of a ward public information office, and complaints and dispute resolution mechanisms. These byelaws should, furthermore, include sufficiently detailed institutional arrangements for the participation of citizens and the community and others concerned in the administration and development of their ward and neighbourhood. To this end it may be considered to devise a model municipal bylaw that may serve as a reference.

Current national legislation would allow for the implementation of most of the recommendations. They may be considered to conform to this legislation, or, at least, not to conflict, except for, perhaps, three issues. First issue would concern the proposed functions of the ward and ward administration. Whether the new law on regional administration and further government regulation would actually allow for a devolution and / or delegation of functions to wards as proposed is debatable. Second issue would be the establishment of a ward representative council, more in particular, the proposed position of the ward council,

⁵³² UU 23 / 2014 §§ 354.5, 407, 410, PerPem 73 / 2005 and related government and ministerial regulations mentioned above in section 3.

supreme or coordinate and equivalent to the head of ward and being part of the ward administration, and a part of its proposed functions and powers. It may be argued that the law does allow for this, and that it would even fit well within the purpose of the law to promote participation in local administration. Third issue would be the election of the head of ward by its residents. Save for Aceh, legislation does not provide for this. Therefore, having the head of ward appointed by the mayor upon consultation of the residents of the ward, as proposed as a second option, may be a feasible alternative. Reference is made to what is said above.

Implementation may differ locally, accommodating local circumstances and different local arrangements. Also, the implementation in mayor, more metropolitan cities may be divergent.⁵³³

In parallel with the above, another intervention that may be considered, at the national level, would aim at promoting to including arrangements on the administration of wards and neighbourhoods and the participation of community and citizens as proposed above in the government regulations and further legislation, *PerPem* and *PerMen*, that will revise or replace the current regulations on urban administration, and in policies that the government may initiate to promote participation. It should be promoted that government regulations and policies, at least, do allow for such arrangements at the municipal level. Government regulations may provide a minimum mandatory framework regarding the institutional design of the administration of wards and neighbourhoods and community and citizen participation as proposed. Reference is made to the subjects listed above.⁵³⁴

In as far as requisite, similar interventions may be considered at the provincial level, promoting to including arrangements as proposed in the provincial regulations that may revise or replace the current regulations on urban administration.

Towards 'Prinsip Dasar' for participation and engagement

Additional to the above regulations on the administration of wards and neighbourhoods, a separate municipal set of rules may be devised containing the terms of engagement for the participation of community, citizens and others concerned in urban governance, or more specifically, in the administration and development of wards and neighbourhoods. This could be a municipal bylaw, *PerDa* or *PerWal*, guideline, or, alternatively, a charter supported by the most concerned stakeholders, a 'Citizen and Community Participation Charter'. This bylaw or charter would confirm the right to participate and the related rights and describe in more detail the basic principles for participation (*prinsip dasar*) as referred to above. It may be considered to devise a model municipal bylaw or guideline, or model charter that may serve as an example. The municipal regulations on the administration of wards and neighbourhoods may refer to this supplementary (model) municipal participation bylaw, guideline or charter.⁵³⁵

Further to the relevant provisions of the new law on regional administration, it may be considered to aim at promoting codification of the right to participate in urban governance and the related rights as an explicit and enforceable entitlement in national legislation. Codification may include the terms of engagement, or basic principles for participation (*prinsip dasar*) as referred to above and the organising principles underlying the institutional design. An integrated arrangement may be considered, also encompassing participation in rural areas, tailored to the respective conditions and needs of urban and rural governance,

⁵³³ Compare, for instance, the institutional design of local governance in Jakarta.

⁵³⁴ Currently, *PerPem* 73 / 2005 and related legislation, government and ministerial regulations listed in section 3.

⁵³⁵ See: UU 23 / 2014 § 354.7.

and providing equal rights and opportunity to participate and engage to communities and citizens in cities and rural areas alike.^{536 537 538}

At last, a far more ambitious approach that may be considered would aim at introducing proposals to amend the Constitution, enshrining the right of citizens, communities, and others concerned to participate in local governance, urban and rural administration alike, by adding a concise reference with regard to this right.⁵³⁹

⁵³⁶ See: UU 23 / 2014 § 354.5.

⁵³⁷ See also current legislation on development planning, PM 54 / 2010, § 5.6, participation of community. See also legislation on spatial planning, PP 68 / 2010, role of community.

⁵³⁸ See Law on *desa*, UU 6 / 2014.

⁵³⁹ See Constitution, UUD 1945 (2002), Chapters X, XI, articles 27, 28, 28 A - J.

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Pemerintahan Desa
(Village Administration)

UU 22 / 1999
Pemerintahan Daerah
(Regional Administration)

UU 32 / 2004
Pemerintahan Daerah
(Regional Administration)

UU 33 / 2004
Perimbangan Keuangan antara Pemerintah Pusat dan Pemerintah Daerah
(Fiscal balance between government and regional governments)

UU 06 / 2014
Desa
(Villages (rural))

UU 23 / 2014
Pemerintahan Daerah
(Regional Administration)

PerPem 38 / 2007
Pembagian Urusan Pemerintahan Antara Pemerintah, Pemerintah Provinsi, dan Pemerintah Daerah Kabupaten / Kota
(Division of Administration Affairs between Government, Provincial Government and District / Municipal government)

PerPem 7 / 2008
Dekonsentrasi dan Tugas Pembantuan
(De-concentration and Assistance tasks)

PerPem 19 / 2008
Kecamatan
(Sub-districts)

PerPem 72 / 2005
Desa
(Villages (rural))

PerPem 73 / 2005
Kelurahan
(Wards)

PerPem 43 / 2014
Desa
(Villages (rural))

PerPem 79 / 2005
Pembinaan dan Pengawasan Penyelenggaraan Pemerintahan Daerah
(Guidance and Supervision Regional Administration)

PerPem 41 / 2007
Organisasi Perangkat Daerah
(Organisation of Regional Apparatus)

PerPem 65 / 2005
Pedoman Standar Pelayanan Minimal
(Guidelines Minimum Service Standards),

PerMen 31 / 2006
Pembentukan, Penhapusan, dan Penggabungan Kelurahan
(Establishment, Deletion and Merger of Wards)

PerMen 36 / 2007
Pelimpahan Urusan Pemerintahan Kabupaten / Kota kepada Lurah
(Delegation of Administration Affairs to Head of Ward)

PerMen 5 / 2007
Pedoman Penataan Lembaga Kemasyarakatan
(Guidelines Organisation Community Institutions)

Special regions / autonomy

UU 11 / 2006
Pemerintahan Aceh
(Administration of Aceh)

UU 29 / 2007
Pemerintahan Provinsi Daerah Khusus Ibukota Jakarta
(Administration of Special Province Jakarta)

UU 13 / 2012
Keistimewaan Daerah Istimewa Yogyakarta
(Special Status Province of Yogyakarta)

UU 21 / 2001
Otonomi Khusus bagi Provinsi Papua
(Special Autonomy Province Papua)

Development Planning

UU 25 / 2004
Sistem Perencanaan Pembangunan Nasional
(National development planning system)

PerPem 39 / 2006
Pengendalian dan Evaluasi Pelaksanaan Rencana Pembangunan
(Control and Evaluation of Implementation of Development Planning)

PerPem 40 / 2006
Penyusunan Rencana Pembangunan Nasional
(Procedures National Development Planning)

PerPem 8 / 2008
Tahapan, Tata Cara, Penyusunan, Pengendalian, Evaluasi Rencana Pembangunan Daerah
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PerMen 54 / 2010
Tahapan, Tata Cara, Penyusunan, Pengendalian, Evaluasi Rencana Pembangunan Daerah
(Phases, Procedures, Control, Evaluation of Regional Development Planning)

PerMen 32 / 2012
Pedoman Penyusunan, Pengendalian dan Evaluasi Rencana Kerja Pembangunan Daerah 2013
(Guidelines Preparation, Control and Evaluation Regional Development Planning 2013)

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Petunjuk Teknis Penyelenggaraan MUSRENBANG 2007
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Penyelenggaraan MUSRENBANG 2008
(Joint Circular: Organisation MUSRENBANG 2008)

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Guidelines Implementation Musrenbang Villages / Wards.
Departemen Dalam Negeri - DitJen Bina Bangda – Forum Pengembangan Partisipasi Masyarakat
(January 2008)

National community empowerment program (PNPM)

PerPres 15 / 2010
Percepatan Penanggulangan Kemiskinan
(Acceleration of Poverty Alleviation)

InPres 3 / 2010
Program Pembangunan yang Berkeadilan
(Equitable Development Program)

KepMen 25 / 2007
Pedoman Umum Program Nasional Pemberdayaan Masyarakat (PNPM Mandiri)
(General guidelines national community empowerment program (PNPM Mandiri))

Surat Menteri 8-32 MENKO KESRA / III / 2013
Optimalisasi Pelaksanaan PNPM Mandiri Tahun 2013 – 2014
(Optimalisation Implementation PNPM Mandiri 2013 – 2014)
Menteri Koordinator bidang Kesejahteraan Rakyat

Pedoman Pelaksanaan PNPM Perkotaan Edisi September 2012
Guideline Implementation PNPM Urban Edition 2012
Kementerian Pekerjaan Umum – Direktorat Jenderal Cipta Karya

Pedoman Teknis Pengelolaan Keuangan dan Audit Independen LKM
(Technical Guideline Financial Management and Independent Audit LKM)
Kementerian Pekerjaan Umum – Direktorat Jenderal Cipta Karya
(Undated)

Petunjuk Teknis Pengembangan Badan Keswayadaan Masyarakat (BKM) / Lembaga Keswayadaan Masyarakat (LKM)
(Technical Instruction Development Community Self-organisation Board (BKM) / Community Self-organisation Institution (LKM))
Kementerian Pekerjaan Umum – Direktorat Jenderal Cipta Karya
(Undated)

Petunjuk Teknis Tinjauan Partisipatif & Rembug Warga Tahunan (RWT)
(Technical Instruction Participatory Review and Annual Citizen Meeting (RWT))
Kementerian Pekerjaan Umum – Direktorat Jenderal Cipta Karya
(Undated)

Petunjuk Teknis Pengembangan Kelompok Swadaya Masyarakat (KSM)
(Technical Instruction Development Self-organisation Groups (KSM))
Kementerian Pekerjaan Umum – Direktorat Jenderal Cipta Karya
(Undated)

Petunjuk Teknis Keorganisasian dan Pengawasan Keuangan UPK
(Technical Instruction Organisational and Financial Control UPK)
Kementerian Pekerjaan Umum – Direktorat Jenderal Cipta Karya
(Undated)

Surat No. PR.01.03 – DC / 544, 27 October 2015
Program Peningkatan Kualitas Kawasan Permukiman (P2KKP)
(Slum Improvement Program (P2KKP))
Kementerian Pekerjaan Umum dan Perumahan Rakyat / DirJen Cipta Karya

Prosedur Operasional Baku, Penyusunan Baseline Data 100 – 0 - 100
Program Peningkatan Kualitas Permukiman (P2KKP)
(Standard Operational Procedures Baseline Data)
Kementerian Pekerjaan Umum dan Perumahan Rakyat / DirJen Cipta Karya

Spatial Planning

UU 26 / 2007
Penataan Ruang
(Spatial Planning)

PerPem 15 / 2010
Penyelenggaraan Penataan Ruang
(Implementation of Spatial Planning)

PerPem 68 / 2010
Tata Cara Peran Masyarakat dalam Penataan Ruang
(Role of Community in Spatial Planning)

PerMen 1 / 2008
Pedoman Perencanaan Kawasan Perkotaan
(Guideline Planning Urban Areas)

PerMen 17 / 2009
Pedoman Penyusunan RTRW Kota
(Guideline Preparation Municipal Spatial Plans)

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(Role of Community in Regional Spatial Planning)

Public Information Disclosure

UU 14 / 2008
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PerPem 61 / 2010
Pelaksanaan Undang-Undang Keterbukaan Informasi Publik
(Implementation Public Information Disclosure Law)

PerPem 3 / 2007
Laporan Penyelenggaraan Pemerintahan Daerah, Laporan Keterangan Pertanggungjawaban, dan Informasi Laporan (etc.) kepada Masyarakat
(Regional Administration Reports, Accountability Reports and Information on Reports to Public)

PerMen 13 / 2012
Monografi Desa / Kelurahan
(Monograph Village / Ward)

Miscellaneous

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(Constitution 1945 (2002))

UU 10 / 2004
Pembentukan Peraturan Perundang-Undangan
(Establishment of Legislation)

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(Jaringan Dokumentasi dan Informasi Hukum Kementerian Dalam Negeri Republik Indonesia)

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Municipal Bylaws and Regulations Surakarta

Administration

PerDa 4 / 2008 Surakarta
Penyelenggaraan Urusan Pemerintahan Daerah
(Organisation of Local Administration Affairs)

PerDa 6 / 2008 Surakarta
Organisasi dan Tata Kerja Perangkat Daerah
[Amended PerDa 14 / 2011 and PerDa 5 / 2013]
(Organisation and Working Procedures Local Apparatus)

PerDa 4 / 2009 Surakarta
Kelurahan
(Wards)

PerDa 11 / 2011 Surakarta
Lembaga Kemasyarakatan Kelurahan
(Ward Community Institutions)

PerWal 38 / 2008 Surakarta
Tugas, Fungsi dan Tata Kerja Kecamatan
(Duties, Functions and Working Procedures Sub-districts)

PerWal 39 / 2008 Surakarta
Tugas, Fungsi dan Tata Kerja Kelurahan
(Duties, Functions and Working Procedures Wards)

PerWal 3 / 2012 Surakarta
Petunjuk Pelaksanaan (etc.) Lembaga Kemasyarakatan Kelurahan
(Guidelines Ward Community Institutions)

Development Planning

PerWal 22 / 2014 Surakarta
Pedoman Musyawarah Perencanaan Pembangunan 2015
(Guidelines Development Planning Meeting 2015)

PerWal 3 / 2014 Surakarta
Pengelolaan Dana Pembangunan Kelurahan Tahun Anggaran 2014
(Management Ward Development Fund Budget 2014)

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Pengelolaan Dana Pembangunan Kelurahan Tahun Anggaran 2015
(Management Ward Development Fund Budget 2015)

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Pengelolaan Dana Pembangunan Kelurahan Tahun Anggaran 2015
(Management Ward Development Fund Budget 2015)

Spatial Planning

PerDa 1 / 2012 Surakarta
Rencana Tata Ruang Wilayah Kota Surakarta 2011 – 2031
(Municipal Spatial Plan 2011 – 2031)

Public Information Disclosure

PerDa 11 / 2013 Surakarta
Keterbukaan Informasi Publik
(Public Information Disclosure)

www.idih.surakarta.go.id
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Municipal Bylaws and Regulations Banda Aceh

Administration

QANUN 2 / 2008 Banda Aceh
Organisasi dan Tata Kerja Perangkat Daerah
(Organisation and Working Procedures Local Apparatus)

QANUN 10 / 2005 Banda Aceh
Pembentukan, Penggabungan dan Penghapusan Gampong
(Establishment, Merger and Deletion of Ward)

QANUN 3 / 2010 Banda Aceh
Penghapusan Kelurahan dan Pembentukan Gampong
(Deletion of Ward and establishment of Ward)

QANUN 6 / 2005 Banda Aceh
Tuha Peuet Gampong
(Ward Representative Council)

QANUN 7 / 2005 Banda Aceh
Reusam Gampong
(Ward Regulations)

QANUN 9 / 2005 Banda Aceh
Pencaalonan, Pemilihan, Pengesahan, Pelantikan dan Pemberhentian Keuchik
(Nomination, Election (etc.) and Dismissal Head of Ward)

(Draft) PerWal (2012) Banda Aceh
Pemerintahan Mukim
(Administration of Sub-sub-districts)

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Tugas Pokok dan Fungsi Kecamatan
(Duties and Functions Sub-district)

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Pelimpahan Sebahagian Kewenangan Walikota kepada Camat
(Devolution of Authority to Head of Sub-district)

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Pedoman Pengelolaan Keuangan Gampong
(Guideline Management of Ward Finance)

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Pedoman Pelaksanaan dan Penetapan Allokasi Dana Gampong (ADG) Tahun 2014
(Guideline Allocation and Determination of Ward Fund Year 2014)

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Tata Cara Pembagian dan Penetapan Rincian Dana Desa Setiap Gampong Tahun Anggaran 2015
(Procedure for Distribution and Determination of Village Fund to Wards Fiscal year 2015)

Development Planning

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(Municipal Medium – Term Development Plan 2012 – 2017)

(Draft) Standard Operating Procedure (SOP) (2012) Banda Aceh
Musyawarah Perencanaan Pembangunan (MUSRENBANG)
(Development Planning Meetings (MUSRENBANG))

PerWal 52 / 2009 Banda Aceh
Pedoman Umum Pelaksanaan Musyawarah Rencana Aksi Perempuan (MUSRENA)
(General Guidelines Women Action Plan Meeting)

(Draft) Standard Operating Procedure (SOP) (2012) Banda Aceh
Musyawarah Rencana Aksi Perempuan (MUSRENA)
(Women Action Plan Meetings (MUSRENA))

Spatial Planning

QANUN 4 / 2009 Banda Aceh
Rencana Tata Ruang Wilayah Kota Banda Aceh 2009 – 2029
(Municipal Spatial Plan 2009 – 2029)

Public Information Disclosure

PerWal 14 / 2013 Banda Aceh
Prosedur Standar Pelayan Informasi Publik
(Standard Procedure Service Public Information)

PerWal 18 / 2014 Banda Aceh
Standar Operasional Prosedur Pengelolaan dan Pelayanan Informasi Publik
(Standard Operational Procedure Management and Service Public Information)

Provincial Regulations

QANUN 3 / 2003 Aceh
Pemerintahan Kecamatan
(Administration of Kecamatan)

QANUN 4 / 2003 Aceh
Pemerintahan Mukim
(Administration of Sub-sub-districts)

QANUN 5 / 2003 Aceh
Pemerintahan Gampong
(Administration of Gampong)

QANUN 10 / 2008 Aceh
Lembaga Adat
(Indigenous Institutions)

QANUN 4 / 2009 Aceh
Tata Cara Pemilihan dan Pemberhantaran Keuchik
(Election and Dismissal of Head of Ward)

www.jdih.bandacehkota.go.id
(Jaringan Dokumentasi dan Informasi Hukum Pemerintah Kota Banda Aceh.)

www.jdih.acehprov.go.id
(Jaringan Dokumentasi dan Informasi Hukum Provinsi Aceh)

Interviews

Badan Pemberdayaan Masyarakat Kota Banda Aceh (BPM): Zulkifli Syabuddin (Head), Safwan (Head Strengthening and Development Community Institutions).

Badan Perencanaan Pembangunan Daerah Kota Banda Aceh (BAPPEDA): Iskandar Nurdin (Head), T. Buchari Budiman (Former Head), Syukri (Interim Head), Muhammad Ridha (Sekretaris, former Head Social and Cultural Development Planning), Hafriza (Head Social and Cultural Development Planning), Arliandi Syahputra (Sub-division Head), Open Misbah (Sub-division Head).

Badan Perencanaan Pembangunan Daerah Kota Surakarta (BAPPEDA): Ahyani Sidik (Head, former Head Municipal Spatial Planning Agency, Public Works Department), Endah Sitaresmi (Sekretaris, now Head of Public Works Department, Mila Yuniarti (Head Development, Evaluation and Reporting (PEP)).

Badan Perencanaan Pembangunan Nasional (BAPPENAS): Desi Indrimayutri (Consultant).

Dinas Pekerjaan Umum Kota Banda Aceh (PU): Ramos Kam (Sekretaris).

Ford Foundation: Alexander Irwan (Senior Program Officer, Democratic and Accountable Government).

Forum Indonesia untuk Transparansi Anggaran (FITRA): Yuna Farhan (General Secretary SEKNAS FITRA).

International NGO Forum on Indonesian Development (INFID): Sugeng Bahagijo (Executive Director).

Institute for Development and Economic Analysis (IDEA): Wasingatu Zakiyah (Director), Triwahyuni Suci Wulandari (Staf Program), Valentina Sri Wijiyati (Koordinator), Bambang Hery Purwanto.

Kantor Staf Presiden Republik Indonesia (BSP): Binny B. Buchori (Department Political Communication and Dissemination of Information).

Kementerian Koordinator Bidang Kesejahteraan Rakyat Republik Indonesia (MENKO KESRA): Pamuji Lestari (Deputy Assistant Community Empowerment), Ari Taufik Martalogawa (Consultant PNPB Roadmap).

Knowledge Sector Initiative / Australian Aid: Hans Antlöv (Program and Strategic Engagement Advisor).

Komite Kemitraan Indonesia untuk Pembangunan Kesejahteraan (KKI – PK): Yaury Tetanel, Fakhruhsyah Mega, Didik Fahrianto, Eko Putranto, Dewi Nyoman.

Koordinator Kota PNPB Kota Banda Aceh (KorKot PNPB): Teuku Masren (Koordinator), Saifulsyah (Former Koordinator), Taufiq Qurrahman (Former Koordinator), Bansar (Assistant Koordinator), Dedek Mainar (Fasilitator).

Koordinator Kota PNPB Kota Surakarta (KorKot PNPB): Bagus Ardian (Koordinator).

Paguyuban Ngrekso Lepen Mangku Krabon (Pepe River Project) Surakarta: Eko Setyo Winanto.

PATTIRO Surakarta: Andwi Joko.

Pejabat Pengelola Informasi & Dokumentasi Pemerintah Kota Banda Aceh (PPID): Bustami (Head).

Sekretaris Daerah Kota Banda Aceh: H. Bahagia (Sekretaris Daerah, former Head BAPPEDA), T. Saifuddin Ta (former Sekretaris Daerah), Muchlish, (Head Legal Department), Zahrul (Legal Department).

Tim Koordinasi Penanggulangan Kemiskinan Surakarta (TKPKD): Shemmi Samuel Rory.

Transparency International Indonesia: Muhammad (Millam) Ilham B. Saenong (Program Director).

Universitas Gadjah Mada Yogyakarta (UGM): Purwo Santoso (Head of Department Politics and Government / Faculty of Social and Political Sciences), Cornelis Lay (Lecturer), Aris Mundayat (Lecturer, currently Universitas Putra Malaysia, Kuala Lumpur).

Universitas Sebelas Maret Surakarta: Kusumaningdyah Nurul (Department of Architecture / Faculty of Engineering).

Universitas Syiah Kuala Banda Aceh: Rina Meutia.

Women Development Center Banda Aceh: Kusmawati Hatta (Director), Asmawah Hasan, Sri Gustini.

WorldBank: George Soraya (Director Sector Infra-Urban), Sri Probo Sudarmo (Consultant), Parwoto Tjondro Sugianto (Consultant), Risye Dwiyani (Consultant), Ratih Dewayanti (Consultant).

Yayasan Kota Kita: Ahmad Rifai (Executive Director), Aa Fuad Jamil (Senior Facilitator), Ian Ardian Pratomo, Nino Histiralluddin (JERAMI). Zakaria.

