Village Law – Forest Governance, Domination and Possibilities of Liberation in Decentralised Indonesia



Logan Hamilton

Linacre College

University of Oxford

A thesis submitted to

The School of Geography and the Environment

for the degree of

Doctor of Philosophy

Hilary Term, 2021

Supervisor: Dr Constance McDermott

Declaration

I declare that this thesis is entirely my own work, and except where otherwise stated, describes my own research.

Logan Hamilton

Linacre College, University of Oxford

Abstract

Village Law – Forest Governance, Domination and Possibilities of Liberation in Decentralised Indonesia

Logan Hamilton

School of Geography and the Environment and Linacre College, University of Oxford

In partial fulfilment of the requirements for the degree of Doctor of Philosophy

Hilary Term, 2021

Many states across the Global South have implemented decentralisation policies aimed at making forest governance more equitable and locally responsive, but often reforms have failed to deliver assumed benefits and been associated with increased inequity and environmental degradation. At the same time, substantial research questions the extent to which decentralisations have been realised in practice and highlights multiple ways in which elites and other powerful actors reshape such reforms in practice so as to entrench and forward their interests. In light of these trends, this thesis examines a significant recent village-level decentralisation – Indonesia's 2014 Village Law – with the aim of exploring the extent to which authentically decentralised, locally accountable governance can be fostered through the dynamics of a centrally administered reform, as well as their effects on forests and practices of forest governance.

The thesis's approach to analysis bridges a gap identified by Lund, Rutt & Ribot (2018) between analyses of decentralisation's socio-environmental effects and critical explorations of the broader contexts within which they are situated. Drawing from post-structural theorists including Foucault, Laclau & Mouffe, and Butler, the thesis conceives of law as something embedded in practice, using the term *legal hegemony* to identify the complex assemblage of dynamics that (re)produces both the presently dominant meanings and agendas as well as grounded manifestations, operations and effects of decentralisation reform in practice. Adopting an exploratory approach involving a year of fieldwork in West Kalimantan and Jakarta, research aimed to explore the operations of this hegemony, and the extent to which transformative dynamics had

been generated on the ground as a result of its operations. After delineating the dominant logics underlying its implementation, the study then applied these findings as a lens through which to examine the law's effects on village forest governance.

Findings revealed an expansion of central governmental power over villages, with village government agendas being driven by centrally determined economic development goals, limited democratic empowerment and a substantial increase in top-down supervision and scrutiny. The study linked these grounded realities with a bureaucratic re-envisioning of the law which sidelined programs of village autonomy for an agenda of centrally planned rural developmentalism. Such dynamics are replicated in village forests. Whilst villages have initiated a wide array of forest programs since the law's adoption, these have overwhelmingly been determined by village officials based on higher bureaucratic expectations. There appears little scope for the operations of genuine community-based forest governance under present implementational logics, which may leave villages vulnerable to land-grabbing agrobusinesses. These findings emphasise that decentralisations cannot be taken as an end in itself without carefully attending to the effects of such reforms on dynamics of social and political inclusion and exclusion on the ground over time. Findings highlight the limitations of research aimed at quantitatively assessing the linkages between decentralisation and socio-environmental effects since many decentralisation reforms do not function as such in practice. By exploring the politics embedded within the implementation process, this analysis enabled a detailed tracing of the politics of elite subversion of legislative reform. The study concludes by exploring how, through delineation of such logics, alternative pathways of political activism and legal reform are illuminated and made thinkable.

Acknowledgements

Producing this thesis would not have been possible without the continual support I have received from colleagues, friends and family. I would like to begin by thanking my supervisor Dr Constance McDermott, who has been a constant source of feedback, support and inspiration throughout the process of developing and refining my thesis. You are a dear friend, and it has been an honour to spend the last four years working alongside you. I would also like to thank my other co-supervisors: Dr Thomas Thornton for his help in honing my research topic and Dr Mahawan Karuniasa at University of Indonesia for his help with acquiring an Indonesian research visa, developing local contacts, supporting me in accessing Indonesian resources and reviewing and commenting on my findings throughout my fieldwork period. I would like to thank Linacre College for providing me with a supportive community and academic environment, as well as the 'Green Studentship' from 2016-2017. I would also like to thank University of Indonesia, and the Department of Environmental Science in particular for their endorsement and ongoing support, without which I would not have been able to conduct research in Indonesia. Additionally, I would like to thank the members of the Eco-governance Research Group for their regular feedback on my work, as well as the many other academics and individuals whose comments at conferences, departmental events and in random conversations have all contributed to the ongoing refinement of my thesis.

In Indonesia, I am grateful to the NGO Link-AR BORNEO, and to Geofani DeMoron in particular for initiating many useful contacts in West Kalimantan and Kapuas Hulu. I am additionally thankful to the staff at the Secretariat of Foreign Research Licencing in Jakarta for their help in navigating the process of getting authorised to conduct research in the country. Despite the complexities of the process, they made every effort to help me through it and for that I am very grateful. I must also thank the many villagers, officials and other individuals that agreed to take part in this research during my fieldwork. Thank you for taking the time and for being patient with my often highly long-winded interviews. Thank you as well to those who housed me, sometimes for several weeks. You showed me incredible kindness and hospitality. I hope that my research does well by the accounts you have entrusted to me and that I can find ways to make my findings useful to you in the future. Finally, I would like to extend my

dearest gratitude to Siti Hajaroh, my interpreter and so much more. Thank you for agreeing to drop everything and join the project at the shortest of notice. I am so thrilled to have met you and to have had the opportunity to work alongside you. The thesis would not be what it is without you.

Transitioning whilst doing a DPhil is a complicated thing to manage, and I am very grateful to the many deep friendships that have sustained my happiness, health and sanity during the production of this thesis. I would like to give special mention to Bing Shian Tseu, Ed Scrivens, Wyn Shaw, Aaron Gabriel, Aoife Bennett, Rowan Court, Tania Ling, Samantha Poon, Mary Walker, Laura Dawkins, Gareth Jones, Libbi Wittenberg, Anna Sapuntsova, Natalie Watkins and David Barritt. I would also like to thank Viola Belohrad, who helped me believe I could do a DPhil thesis, who supported me through some of the most difficult years of my life and whose friendship I deeply cherish.

Amongst my family, I would like to thank my cousins Ramsey, Robyn and Molly, and my Uncle Woody and Aunt Rebecca for their emotional support during this process. I would similarly like to thank Marco, Carl and Iggy Marsh, Serena, Alex, Tony and Anthea Lamb, who are, for all intents and purposes, also my family. I would also like to thank my father, John Hamilton, for his constant love and support, for the lovely recharge periods we spent together in Kuching, and for his constant efforts to ensure I was supplied with tea and soy milk during the fieldwork process. To my mother, Gina Hamilton, words can hardly express my gratitude. Thank you for coming along on this journey, for driving our rental car across Kapuas Hulu, for being there for me when things got rough, for the teas, the notes, the feedback, the laughs, and for sitting in a longhouse with a splitting headache and pneumonia whilst I conducted a seemingly endless series of interviews. Thank you for the huge amount of effort you have put into editing my work and assisting me with formatting. This project is ours, and I am so, so happy that we got to share it together. Finally, I would like to thank my spouse, Pan Tomé Valencia for being the light of my life, my constant companion and all their help getting me over the finishing line. The thesis is done, and I cannot wait to see what the next chapter of our lives together will bring.

Table of Contents

Abstract . . . . . *i*

Acknowledgements . . . . . *iii*

Table of contents . . . . . *v*

List of figures and tables . . . . . *xii*

List of abbreviations and acronyms . . . . . *xiii*

Glossary . . . . . *xv*

Chapter 1

1.0 Introduction 1

1.1 Outline of the Thesis's Structure 7

1.1.1 Empirical Analysis Part One – Delineating the Village Law's Implementational Hegemony 7

1.1.2 The Village Law and the Forest 8

Chapter 2

2.0 Analytical Frameworks 11

2.1 Contextualising the Framework 14

2.2 Analytical Foundations – Linking Post-Structuralist and Resource Governance Theory 21

2.2.1 Discourse, Knowledge and Productive Power 23

2.2.2 Subjects, Agency and Actor Power 26

2.2.3 Conceptualisations of Forests and Forest Governance 30

2.3 Reconstituting the Object of Decentralisation Analysis 35

2.3.1 Shifting Framings. 35

2.3.2 The Village Law as a Hegemony 39

2.4 Analysing the Village Law's Implementational Hegemony 42

2.4.1 Theorising Hierarchical Domination 44

2.4.2 Theorising Liberation 47

2.4.3 Categorising Decentralisation and Assessing Democratisation . . . 51

2.4.3.1. Deconcentration vs Decentralisation 51

2.4.3.2 Democratic Decentralisation 52

2.4.4 Delineating and Analysing the Village Law's Hegemonic Logics. 54

Chapter 3

3.0 Methodology 59

3.1 Fieldwork 60

3.1.1 Huma Wangi 64

3.1.2 Nanga Kantu 66

3.1.3 Sungai Sebilik 67

3.1.4 Makai Nyamai 69

3.2 The Research Team 70

3.3 Selecting Research Participants 71

3.4 Generating Data Through Interviews 75

3.5 Generating Data Through Community Meetings 81

3.6 Generating Data Through Participant Observation 81

3.7 Generating Data Through Review of Laws and Other Written Material. 84

3.8 The Process of Data Analysis 84

3.9 Research Ethics 88

3.10 Reflexivity, Positionality and Limitations 90

Chapter 4

4.0 Background and History of the Case 94

4.1 General Background 94

4.1.1 Indonesia 94

4.1.2 Government and Developmentalism 96

4.1.3 West Kalimantan and Kapuas Hulu 99

4.2 A History of Indonesian Village Administration 100

4.2.1 Before 1999 101

4.2.2 Trends Since 1999 103

4.3 Trends in Indonesian Forest Administration 105

4.3.1 Before 1999 105

4.3.2 During and After the Big Bang 108

4.4 Evolution of Indonesian Village Forest Governance 107

4.4.1 Before 1999 110

4.4.2 During and After the Big Bang 112

4.4.3 Hutan Desa (Village Forests) 115

Chapter 5

5.0 Visions and Re-formulations: Clashing Agendas in Creating and Implementing the 2014 Village Law 118

5.1 Introduction 118

5.2 Creation and Adoption – An Activist Law 119

5.2.1 Producing the Village Law 119

5.2.2 The Law's Vision 122

5.2.3 Key Reforms 128

5.3 Discursive Fault Lines 130

5.3.1 Village Empowerment 131

5.3.2 Intra-Communalism 132

5.3.3 Developmentalism 134

5.4 Implementing the Law – Politics, Clashes and Reordering 132

5.4.1 Bureaucracy Resurgent 136

5.4.2 Ministerial Rivalries 140

5.4.3 Dynamics Between Districts and Ministries 143

5.5 Conclusions 146

6.0 Chapter 6: Disseminating Domination: Producing the Law's Hegemony in Villages 149

6.1 Introduction 149

6.2 Grounding Decentralisation – Repertoires of Domination in Kapuas Hulu. 151

6.2.1 Access to Training and Information 151

6.2.2 Checking and Supervision 155

6.2.3 Control of Village Funds. 159

6.2.4 Excluding the Grassroots 163

6.2.5 Normalisations and the Umbrella of Legitimisation 167

6.2.6 The Discourse of Development 171

6.2.7 The Legality Gauntlet and the Internal Transformation of Villages 174

6.2.8 Summary – Intersections of Domination 178

6.3 Delineating the Law's Implementational Hegemony 180

6.4 Mapping the Power, Accountability and Liberational Dynamics of the Law's Implementation 182

6.5 Concluding Thoughts 187

Chapter 7

7.0 Mechanisms of Hegemony: Forest Governance Horizons Under The Village Law 192

7.1 Introduction 192

7.2 Analysis of Forest Governance Mechanisms 196

7.2.1 Mechanisms of Forest Administration 197

7.2.1.1 Increased Funding (and the discourse of environmental sustainability) 197

7.2.1.2 New Village Institutions 203

7.2.1.3 Bureaucratic Support and Facilitation 207

7.2.1.4 Village Regulations 216

7.2.2 Mechanisms of Forest Control 220

7.2.2.1 Village Border Demarcation and Mapping 220

7.2.2.2 Intra-Village Customary Forest Surveying 225

7.2.2.3 Bureaucratic Support for Increased Territorial Control. 227

7.2.2.4 Forest Patrolling and Formalised Monitoring 231

7.2.3 Mechanisms of Forest Engagement 235

7.2.3.1 Forest Management and Restoration 236

7.2.3.2 New Methods of Profiting from Forests 236

7.2.3.3 Developing Forest Spaces 240

7.4 Conclusions 245

Chapter 8

8.0 The Limits of Hegemony: Local Dynamics, Hegemonic Collisions and the Fates of Village Forests 255

8.1 Introduction 255

8.2 Additional Theorisation 256

8.2.1 Laclau and Mouffe Revisited 256

8.2.2 Beyond Hegemony 258

8.2.3 A Case-Study Approach 261

8.3 Case 1 – Forest Struggles in Huma Wangi 261

8.3.1 A Blocked Project 262

8.3.2 A History of Resistance 264

8.3.3 Competing Agendas, Competing Narratives 269

8.3.4 Other Claims, Muddied Narratives 272

8.3.5 Key Lessons 277

8.4 Case 2 – Kantu Tenga and Kantu Hilir, A Tale of Two Sub-Villages . . 278

8.4.1 Forest Governance in Kantu Hilir 279

8.4.2 Forest Governance in Kantu Tenga 281

8.4.3 Evolutions Under the Village Law 282

8.4.4 Key Lessons 286

8.5 Case 3 – The Dismantling of Nanga Putih 287

8.5.1 Agrobusiness and the Village Law 287

8.5.2 The Fall of a Village Forest 293

8.6 Conclusions 297

Chapter 9

9.0: Conclusions 302

9.1 Summary of Chapter Findings 303

9.1.1 Chapter 5 Visions and Re-visions: Clashing Agendas in Creating and Implementing the 2014 Village Law 303

9.1.2 Chapter 6: Disseminating Domination: Producing the Law's Hegemony in Villages 304

9.1.3 Chapter 7: Mechanisms of Hegemony: Forest Governance Horizons Under the Village Law 306

9.1.4 Chapter 8: The Limits of Hegemony: Local Dynamics, Hegemonic Collisions and the Fates of Village Forests 308

9.2 Discussion of Key Lessons 309

9.2.1 Decentralisations and their Effects 310

9.2.2 The Dynamism of Domination 311

9.2.3 Forest Governance 315

9.2.4 Contingency and the Limiting of Possibility 319

9.2.5 Analytical Innovations 321

9.3 Scope and Implications for Future Research 325

9.4 Recommendations: What is to be done with the Village Law? 327

9.5 Concluding Remarks. 339

References 341

Appendix A, Study Village List of Interviewees 382

Appendix B, Village Law No.6 2014 (in Bahasa Indonesia) 389

Appendix C, Village Law No.6 2014 (in English) 425

List of Figures and Tables

Figure 1: Location of the 4 study villages and surrounding forests, Kapuas Hulu Regency, West Kalimantan 62

Figure 2: Location of the 4 study villages, Kapuas Hulu Regency, West Kalimantan 64

Figure 3: Study Village, Huma Wangi 64

Figure 4: Study Village, Nanga Kantu 66

Figure 5: Study Village, Sungai Sebilik 67

Figure 6: Study Village, Makai Nyamai 69

Figure 7: Hierarchy of Laws & Regulations in Indonesia 95

Table 1: Description of Study Villages: Development Level, Forest Status and Key Features 63

Table 2: The Changes in Forest Area Under Various Forest Tenure Regimes in Indonesia 114

Abbreviations and Acronyms

ADD	Village Fund Allocation (*Alokasi Dana Desa*)
AMAN	National Association of Indigenous Communities, Indonesia
APA	Actors, powers, accountability (Agrawal & Ribot's 1999 framework)
APBN	National State Budget, (*Anggaran Pendapatan dan Belanja Negara*)
BAL	Basic Agrarian Law
Bappenas	Society of Community Empowerment, (*Badan Pemberdayaan Masyarakat)*
BFL	Basic Forestry Law
BID	Village Innovation Exchange, (*Bursa Inovasi Desa*)
BUMDes	Village cooperative, (*badan usaha milik desa*)
BPD	Village council or consultative body, (*badan permusyawaratan desa*)
DPMD	Office of Community and Village Empowerment. (*Dinas Pemberdayaan Masyarakat dan Desa*)
FMU	Forest Management Unit
FPPD	Village Reform and Empowerment Forum, (*Forum Pengembangan Pembaharuan Desa*)
HPK	Conversion forest, (*hutan produksi yang dapat dikonversi*)
HPT	Limited production forest, *(hutan produksi terbatas)*
HTR	Community-based timber plantations (*hutan tanaman rakyat*)
IDR	Indonesian rupiah
KPP	Tourism Management Body *(Kelompok Pengelola Pariwisata)*

LPHD	Forest management committee (*Lembaga Pengalolaan Hutan Desa*)
LPM	Community Empowerment Body (*Lembaga Pemberdayaan Masyarakat*)
MEF	Ministry of Environment & Forestry Indonesia
NGO	Non-governmental organisation
PAUD	Kindergarten (*pendidikan anak usia dini*)
PNPM	PNPM Mandiri is a national poverty alleviation program primarily based on community empowerment.
RT	Neighbourhood: the lowest administrative unit, (*Rukun Tetangga)*

Glossary

Adat	Customary
Badan	'Body', also regional administrative divisions
Bahasa	'Language', as in '*Bahasa Indonesia*', Indonesian language
Bupati	District Head
Bursa Inovasi Desa	Village Innovation Exchange (BID)
Camat	Sub-district head
Dana Desa	Village Fund
Daya saing masyarakat	Community competitiveness
Desa	Village or group of sub-villages
Desa adat	Traditional village; also, a forest status
Dusun	Sub-village
Gotong royong	Mutual cooperation
Hak asal usul	Traditional custom (lit. trans. 'right of origin')
Hukum adat	Customary law
Hutan adat	Customary forests
Hutan konservasi	Conservation forest
Hutan desa	Village forest
Hutan hak	Private forest
Hutan kemasyarakatan	Community forests (HKm)
Hutan lindung	Protection forests
Hutan produksi terbatas	Limited production forest (HPT)
Hutan produksi tetap	Permanent production forest (HP)

Hutan tanaman rakyat	Community-based timber plantations (HTR)
Jalan tani	Farmer/agricultural road
Kawasan hutan	Forestry estate
Kabupaten	Regency or administrative district
Kabupaten/wilayah kota	Districts/cities
Kantor	Office
Kecamatan	Administrative district, sub-district below the kabupaten
Kelulut	Stingless bees
Kemendesa	Ministry of Villages, (kementerian desa)
Kementerian	Ministry
Kementerian Keuangan	Ministry of Finance
Kementerian Agraria dan Tata Ruang	Ministry of Agrarian Affairs and Spatial Planning
Kementerian Lingkungan Hidup	Ministry of the Environment
Kemitraan kehutanan	Forestry partnerships
Kepala desa	Village head
Kesejahteraan bersama	Wealth/general welfare
Konservasi	Conservation
Lomba desa	Village competition
Masyarakat	The community
Masyarakat adat	Customary communities
Memanfaatkan sumber daya	Utilisation of community resources
Musyawarah	Discussion

Musyawarah desa	Village consultative forums
Pancasila	Indonesian national philosophical theory (see p.101)
Pemberdayaan	Empowerment
Pemerintah desa	Village government (village head and staff)
Perangkat desa	Village administration (officials involved in village governance)
Pengembangan potensi	Potential development
Perekonomian desa	Village economy
Perhutanan sosial	Social forestry
Rukun Tetangga/RT	Neighbourhood: the lowest administrative unit
Undang-Undang Desa	Village Law

Chapter 1.0: Introduction

> *We bring down the political, technocratic and participatory approaches to the [village] level, so in a way we are practicing a kind of direct democracy like the poleis of ancient Greece. The [villages] are like poleis. So, we are trying to create 74,158 poleis in Indonesia.*
>
> Proposer of the Village Law to the Indonesian Parliament, 2018

In late 2013, Indonesia's House of Representatives passed Law of the Republic of Indonesia no.6/2014 about Villages (Village Law, 2014). Developed as a result of a long process of activism and public consultation, its creators stated its core aims to be an increase in village autonomy, the recognition of the diversity of village governance systems and the empowering of villages to pursue their own agendas and development strategies. To these ends, the law decentralises substantial legislative powers to villages, reworks their internal government structures with the aim of increasing accountability and involvement of community members in governance, and furnishes villages with considerable streams of direct government funding (roughly US $75,000 per village per year). The law represents the most significant decentralisation of power in Indonesia since major reforms of 1999 associated with the fall of the country's New Order dictatorship and a clear and critical juncture in the history of Indonesian governance (Antlöv, Wetterberg & Dharmawan, 2016a).

This decentralisation presents a new chapter of a broader historical trend in decentralisation reform that has swept across the governance spheres of the global south in recent decades. Although the specifics of decentralisation have varied widely both between and within states (Yuliani, 2004), the overall trend has been one through which

traditional centralised governments have granted new powers/authority to an array of actors including local government bodies, NGOs, industry players and local/indigenous communities. Decentralisations have been hailed as an opportunity to make forest governance more cost-effective, equitable and responsive to local needs and have received support from diverse actors including NGOs, global financial institutions and national level officials (Burns, Hambleton & Hoggett, 1994; Turner & Hulme, 1997; McCarthy, 2004).

Despite their enduring popularity and widespread adoption, decentralisations have become the subject of growing critique both in the political sphere and from the body of literature centred on its analysis. Research on their effects have highlighted numerous failures of these reforms, many of which have been associated with mixed or negative impacts on multiple valued socio-environmental metrics (McCarthy, 2001; Tacconi, 2007; Agrawal, Chhatre & Hardin, 2008; Colfer, Dahal & Moeliono, 2008; Bullinger & Haug, 2012). As a result, authors increasingly acknowledge that decentralisation has not proved a panacea against socio-environmental ills, with many asserting the need for further structural reforms and additional testing of the varying functionalities and effects of various types of decentralisation reforms (Kumar, 2002; Ameha, Nielson & Larson, 2014; Kijazi, 2015; Lund, 2015; Paulson Priebe, Evans & Castellanos, 2015; Mutune & Lund, 2016; Wright et al., 2016; Santika et al., 2019). Others in turn have questioned the effectiveness of such policies (Keefer, 2007; Tacconi, 2007; Treisman, 2007), even advocating for a return to more centralised, top-down methods of administration (Kramer, van Schaik & Johnson, 1997; Brandon, Redford & Sanderson, 1998; Oates, 1999; Terborgh, 2004).

Conversely, critical research on decentralisation reforms have questioned the extent to which they even represent real decentralisations of power and authority.

Grounded research of political power dynamics and democratisation for example has explored the multiple ways in which decentralisations fail to generate a substantive shift in powers and accountabilities, fail to address entrenched social hierarchies or are subverted in implementation by various entrenched interests (e.g. Agrawal & Ribot, 1999; Ribot, Agrawal & Larson, 2006; Dressler et al., 2010; Chomba, Nathan, Minang & Sinclair, 2015; Rutt et al., 2015; Nuesiri et al., 2016; Sahide, Supratman, Maryudi, Kim & Giessen, 2016; Ece et al., 2017). Such findings are significant because, as highlighted by Lund, Rutt & Ribot (2018), they contest the common assumption in effects-centric literature that decentralisation reforms actually result in meaningful decentralisation of power to lower levels of government in practice (e.g. Ribot, 2004; Benjamin, 2008; Lund et al., 2009; Ribot, Lund & Treue, 2010; Lund, 2015; Rasolofoson, Ferraro, Jenkins & Jones, 2015; Miller, Rana & Wahlén, 2017; Lund et al., 2018). These findings highlight the importance of exploring how such decentralisation processes actually operate on the ground before seeking to draw causal links between decentralisations and shifts in various social or environmental metrics (Mutune & Lund, 2016).

In light of these trends and insights, this thesis' analysis of the 2014 Village Law aims to bridge a gap identified by Lund et al., (2018) between analyses of decentralisation's socio-environmental effects, the broader contexts within which they are situated, their underlying power dynamics and the extent of their democratic effects. In addressing this gap, the thesis seeks to explore the extent to which authentically decentralised, locally accountable governance can be fostered through the dynamics of a centrally administered structural reform. In order to productively confront this wide-ranging topic, I have chosen to focus analysis on the specific ways in which the Village Law has impacted village forests and village forest governance. Focusing on the law's interactions and impacts within this sphere usefully bounds the scope of its analysis,

enabling a detailed exploration of the various ways in which it has generated change in these spaces. Whilst many of the law's effects have received academic attention since its adoption, the interactions between the law and forests have thus far received limited direct attention. Delineating such dynamics is critical given the high percentages of forest dependent livelihoods in Indonesia – one of the largest such populations comprised of roughly 80,000,000 - 95,000,000 individuals (Chao, 2012; Colchester, Anderson, & Chao, 2014) – and their long history of deforestation and degradation (Rossabi, 1998).

Although the law is vague concerning its implications for forests (Village Law, 2014, Article 76.1) and most forest spaces in Indonesia are the legal preserve of the Ministry of Environment and Forestry and thus officially outside the direct administrative control of many village governments, villagers across Indonesia continue to exert significant *de facto* control over these spaces (Rossabi, 1998). I hypothesised therefore that any major shifts in systems of village governance and access to key resources would have important knock-on effects on forests as well. Such potentials were illustrated by the country's 1999 'Big Bang' decentralisation to the district level, which had similarly unclear explicit links with forests but nonetheless initiated major shifts in their governance and a logging boom in the years following its adoption (Casson & Obidzinski, 2002; Arnold, 2008; Barr et al., 2012; Bullinger & Haug, 2012; Warman, 2016). The effects of such shifts could be further amplified through their intersections with ongoing processes of land grabbing agrobusiness expansion, dynamics which already place local governance systems under a considerable degree of pressure and duress (Li, 1999; Peluso, 2005; Colfer et al., 2008; McCarthy, 2010).

The thesis's approach to analysing the law's implications for forests and forest governance, which evolved throughout the processes of fieldwork and subsequent data

analysis, centred on the delineation of what the thesis (drawing from the works of Laclau & Mouffe) terms the Village Law's *hegemony* (2001): the complex assemblage of dynamics that has (re)produced both its presently dominant meanings and agendas and the grounded manifestations, operations and effects of its implementation. This approach emerged through an analysis of decentralisation literature, which highlighted that despite their differences, both effects-centric and critical approaches tend to understand the issue of decentralisation with a binary lens that distinguishes between and focuses separately on the policies guiding decentralisation reforms and the processes of their practical implementation. This binary however is not strict, definitive, or helpful in exploring the ways in which decentralisations operate and effect change in the social sphere. Rather than being separate from one another, both the legal texts and practical realities of a decentralisation's implementation are intimately and inseparably interlinked and cross-contaminate one another to (re)produce its meanings, agendas, logics and operations. A central focus on hegemony rather than on the decentralisation's legal texts necessitated an exploration of this hegemony's emergence in the more extended Indonesian political sphere, the discourses and dynamics underlying this coalescence and the dominant emergent logics and strategic agendas driving its effective operations.

In order to engage broader debates on the interactions between particular governance structures and socio-environmental effects, the thesis examines the law's hegemony through a reworking of Agrawal & Ribot's decentralisation framework, which analyses the extent to which decentralisations truly decentralise power and accountabilities or merely reallocate narrowly determined responsibilities to lower rungs of the political hierarchy (1999). The thesis asserts that the various dynamics of a decentralisation can in fact function in both ways and that these dynamics can evolve as the decentralisation is contested and reformulated over time (as per Poteete & Ribot,

2011). Shifting the target of this framework from legal text to the Village Law's hegemonic dynamics, the thesis draws upon the work of post-structural theorists including Foucault, Laclau, Mouffe, and Butler to reformulate Agrawal & Ribot's decentralisation typology and explore the diverse ways in which dynamics of liberation and hierarchical domination are manifested, maintained or entrenched in the social sphere through the varying radiating effects and dynamics associated with the Village Law. This approach serves to focus attention on the ways in which the law's operations have enabled or undermined the emergence of legitimate local autonomies on the ground and the mechanisms underlying these effects, thus mitigating the interpretative pitfalls of drawing direct causal links between the structure of particular decentralisation texts and resultant socio-environmental effects.

Examination of both the Village Law's more far-reaching hegemony and its impacts on forests were undertaken concurrently via an exploratory, qualitative approach centred on a year of fieldwork and over 200 long-form semi-structured interviews in four separate forest communities in the district of Kapuas Hulu in West Kalimantan (Borneo), as well as at higher rungs of the country's bureaucratic hierarchy. This approach enabled both analyses to interact and reinforce one another in a number of valuable ways. The delineation of the law's hegemony and associated liberating and dominating dynamics provided the explanatory lens through which to examine its varying effects on forests and forest governance. Examining the extent to which identified hegemonic logics have defined the transformative horizon in those forest spaces with which the law intersects in turn served to test their validity and analytical utility. Linking this analysis with a broader examination of the history of village forests in turn enabled a contextualisation of the significance of the Village Law in this sphere, an examination of its relations with wider dynamics and a delineation of the extent to which these have succeeded or failed

to permeate or influence their associated governance mechanisms. Such findings are valuable in a more comprehensive assessment of the transformative implications of the Village Law for governance in Indonesia.

1.1 Outline of the Thesis's Structure

Rather than a series of thematically connected individual essays, the thesis unfolds as a singular narrative, with the research objectives and findings of the empirical chapters building upon each other sequentially. It is structured into three main sections in addition to its conclusions. The first section contains three chapters: Chapter 2, which details the thesis's analytical frameworks, Chapter 3, which outlines its research methods, and Chapter 4, which provides a background and history of the case. The next two sections contain the thesis's empirical chapters. The first of these, titled *Delineating the Village Law's Implementational Hegemony*, includes Chapters 5 and 6 and delineates the dynamics that have generated and driven the hegemony of the Village Law decentralisation as a whole. The second empirical chapter, *The Village Law and the Forest*, covers Chapters 7 and 8 and explores the ways in which the law's hegemonic logics and operations have intersected with village forests and village forest governance. Summaries of the topics covered by each of the empirical chapters are outlined below.

1.1.1 Part One Empirical Analysis (Chapters 5 & 6): Delineating the Village Law's Implementational Hegemony

Chapter 5, *Visions and Re-Visions: Clashing Agendas in Creating and Implementing the 2014 Village Law*, explores the history of the creation of the Village Law and delineates what this thesis terms its *original vision* via an analysis the law's text in light of associated and concurrently dominant discourses and agendas. Through analyses of genealogy and power, the chapter explores the evolution of the discursive field surrounding the law since its adoption, identifying key conceptual blocs that have

sought to lay claim to its meaning and implementational trajectory and highlighting those that have gained ascendency over time. It links these operations with shifts in broader power dynamics and institutional reforms in order to outline the dynamics and logics underlying and driving the law's emergent implementational hegemony at the national level. The chapter's results highlight how these shifts have enabled a perpetuation and entrenchment of bureaucratic power by centring a new discursive logic of centralised developmentalism.

Chapter 6, *Disseminating Domination: Producing the Law's Hegemony in Villages*, explores the repertoires of domination through which the hegemonic bureaucratic order identified in the previous chapter has been disseminated to the village level. Examination of the common trends and dynamics associated with these repertories in turn enables a further delineation of its dominant grounded logics – the hegemony of the Law's implementation. The chapter concludes by exploring the myriad ways in which these logics and their effects run counter to the realisation of an agenda of village liberation.

1.1.2 Part Two Empirical Analysis (Chapters 7 & 8): The Village Law and the Forest

Chapter 7, *Mechanisms of Hegemony: Forest Governance Horizons under the Village Law*, identifies and analyses the array of mechanisms through which the Village Law has effected change for forests and village forest governance systems in the Kapuas Hulu study villages via the lens of the Village Law's implementational hegemony. This analysis aims at exploring the extent to which its logics define and are replicated through their operations, the degree to which these enable, limit, block or preclude the emergence of democratic community-based governance of forest spaces, whether they have generated any other substantial and relevant liberational effects, and the effects of their associated dynamics on forest cover and quality.

Chapter 8, *The Limits of Hegemony: Local Dynamics, Hegemonic Collisions and the Fates of Village Forests*, shifts attention from exploring the various operations of the Village Law to refocus on the histories of village forests since its adoption. Through a close examination of four case studies at the village and sub-village level it aims to contextualise the dynamics associated with the Village Law within the context of more extended processes effecting these spaces and thus gain a clearer perspective on its implications for village forest governance and village governance more broadly. Each case study was explored with the aid of the thesis's framings of power, discourse and hegemony, as well as literature on post-hegemony, which highlights social dynamics that go beyond and to some degree defy hegemonic colonisations and incorporations.

Chapter 9, the final concluding chapter summarises the thesis's principal findings and, in light of these, explores pathways and strategies through which to transcend the limits of governance possibilities imposed by the realities of the law's adoption on the ground.

SECTION 1

Chapters 2, 3 and 4

Chapter 2: Analytical Frameworks

Chapter 3: Methodology

Chapter 4: Background and History of the Case

Chapter 2.0: Analytical Frameworks

As I suspect is the case for many projects, my work on the Village Law began with a chance encounter that escalated into a full-blown multi-year venture. I had always wanted to conduct research in Indonesia because it has a lot in common (e.g. a mutually intelligible language, linked cultural history, etc.) with Malaysia, the country where I grew up, but has followed a very different path of administrative reform. I remember reading a newspaper article about the law's adoption in 2014 and thinking, "Goodness – a new Indonesian decentralisation reform? And to the village level? Well, the last major decentralisation in 1999 had some pretty major implications, particularly for forests. I wonder if similar dynamics are at play in this one? I could probably do an interesting study on that!" Exploring this case appeared to link well with my academic background in environmental science and biodiversity conservation and professional experience in researching and working with local community governance systems as in my Masters, whilst also providing the opportunity to branch out from those spheres and develop competencies in fields to which I felt increasingly drawn such as social and political theory and activism.

The thesis' analytical frameworks developed and evolved throughout fieldwork and subsequent analysis of results. At the time when I began my fieldwork there was still a relatively limited volume of research on the Village Law's interactions with forest spaces and on its effects on village governance more broadly. As a result, I adopted an exploratory approach in which analytical tools, conceptualisations and lines of enquiry were identified and engaged in a relatively organic fashion. This methodology was inspired by Foucault, who explains that,

> *I never know at the beginning of a project what I'll think at its conclusion. Thus, it is difficult to indicate clearly what the methodology is that I employ. Each of my books is a way of dismantling an object, and of constructing a method of analysis towards that end. Once a work is finished, I can, of course, more or less through hindsight, deduce a methodology from the completed experience.* (Foucault, 1991, p. 28)

Using a case-study approach, my analysis aimed not to establish or test universal theories or laws, but rather to explore how a complex assemblage of causal dynamics have come together within the context of the case to produce particular realities on the ground (Fleetwood, 2001). Initial research was informed by Foucault's decentred conceptualisations of power, knowledge and discourse and a theory of actor agency and power drawn from Ribot & Peluso's theory of access (2003), both of which aided in a rapid scoping of key dynamics in the field and set in motion the production of more robust and case appropriate framings. This process has generated a targeted and novel assortment of analytical tools for the analysis of this project which could not have been pre-envisioned before fieldwork commenced.

As indicated in the introductory chapter, the thesis' analysis increasingly centred around two principal and intersecting analytical agendas: firstly, to explore the extent to which the Village Law has resulted in the production of legitimately autonomous and grassroots-accountable dynamics of village governance on the ground, and secondly, to delineate the effects of the Village Law on village forest governance. The former concern was profoundly influenced by my own gender transition from man to woman which commenced at the start of the thesis, was put on hold during fieldwork and accelerated after returning to Oxford. In a moment of increasing attacks in the UK, USA and elsewhere on both the validity of transgender identities and on transgender rights, the

possibilities of social emancipation both through political reform and by other means, the pitfalls into which liberational programs can fall and the limits of legality as a means of pursuing improvements were at the forefront of my mind, and this thesis provided me a space to consider both my own circumstances and those of Indonesian villages under the Village Law in what I feel were mutually productive ways. When I say that the methods and framings by which I conducted and conceptualised my research evolved profoundly over the course of this study, this was in part because my entire worldview, identity and sense of self shattered soon after I began and had to be reassembled during the process of the thesis' production. Writing this thesis has been in part an effort to rewrite myself, though I feel this rewriting has been to the definite advantage of the thesis as a contribution both to the particulars of the present Indonesian political and environmental circumstance and to decentralisation literature more broadly.

This chapter delineates the various interlocking frames and methods deployed to engage the thesis' two interconnected concerns. Whilst the chapter presents these frameworks in a systematic fashion with the aim of facilitating clarity for the reader, the subsequent and closely linked Methodology (Chapter 3) provides further explanation of how they were assembled chronologically in relation to various grounded challenges and analytical requirements. This chapter is divided into four principal sections. The first, *Contextualising the Framework*, situates the thesis's principal analytical concerns and approaches in relation to broader trends in forest decentralisation literature, illustrating how they led the thesis to straddle gaps between the various research strands identified in a review of the field by Lund, Rutt & Ribot, (2018) and engage with broader debates over the impacts of decentralisations on socio-environmental dynamics and trends.

The second section, *Analytical Foundations*, presents the post-structurally rooted framings of power, discourse and agency that underlie the thesis's approach to its

exploring and reading of its results. It also details the thesis's conceptualisations of forests and forest governance.

The third section, *A Novel Approach to Decentralisation Analysis*, applies conceptualisations of power and discourse, in conjunction with the deconstructive theories of Derrida, to specify a new object of decentralisation analysis, *implementational hegemony*, that transcends common distinctions in forest decentralisation literature between the texts and associated underlying agendas of decentralisation laws and their implementational realities.

The fourth section, *Analysing Decentralisation*, theorises post-structurally rooted conceptions of hierarchical domination and liberation and applies these, alongside additional conceptualisations developed within decentralisation literature, to reformulate Agrawal & Ribot's (1999) *actors, powers, accountability* (APA) framework on terms that enable delineation of the extent to which the Village Law's hegemonic dynamics and associated governance mechanisms legitimately and democratically decentralise powers and accountability to village governments. It then proceeds to detail the thesis's method of identifying the dominant strategic logics that have defined and been forwarded by the law's implementational hegemony, the mechanisms by which they operate and take effect and the ways in which these have permeated and defined change in the sphere of village forest governance.

2.1 Contextualising the Framework

The spread of forest-related decentralisation reforms across the Global South in recent decades has been accompanied by a correspondent boom in decentralisation literature (Lund, et al., 2018). Lund, Rutt & Ribot's review of this field (2018) distinguishes between four principal research branches. The first and perhaps the most

politically influential due to its dominance in the fields of economic and political/environmental science (Miller et al., 2017) is what they term *assessing impacts of forestry decentralisation* and centres on outlining the interactions between these reforms, livelihoods and forests. For brevity, this thesis refers to the work associated with this category as *effects-centric*. They explain that, "…*this strand is characterized by less attention to the policy of decentralisation and more to outcomes, and to establishing causality between the existence of the policy and the observed outcomes*" (p. 17).

Such so-called *evidence-based* approaches to decentralisation have drawn on a wide array of methodologies to explore causal links including reviews of secondary reports and statistics, analysis of remote sensing imagery and the assessment of various proxy indicators. It has increasingly turned to large, multi-national datasets and quasi-experimental research designs in an effort to accurately assess the relative merits of the decentralised governance model (e.g. Kumar, 2002; Bowler et al., 2012; Lund, 2015; Paulson Priebe et al., 2015; Rasolofoson et al., 2015; Rutt et al., 2015). Such research has identified mixed social and environmental outcomes from such reforms (e.g. McCarthy, 2001; Tacconi, 2007; Agrawal et al., 2008; Colfer et al., 2008; Bowler et al., 2012; Bullinger & Haug, 2012), leading many researchers to emphasise the need for further structural reforms (e.g. Kumar, 2002; Kijazi, 2015; Lund, 2015; Paulson Priebe et al., 2015; Mutune & Lund, 2016; Wright et al., 2016; Santika et al., 2019) and others to question the effectiveness of such policies (Keefer, 2007; Tacconi, 2007; Treisman, 2007) and even argue for recentralisation of governance to centralised authorities (Kramer et al., 1997; Brandon et al., 1998; Oates, 1999; Terborgh, 2004).

Lund et al., (2018) assert that works in this branch have tended to compartmentalise their analyses from the methods and findings of the other three research strands in their typology. This thesis collectively terms these *critical*

decentralisation research. The first, *decentralisation as democratisation*, focuses on the extent to which decentralisation policies embody ideals associated with democracy (e.g. Agrawal & Ribot, 1999; Mustalahti & Lund, 2009; Ece, et al., 2017). The second, *unpacking power in forestry decentralisation*, focuses on the power dynamics and political struggles underlying the creation and implementation of these reforms (e.g. Ribot, 1998; Poteete & Ribot, 2011; Lund & Saito-Jensen, 2013; Fleischman, 2014). The final branch, *contextualising forestry decentralisation*, explores the ways in which such legislations are generated through and interact with broader socio-political and environmental dynamics, decentring their operations to interrogate both the justifications given for their adoption and the functions they serve in the social sphere (e.g. Ribot et al., 2006; Dressler et al., 2010; Sahide et al., 2016; Sungusia & Lund, 2016).

This research has demonstrated the extent to which the processes of creating and implementing decentralisation reforms are shaped by power dynamics that have tended to preserve elite positions (Ribot, et al., 2006; Poteete & Ribot, 2011; Bullinger & Haug, 2012; Rutt et al., 2015; Sahide et al., 2016; Naylor, Higgins, Edwards & Falcon, 2019), resist accountable democratisation (e.g. Chomba et al., 2015; Rutt et al., 2015; Nuesiri, 2016; Ece et al., 2017) and forward very different agendas from those explicitly centred by reformers (e.g. Ribot et al., 2006; Sahide et al., 2016; Koch, 2017; Sarker, Rahman, & Giessen, 2017). Indeed, a number of studies have demonstrated how ostensibly decentralising programs have actually led to the further centralising of political power, resources and authority (Ribot et al., 2006; Bullinger & Haug, 2012; Sahide et al., 2016; Basnyat, Treue, Pokharel, Lamsal & Rayamajhi, 2018; Fatem et al., 2018). In failing to account for functional dynamics of decentralisations, Lund et al. (2018) and others warn that effect-centric approaches may risk linking social and environmental impacts with reforms that do not operate as described in their policy documents and may not constitute

decentralisations in practice (e.g. Ribot, 2004; Benjamin, 2008; Lund, Balooni & Casse, 2009; Ribot et al., 2010; Lund, 2015; Rasolofoson et al., 2015; Miller et al., 2017; Lund et al., 2018).

This thesis positions itself at the intersection of these various analytical strands and thus responds to the appeal of Lund et al., (2018) for more cross-cutting forest decentralisation research. It deploys its power-centric approach to traverse the common rift between analyses focused on the socio-political dynamics and effects of decentralisation and those concerned with its impacts on how forests are engaged and used, exploring both in conjunction so that they may contextualise and yield insights regarding one another. In analysing the Village Law, this study also engages a branch of forest decentralisation literature that has received relatively limited attention in recent years – the linkages between decentralisations that do not explicitly centre on forests and forest governance. Most such studies have focused on Indonesia's 1999 decentralisation which, whilst making similarly limited direct reference to forests, was nonetheless associated with a logging boom that culminated in the loss of vast areas of Indonesian forestland (Casson & Obidzinski, 2002; Arnold, 2008; Barr et al., 2012; Brockhaus, Obidzinski, Dermawan, Laumonier, & Luttrell, 2012; Bullinger & Haug, 2012; Warman, 2016). This study explicitly engages the dynamics by which broad national decentralisations radiate into the sphere of village forest governance and will therefore be of interest to those engaged or seeking to explore such processes in a wide range of national and localised contexts.

In many ways the scope of its analysis reflects that of Mutune & Lund's 2016 analysis of the impacts of participatory forestry policies. Delineating the ways in which it aligns and differs with their approach therefore serves as a useful method through which to clearly illustrate the positioning of the thesis's framings and agendas in relation to the

broader field of decentralisation analysis. Like many effects-centric analyses, Mutune & Lund's paper focuses on the linkages between the enactment of a forest decentralisation structure – in this case the participatory forest management program enabled via Kenya's 2005 Forests Act – and shifts in forest-related incomes for participating villagers. The scope of their analysis however goes far beyond common and a relatively narrow set of concerns to explore the very nature of the decentralisation reform at the centre of the transformative process. Drawing on the work of Ribot et al., (2010), they acknowledge that participatory forest policies often "*fail to materialize on the ground as substantive changes in rights to resources for people*" (Mutune & Lund, 2016, p. 45). As a result, they highlight the importance of analysing the operations of decentralisation policies in practice as a critical step in exploring the linkages between their adoption and various socio-environmental impacts.

Mutune & Lund, (2016) conduct their examination with reference to Agrawal & Ribot's APA framework, which analyses the extent to which decentralisations truly decentralise power and accountabilities or merely reallocate narrowly determined responsibilities to lower rungs of the political hierarchy (1999). This model classifies instances of the former as true decentralisation and the latter as *deconcentration*. Critically, whilst Agrawal & Ribot's framework was originally applied to decentralisation policy documents, Mutune & Lund's also targets its functional dynamics in practice, which it explores through qualitative interviews. The results of this analysis demonstrated that whilst the law might appear to be a decentralisation in theory, its realisation better resembled a deconcentration that has resulted in few substantial transfers of power and accountability to local actors and the general maintenance of centralised bureaucratic control. The article links these realities with livelihood trends, arguing that increases in income were related with donor investments and support rather

than being the result of local autonomous governance. In light of these findings, the paper asserts that analyses of decentralisation impacts must unpack both decentralisation outcomes and the dynamics of the policies themselves in order to provide "*meaningful policy evidence*" (p. 45).

This thesis aligns with Mutune & Lund, (2016) and others in emphasising the importance of delineating the functional dynamics of decentralisations in practice as a vital stage in exploring causal links between such reforms and their effects. However, whilst Mutune & Lund reinforce a common implicit dichotomy in decentralisation literature between the texts and agendas of decentralisation policies and the realities of their implementational dynamics, this thesis challenges both the validity and utility of such a distinction for the analysis of the realities of decentralisation processes. The intentions of laws are not static, but intimately linked and mutually (re)produced with their practical operations

Similarly, it is not clear that efforts to explore the effects of decentralisation reforms, critique, and devised tactics to change are aided by an arbitrary divide between policies and implementations. This thesis posits that such efforts may be better served through the centring of the evolving assemblages of dynamics, logics, meanings and agendas which transcend such distinctions and that constitute and animate such reforms' functional workings and impacts. This appears particularly true when the outputs of research work are not targeted principally towards policy makers, donors or policy researchers, as is a significant trend in academic decentralisation literature (e.g. Lund & Treue, 2008; Ameha et al., 2014; Treue et al., 2014; Paulson Priebe et al., 2015; Baylis et al., 2016; Mutune & Lund, 2016; Wright et al., 2016; Miller et al., 2017; Santika et al., 2019, etc.) and are aimed instead to be available to a broad spectrum of individuals and groups including community members, social movements and activists (e.g. Li, 2007, p.

282). Whilst the spheres of policy reform and enforcement may be among the more directly accessible and alterable for the former, they tend to be relatively inaccessible to many others including some of those individuals most affected by decentralisation reforms. Furthermore, these are certainly not the only nor necessarily always the most relevant spheres in which transformative social change may be pursued and enacted. By adopting a holistic and integrated approach and exploring the multiple intersecting registers through which power and change operate, this thesis aims to render itself open to the utilisation of a wide range of actors in differing positions concerned with and affected by the unfolding dynamics of the Village Law's implementation realities.

As with Mutune & Lund, (2016), the thesis analyses the various interlinking dynamics of the Village Law's implementational hegemony at the village, district and national levels with reference to Agrawal & Ribot's APA framework. It also draws upon the various conceptualisations of democratic decentralisation as developed and deployed in associated literature (e.g. Smoke, 2003; Ribot, 2004; Larson, Pacheco, Toni & Vallejo, 2007; Rihoy & Maguranyanga, 2007; Ribot, Chhatre, & Lankinad, 2008; Ribot et al., 2010; Armitage et al., 2015; Ribot, 2016). However, the thesis reconceives Agrawal & Ribot's decentralisation typology in line with its post-structural theoretical underpinnings (e.g. Sivaramakrishnan, 2000; Johnson, 2001; Ghate, 2009; Poteete & Ribot, 2011; Larson & Dahal, 2012; Lund, 2015). Framing decentralisation and deconcentration as evolving qualities of reforms that manifest variously via complex dynamics within the social field enables the thesis to avoid essentialising the Village Law as any particular type of decentralisation whilst still enabling a typological classification of the evolving dynamics of its implementational hegemony and the drawing of causal linkages between these and transformations in the form of village forest governance.

A final commonality with Mutune & Lund, (2016) is in how this thesis aims to explore social and environmental effects of the Village Law's implementation. Conducting systematic analyses of shifts in forest cover, environmental degradation, villager income, or any of the other many quantitatively measured metrics commonly applied in decentralisation analysis was beyond the scope of this study, which restricted itself to a focus on qualitative methods and experience-centric interview questions. Rather, this thesis has drawn on Ribot & Peluso's theory of access (2003) and post-structural methods of power analysis to explore the ways in which access to resources and decision-making are reconstituted through the Village Law's implementation and describing who benefits from such reformulations and on which terms. It also explores shifts in how forests are conceptualised, spatialised and engaged (e.g. via craft programs, forest clearance, etc.), thus detailing some of the more significant implications for forest spaces associated with the law's implementation and indicating channels for further research on these effects going forward.

2.2 Analytical Foundations: Linking Post-Structuralist and Resource Governance Theory

This thesis's analytical approach is rooted in a critical realist epistemology which, whilst supporting the notion of an objective reality, nonetheless acknowledges that knowledge of the world can only be produced within a subjective social context saturated with norms, values and motivations (Zachariadis, Scott, & Barrett, 2013). A critical realist positioning therefore centres on exploring the full range of causal links – be they mechanistic, discursive, etc. associated with the production of observed dynamics whilst remaining critically aware of the subjective positioning of the researcher within the broader field of power/knowledge within which we are all suspended, with the validity and utility of findings being defined both by their contextual explanatory power

and the sufficiency of empirical results in generating, exploring and testing their operations.

My delineation and interrogation of causal mechanisms linked with the Village Law draw heavily from post-structural framings, approaches and analytical methods, and especially from the works of Michelle Foucault, Ernesto Laclau, Chantal Mouffe and Judith Butler, as well as the critical legal scholar Dean Spade. Whilst post-structural literature cannot be defined by a cohesive set of framings, approaches and concerns, works linked with this assemblage have often been associated with a set of broadly overlapping ethical and conceptual elements. May (1994) identifies several qualities that can be ascribed to many post-structural authors and which have informed both this thesis's engagement with their texts and the scope and methods of its analysis. These include:

1. A tactical engagement with philosophy characterised by the lack of a foundational grand theory and a concern with generating, identifying and utilising case-appropriate conceptual tools for the critical exploration and engagement of particular circumstances.
2. The framing of power as a decentralised, discursive, relational and non-deterministic force and the ongoing product and reproducer of human actions.
3. The rejection of essentialisms lying beyond discursive constitution and of essentialist humanism in favour of performative and power-sensitive methods for understanding human identity, social interactions and determining meaningful causes.
4. The radical critique of representation and the idea that any structure or ideology may fully represent the interests of its constituents or subjects.

5. An ethical commitment to difference.

Post-structural literature is particularly useful in critically exploring the dynamics of power and discourse. This section describes how the thesis interlinks associated theories and the heuristic toolkits of Ribot & Peluso's theory of access (2003) and Poteete & Ribot's repertoires of domination (2011) – developed for the analysis of resource governance and decentralisation processes – to guide its conceptualisations and approaches to key dynamics of power, expertise, agency, discourse and social change. These framings are foundational to the thesis's conceptions of implementational hegemony, domination, liberation and its reformulation of Agrawal & Ribot's framework. They also guided the generation of, and have underpinned all engagements with, its various empirical findings.

2.2.1 Discourse, Knowledge and Productive Power

Power as conceived by Foucault and associated post-structuralists is not something that is held or wielded by actors in pursuing their agendas. Though it may follow particular logics, it does so as an emergent quality of social dynamics rather than according to the particular wills of specific actors (Foucault, 1998, pp. 92-93; Gaventa, 2003). Foucault asserts that power can be framed as an assortment of techniques which are productive.

> *We must cease once and for all to describe the effects of power in negative terms: it 'excludes', it 'represses', it 'censors', it 'abstracts', it 'masks', it 'conceals'. In fact, power produces; it produces reality; it produces domains of objects and rituals of truth. The individual and the knowledge that may be gained of him belong to this production.* (1991, p. 194)

As explained by Butler,

> *Power operates to form our everyday understanding of social relations, and to orchestrate the ways in which we consent to (and reproduce) those tacit and covert relations of power. Power is not stable or static, but is remade at various junctures within everyday life; it constitutes our tenuous sense of common sense, and is ensconced as the prevailing episteme of a culture.* (Butler, Laclau & Žižek, 2000, p. 14)

Power in this sense is everywhere, though often masked and rendered invisible through the normalisations it produces. With reference to this framing and in line with a terminology deployed by Butler (1990, p. 2), power of this sort shall – in cases where clarification is needed – be referred to as *productive power* to distinguish it from actor-centric forms of power detailed in the next section (2.2.2).

Foucault's notion of power is intimately linked with his conceptualisation of discourse, which he frames as practices that systematically form the objects of which they speak. Discourses are not about objects; they constitute them and in the practice of doing so conceal their own intervention (2002, p. 49). They are structured totalities of *"objects, types of statement, concepts, or thematic choices*" within the social realm (Foucault, 2002, p. 38). Rather than being defined by a relationship with particular objects, a shared style, a consistent usage of concepts, or a concern with a common theme, he argues that what unifies the elements of a discursive formation is nothing more than common sets of rules of formation, operation, modification and disappearance (Foucault, 2002, p. 38). These rules in turn constitute the sphere in which systems of knowledge are formed, the categories of thought through which actors conceive the world and themselves, the norms by which they live, the social performances that they conduct and the ways in which these are read and take effect. They define that which is acknowledged, normalised, lauded and forwarded and that which is problematised,

marginalised, opposed, precluded and rendered unthinkable (Graham, 2011). This thesis uses the terms ‘assemblage’ and ‘discursive assemblage’ in a Foucauldian sense to denote the complex and at times apparently contradictory elements gathered beneath the umbrella of a particular discourse (Foucault, 2002, p. 38).

Power – which Foucault intimately associates with knowledge to the extent that he often groups the two concepts via the term *power/knowledge* – constitutes and is constituted by discourse and operates productively through the discursive field. Foucault’s various *technologies of power* are not only produced through the logics of discourses, but work to maintain, expand and entrench their operations (Sheridan, 1990, p. 283). Laclau & Mouffe however argue that discourse cannot fully constitute the objects and subjects within the social sphere by means of their structuring frameworks, which they assert are perpetually “*overdetermined*”, a Freudian concept they use to mean possessed of more meanings than those which they are ascribed within a particular discursive formation (Laclau & Mouffe, 2001, pp. 77, 102). The elements that comprise discourse are therefore always capable of slipping away from them and gaining new meanings in new formations, or of holding multiple significations in multiple formations. As noted by Foucault, “*Discourse transmits and produces power; it reinforces it, but also undermines and exposes it, renders it fragile and makes it possible to thwart*” (Foucault, 1998, pp. 100-101). The social therefore is a realm of conflicting, power-saturated discourses that never fully succeed in producing their particular logic of the social.

Because of their necessarily inclusionary/exclusionary logics, it becomes possible to formulate the question, to paraphrase Butler, of “*what does (a particular discursive formation) want?*” (Butler, 2004, p. 2). For example, it may work to promote certain kinds of development, undermine or promote particular conceptions of law, or to

generate particular orders of subjection – a concept deployed by Spade to signify the ways in which exposure to forms of vulnerability or marginalisation are generated by the workings of diffused systems of productive power rather than the specific dominating actions of individuals (Spade, 2011, p. 6). The analysis of the workings of productive power in turn may be framed as consisting of the study of discursive formations, their logics, mechanisms and procedures, and the ways in which the interactions of such 'wantings' affect**,** construct and reconstruct the social realms within which they operate. Examining the authorless, emergent trajectories of discursive formations, underlain by particular internally generated momentums and logics that are neither entirely devised, understood nor controlled by even their most impactful of instigators and contributors (Foucault, 1998, p. 92-93; Butler, 1990, p. 125), is useful in exploring the implications of particular assemblages of power and discourse for the fates of spheres such as village forests with which they have become entangled.

2.2.2 Subjects, Agency and Actor Power

As has been highlighted, *subjects* or *actors* (this thesis shall use the two terms synonymously) are not framed in post-structural writings as "*rational, choosing subjects*" (Butler, 1993, p. ix). Instead, they are constituted by discourse, knowledge and power (Butler, 1997). As asserted by Butler, "*we are constituted, invariably and from the start, by what is before us and outside us*" (Butler, 2004, p. 3). A transcendental subject engaged with the world on terms that transcend discourse is an impossibility because, in the words of Laclau & Mouffe, "*there is no beyond*" (Laclau & Mouffe, 2001, p. 113). The constructed nature of subjects however is not set in a binary relationship with material realities, and indeed, a structure, reality or subjecthood should not be conceived as any less real by virtue of its constructed-ness. In Butler's words,

> *Why is it that what is constructed is understood as an artificial and dispensable character? What are we to make of constructions without which we would not be able to think, to live, to make sense of it all, those which have acquired for us a kind of necessity?* (1993, p. x)

The idea of subjects as invariably constituted and reconstituted objects of discourse might appear to foreclose any room for individual agency. Butler however resists such notions by exploring the functional dimensions of post-structural agency, asserting that "*my agency does not consist in denying this condition of my constitution. If I have any agency, it is opened up by the fact that I am constituted by a social world that I never chose*" (Butler, 2004, p. 3). She proceeds to state that,

> *Self-determination becomes a plausible concept only in the context of a social world that supports and enables that exercise of agency. Conversely (and as a consequence), it turns out that changing the institutions by which humanly viable choice is established and maintained is a pre-requisite of self-determination.* (Butler, 2004, p. 7)

Whilst actors may operate within the limits of particular normative constraints, they can nonetheless exert agency within them. Indeed, by emphasising the multiple ways by which power is enacted and maintained through the repeated performative actions of actors and exploring the means by which discursive logics are modified, transformed or short-circuited through such active re-inscriptions, Butler explicitly locates many of the critical drivers of social change within the hands of constrained but agency-full subjects (Butler, 2004, p. 3).

In order to effectively engage agency in the context of the Village Law decentralisation, the thesis links these conceptualisations with Ribot & Peluso's theory of

access (2003). *Access*, in their conceptualisation, is defined by the "*the ability to derive benefits from things*", which encompasses the full array of "*institutions, social and political-economic relations, and discursive strategies that shape benefit flows*" (Ribot & Peluso, 2003, p. 157). Whilst some forms of access are acknowledged as legitimate within particular social orders, many are not, and the study of access therefore requires that equal attention be paid to "*property… illicit actions, relations of production, entitlement relations, and the histories of all of these*" (p. 157). They also distinguish between two key positions in access dynamics – *access control*, or "*the ability to mediate others' access*" and *access maintenance*, which "*requires expending resources or powers to keep a particular sort of resource access open*" and may involve supplying benefits to access controllers (Ribot & Peluso, 2003, pp. 158-159).

Such conceptualisations are associated with a broader framework of social interactions wherein actors are embedded within complex, interlocking webs of access in which they variously play roles of controllers and maintainers, bundle the resources with which they are entangled in varying configurations in order to gain, control or maintain access to things. This framing acknowledges that all actors have agency and power in some capacity and furnishes a nuanced perspective on the dynamics of social conflict and competition – one which avoids framing access to a resource as a necessarily zero-sum game and asserts that even otherwise powerful actors may struggle in circumstances where their particular configurations of mechanisms are unsuitable.

Despite substantial citations, a recent review of the impacts of access theory on governance literature asserts that there have been limited efforts to develop the theory of access beyond these initial conceptualisations (Myers & Hansen, 2020). One particularly notable exception has been Poteete and Ribot's article, *Repertoires of Domination: Decentralization as Process in Botswana and Senegal* (2011). This paper, which shall

also be drawn upon in developing this thesis's approach to decentralisation analysis, shifts focus from access mechanisms themselves to the various methodologies by which they are deployed, identifying a range of tactics such as threats, bribes and routine pageantries deployed through a variety of legal and illicit channels. They employ the term *repertoires of domination* to define the sets of acts which actors can perform to defend, entrench or expand positions of influence and control.

Rather than presenting a grand theory of power and society, the theory of access instead furnishes a set of analytic tools developed with a particular purpose – namely to "*facilitate grounded analyses of who actually benefits from things and through what processes they are able to do so*" (Ribot & Peluso, 2003, p. 154; Myers & Hansen, 2020). This heuristic design makes it amenable to integration within broader explanatory frameworks, directing analysis whilst leaving space to examine the nature of the causal processes involved on their own terms and avoiding grand theory prescriptivism (Foucault, 1991, p. 288) As noted by Myers & Hansen, (2020, p. 147),

> *One of the most compelling features of A Theory of Access is that it engages with both structure and agency while integrating rich empirical works with social science theory. Further, by leaving understandings of power as flexible, the theory has broad appeal*.

The integration of these framings and tools with this thesis's post-structural notions of discourse and productive power is accomplished by conceiving the entirety of the social realm of access mechanisms and access dynamics, as well as the subjects that wield them through their agency, as being constantly constituted and reconstituted through their operations. Therefore, if an actor has power and agency – what this thesis terms *actor power* – then its parameters are set by both their positioning within the

evolving discursive field and the resources and tactics they have and gain access to within it, which are themselves products of certain histories and dynamics. The agendas they pursue are in turn framed as situated within and produced by these enveloping discursive formations, thus avoiding any tendency to reconceive of the rationally choosing transcendental subject. The various actions of actors in turn contribute to the ongoing (re)constituting of that social order. This conception of the interlinking operations of productive power and actor power effectively mirrors that outlined by Butler when she writes,

> *Power acts on the subject in at least two ways: first, as what makes the subject possible, the condition of its possibility and its formative occasion, and second, as what is taken up and reiterated in the subject's "own" acting*. (Butler, 1997, p. 14)

Framed thusly, the arena of engagement in which actors pursue access to things as described by Ribot & Peluso becomes a productive space with a vital role in defining, challenging, and reproducing the world in which such dynamics are able to operate.

2.2.3 Conceptualisations of Forests and Forest Governance

The thesis' framing of *the forest* is centred on two key conceptualisations:

1. Spaces covered in trees and defined as forests by various functionalist ecologically founded global frameworks.
2. Socially demarcated spaces conceived and governed as forests by state authorities (e.g. the Indonesian government), local communities, etc.

The first conceptualisation has been left intentionally vague in order to capture the diverse definitions of so-called *natural forest* deployed by government agencies, research bodies, local communities, etc. (Putz & Redford, 2010), as well as the subjective,

discursive and power-laden logics underlying any specifically formulated conceptualisation of these spaces. The thesis engages this notion for two reasons: firstly, so as not to lose, despite its inherent conceptual fuzziness, an active engagement with forests as living ecological spaces (Robbins, 2020) with value, environmental and socio-economic significances, and functional influences that overdetermine their containment within the limits of any specific discursively constituted framework, and secondly so that the thesis' analysis of the law's implications for forest governance can address dynamics of change in these spaces in terms intelligible and meaningful to research and political movements concerned with the evolving fates of the forest both in Indonesia and globally.

Two key sources have informed this thesis's engagements with this first conceptualisation of forests as material features of the landscape. Firstly, the *Atlas of Deforestation and Industrial Plantations in Borneo* has been used as a guide to the location of forest spaces. This online resource employs satellite data to map the presence of mature (likely over 100 years old), secondary or regrowth forest and industrial plantations in Borneo (CIFOR, 2019). Secondly, the thesis utilises the conceptual categories of Putz & Redford's, (2010) fluid forest typology, which differentiates between deforestation – a binary transition from a forested to non-forested state which can often be identified via remote sensing – and degradation, which refers to the reduction or loss of subjectively defined forest qualities and is more effectively detected via on-the-ground surveys and interviews.

The thesis's second conceptualisation of forests engages the social constitution of forest spaces as legal and social spaces. As could be expected, perhaps the most important definitions of forests operating in Indonesia are those defined and functionally enforced by its national government. 86.9 million ha of Indonesia's total land area is

included in Indonesia's forestry estate (*kawasan hutan*), classified as state land and administered by the Ministry of Environment and Forestry (MEF, 2020). This area is subdivided into a number of legal and administrative classifications, which include:

1. Permanent production forests (*hutan produksi tetap, HP*) – used to produce timber or pulp without any restrictions on felling besides those determined in existing regulations on logging practices (*Tebang Pilih Tanam Indonesia* or Indonesian Selective Logging and Planting).

2. Limited production forests (*hutan produksi terbatas, HPT*) – used to produce timber or pulp with more stringent regulations linked with a landscape typology.

3. Conservation forests (*hutan konservasi*) – reserved for conservation purposes. This is further subdivided into several additional legal and governance categories.

4. Protection forests (*hutan lindung*) – reserved from logging with the aim of conserving forest-linked ecosystem services e.g. watershed health and erosion prevention (Singer, 2009).

As shall be explored further in Chapter 4, Indonesia's land tenure and management system grants the government ultimate authority over its forestry estate and the right to restrict access to these spaces and develop plans and agreements regarding their usage. In recent years however, efforts have been made to extend local community involvement in forest governance through an initiative termed *social forestry* which set the ambitious target of granting social forestry status to 10% of the country's forest estate in 2014 (RI, 2014; MEF, 2015). Further details of the social forestry program, which presently consists of eight major forestry classifications including village forests (*hutan desa*), community forests (*hutan kemasyarakatan* or HKm) and customary forests (*hutan ada*t), are provided in Chapter 4.

Despite their specific legal definitions, the various legal classifications operate complexly on the ground, and many legal vagaries persist (Rossabi, 1998; Rachman & Siscawati, 2013). Governmental conceptualisations of forests and claims to authority over them also overlap with and are to some degree contested by the claims and conceptualisations of local community members, many of whom continue to govern forest spaces according to locally determined methods in ways that either are not actively penalised by Forestry authorities or otherwise escape their notice (Rossabi, 1998). They also continue to govern spaces which they conceive of as forests, which are recognised as such by many ecologically-rooted conceptions of forests (e.g. CIFOR, 2019), but are not included in the country's forest estate.

These varying conceptualisations of forest spaces are vital to how they can be perceived, engaged and utilised. They overlap imperfectly, such that what might be considered a forest through one lens does not necessarily align with what is conceived through the others. In line with the thesis's post-structural constructivist conceptualisations, I argue that no single framing of the forest can claim absolute validity in defining what such spaces are, but rather that the interactions of varying framings entangle forests in particular arrangements of administration, control and usage. This conception is consistent with a critical realist epistemology. As elaborated by Laclau & Mouffe,

> *The fact that every object is constituted as an object of discourse has nothing to do with whether there is a world external to thought, or with the realism/idealism opposition. An earthquake or the falling of a brick is an event that certainly exists, in the sense that it occurs here and now, independently of my will… What is denied is not that such objects exist externally to thought, but the rather different*

assertion that they could constitute themselves as objects outside any discursive condition of emergence. (Laclau & Mouffe, 2001, p. 94)

Similarly, and in contrast to more language-centric conceptualisations, both Foucault (in Dreyfus & Rabinow, 1986, p. 203) and Laclau & Mouffe emphasise the materiality of discourse itself. Rather than being a mere mental ordering of an objective physical world, discourse is conceived to constitute, entangle and produce objects, whilst objects in turn play a critical role in the generation and maintenance of systems of meaning (Young, 1981, Laclau & Mouffe, 2001 pp. 94-95). A sign stating that a forest is off-limits for example can serve as a key material element in a broader system of demarcation, control, inclusion and exclusion, and its presence or absence, in tandem with other elements in a discursive formation, can have powerful implications for the fate of a particular forest.

By underlining the radically constructionist frameworks of these post-structuralist thinkers, this thesis aims both to explicitly integrate such conceptualisations into its analysis and emphasise the privileged analytical position such framings afford to discourse and productive power. Rather than providing rules for a social game played by actors upon a set terrain, they are intimately involved in constituting the terrain itself. To quote Laclau & Mouffe, they "*pierce the entire material density of the multifarious institutions, rituals and practices through which a discursive formation is structured*" (Laclau & Mouffe, 2001, p. 95). As such, analytics of power and discourse are vital in examining every element through which the law operates and with which it has become entangled including the production and reproduction of forests. Even the ecological framing of the forest, whilst providing a vital lens in analysing these spaces, is itself the product of a long, troubled and to some degree arbitrary genealogy linked with bloody histories of colonialism and exploitation that it cannot fully transcend (Scott, 1998). As

such, the thesis acknowledges the value of engaging forests both as ecological and socially delineated spaces whilst troubling the boundaries between these two framings in the interest of widening space for critique and the charting of relevant causal processes driving change in their structural and discursive compositions and governance.

2.3 Reconstituting the Object of Decentralisation Analysis

2.3.1 Shifting Framings

A review of literature on forest decentralisation highlights a common division between two very different objects of decentralisation analysis. A first set concerns itself with decentralisations as legal documents and structures associated with particular meanings and intentions. This category includes many effect-centric studies aimed at identifying causal links between the contents of legal reforms and various social and environmental trends, as well as those focused on the implications of policies for power dynamics and democratic reform (e.g. Agrawal & Ribot, 1999; Bowler et al., 2012; Persha & Andersson, 2014; Rasolofoson et al., 2015; Wright et al., 2016; Sarker et al., 2017). One example is Rasolofoson et al., (2014), who conducted a survey of Madagascar forest cover to examine the effects of various community forest management structures on deforestation. Another is Agrawal & Ribot's 1999 framework which aims to delineate the dynamics of power and accountability in decentralisation policies. A second bloc focuses on the politics, contestations and power dynamics that shape decentralisation implementation processes (e.g. Nightingale 2005; Poteete & Ribot, 2011; Faye, 2014; Baruah, 2015; Sungusia & Lund, 2016). A salient example from Poteete & Ribot, (2011) frames, "*decentralization and democratization as ongoing and contested processes,*" rather than discrete legislative events and explores the various dynamics by which central officials maintain their positions of power during ostensive decentralisation processes (Poteete & Ribot, 2011, p. 21).

Some studies address both analytical objects – e.g. by highlighting the ways decentralisation implementation processes have deviated from their ostensive objectives (e.g. Fleischman, 2014; Chomba et al., 2015; Mandondo & Jusrut, 2015) or arguing that policies and programs were developed to serve other agendas to those that have been publicly acknowledged (e.g. Rutt & Lund, 2014; Ece et al., 2017). Such approaches nonetheless still implicitly reinforce or at least do not explicitly challenge the notion (e.g. Ribot, 1998; Nightingale, 2005; Pérez-Cirera & Lovett, 2006; Ribot et al., 2006; Larson & Ribot, 2007; Balooni, Lund, Kumar & Inoue, 2010; Ojha et al., 2014; Mutune & Lund, 2016) that decentralisation policies are associated with stable meanings and agendas – even hidden ones – that can be substantially separated from their implementational realities. The contention of this thesis is that approaches focusing on each of these two objects of analysis have their advantages; there are analytical advantages to explicitly transcending the divide between them and engaging both together. This thesis does so by extending the constructionist framings of the second bloc to decentralisation policies themselves.

Through a variety of deconstructive methods, Jacques Derrida has highlighted the infinite multiplicity of meanings associated with even the clearest of texts and demonstrates how close examination of their structures tends to destabilise rather than secure the sets of framings with which they are commonly associated. To quote Derrida,

> *Every sign, linguistic or not linguistic, spoken or written… in a large or small unit, can be cited, put between quotation marks; in doing so it can break with every given context, engendering an infinitude of new contexts in a manner which is absolutely illimitable. This does not imply that the mark is valid outside of a context, but on the contrary that there are only contexts without any centre of absolute anchorage. This citationality, this duplication or duplicity, this iterability*

> *of the mark is neither an accident not an anomaly, it is that (normal/abnormal) without which a mark could not even have a function called 'normal'*. (Derrida, 1988, p. 12)

On these terms, dominant readings of texts are not conceived to represent their transcendental truth, but rather the constituted effects of the discursive assemblages and power dynamics within which they are embedded.

To be clear, the intention here is not to ignore the realities of legal conventions or to assert that the contents of legislative texts don't matter to the realities of their implementation. The structures of decentralisation reforms for example can contain greater or lesser degrees of flexibility, specificity and stringency regarding their aims, their enforcement mechanisms etc., as well as the extent to which they can be revised or amended over time. As highlighted in the substantial body of literature centred on exploring the relationships between legislative designs and impacts, such differences in legislative designs can lend themselves more easily to forms of political appropriation such as elite co-option (Ribot et al., 2006; Poteete & Ribot, 2011; Sahide et al., 2016; Rutt & Lund, 2014; Ece et al., 2017). They also demonstrate causal linkages with certain types of socioenvironmental impacts, as well as the degree to which such policies succeed in achieving their stated agendas (e.g., Kumar, 2002; Bowler et al., 2012; Lund, 2015; Paulson Priebe et al., 2015; Rasolofoson et al., 2015; Rutt et al., 2015).

Similarly, I am not asserting that decentralisation analysis would in any way benefit from a move away from careful readings of legal texts – such close reading was a vital element of this thesis's methodology. Rather, my intent is to question the fixity of legal meanings and any notions of their fundamental autonomy from the shaping effects of the broader fields of power and discourse that envelop them. The realities of a

decentralisation reform are always the product of a dialogue between its text and its context. Laws are the product of the contexts that spawn them, and these contexts continue to play critical roles in driving implementation processes, but such legal texts also play a critical role in generating and enforcing new operational standards, conceptions and practices that can substantially reorder the contexts that birthed them. What is necessary is not a choice between text and context, but an approach that carefully engages both. Such conceptions overlap substantially with those centred by many critical legal theorists (Christodoulidis, Dukes & Goldoni, 2019), including Spade (2011).

Once it is acknowledged that the meanings of laws are not locked securely within legal documents it is possible to unbind understanding of what legal meanings and intentions are. To draw on applications of Derridean theory made by Laclau & Mouffe, they become embedded elements of broader discursive and power dynamics in which both are given meaning and give meaning within the context of such ongoing interactions (Laclau & Mouffe, 2001, p. xi). This framing is important because unlike the idealised notion of legal 'truth', discourses and power have histories and shift, transform and reconfigure with time. If power is what holds together a law's meaning, then as power dynamics shift, so may its associated readings, interpretations and agendas. Delineations of the intentions of decentralisation reforms made by researchers, governments and even by their own creators in turn represent mere claim-making actions (Ribot & Poteete, 2011) within complex and fractious seas of meaning. On these terms, the Village Law may exist in many forms at different times and in varying contexts, with no particular one of these conceptualisations and the ways in which they engage and understand the text of the Village Law necessarily holding a greater claim to validity and authenticity than the others. Such conceptualisations align with those of Foucault, who

asserts that the formulation of concepts are always messy, contingent and contested processes, with the content of any particular document, ideology or definition being the embattled result of a particular history, rather than some perfect natural essence to which actors have merely given a name (Foucault, 1984, pp. 77-81).

Whilst such notions may appear like common sense, their explicit acknowledgement has great significance for this thesis's approach to decentralisation analysis. The law as it is practically embodied becomes a significant and authentic target of analysis in determining the meaning of the law's text, which in turn is rendered a varyingly significant element in broader assemblages of transformation. Drawing on the work of Laclau and Mouffe, this study terms this object the law's *implementational hegemony*. This complex, mobile constitution of evolving meanings and operations provides a more wholistic and nuanced reference point in exploring the drivers of socio-environmental change than either idealised legal intention and dynamics of political contestation on their own, and provides a highly suitable object of analysis for this study of the effects of the Village Law on forest governance.

2.3.2 The Village Law as a Hegemony

Laclau & Mouffe's idea of hegemony is a complex concept that is challenging to adequately summarise. In this thesis, it is used to refer to the dominance of particular assemblages of constituting and unifying discursive logics within a social sphere (Laclau & Mouffe, 2001, pp. 122-123). This definition differs from earlier conceptions of hegemony in leftist academia (e.g. Lenin and Gramsci) in which class actors such as the proletariat and bourgeoisie serve as the central and foundational elements of social struggles (Laclau & Mouffe, 2001, p. 75). Instead, Laclau & Mouffe assert that all social identities such as that of a farmer, a Malay, a government employee, a Christian, etc. can play an equally significant unifying and driving role in social movements and production

of political orders (Laclau & Mouffe, 2001, p. 149). Such conceptions are useful to this thesis, which is concerned with the full array of social dynamics that generate and are generated by the law's implementation, rather than simply those related to class antagonisms.

As a category of discursive assemblage, a hegemonic formation is produced through articulations which, via various means, establish equivalences or unities between diversities of social identities, social elements and discursive blocs, thus constituting them into relatively unified social and political spaces (Laclau & Mouffe, 2001, pp. 122-123). Hegemonies expand by marginalising, dismantling or assimilating external discourses within their structuring socio-political frameworks (Butler, et al., 2001, p. 57). By including and excluding particular logics, identities, social possibilities, etc. hegemonic formations, to quote Butler, constitute "*the historical possibilities for articulation that emerge within a given political horizon*" (Butler et al., 2002, p. 13).

Hegemonies are relatively unified because, as mentioned previously, elements in the discursive sphere are always overdetermined and can never be totally encapsulated or contained by the logics of any single hegemony (Laclau & Mouffe, 2001, pp. xii, 107-108). As such, the borders of hegemonies, in common with discursive formations more broadly, overlap one another so that even the most powerful of hegemonies cannot fully secure their constituting elements from discursive or hegemonic re-articulation (Laclau & Mouffe, 2001, p. 129-130). Hegemonies thus constantly conflict with other assemblages over elements, whilst the varying discursive blocs imperfectly enclosed within a given hegemonic structure themselves interact and struggle to assert their particular logics, identities, conceptualisations, agendas, etc. as pre-eminent within the formation as a whole (Butler et al., 2001, pp. 303-303). Through these processes, both the elements comprising formations and the formations themselves are perpetually

exposed to the possibility of reconstitution and transformation (Butler et al., 2001, pp. 55-56).

Laclau & Mouffe's hegemony, with its post-structurally rooted conceptions of power and discourse, is an ideal object of study for this thesis's analysis – a dominant discursive formation generated by and productive of relatively stable interlinked technologies, powers, knowledges, mentalities and subjecthoods/agencies. The thesis uses the term *the Village Law's implementational hegemony* to describe that which embodies it in the social realm; the ongoing, evolving social dynamics and contestations highlighted by Ribot & Poteete (2011). These are constitutive of both its grounded effects and legal intentions, and operate trajectorially in ways which, whilst not foreclosed by its internal logics – since these are always subject to change and encounters with other discursive dynamics – nonetheless provide some guide to their potential implications. An analysis of this hegemony in turn enables an examination of the politics which drive and are driven by its operations, the antagonisms it has encountered and the resistances it has provoked.

However, hegemony may only serve as a meaningful and effecting object of study to the extent that these varying dynamics can be conceived as comprising something of a discursive unity – a productive, strategic whole with common logics, etc. This point may appear to undercut the concept's utility to this study, since a truly democratic decentralisation is surely, even within tightly bounded spheres and via particular sets of localised structural frameworks, about providing space for forms of disunity, disaggregation and divergence – dynamics associated with what this thesis terms *liberation* (see section 2.4.2). Critical decentralisation literature however has illustrated that legitimately liberational decentralisations are rare in practice, thus emphasising the importance of caution concerning any presumptions that

decentralisations have actually generated such transformative shifts. By focusing attentions on common internal logics, or the lack thereof, the lens of hegemony is helpful in exploring the ways in which a decentralisation actually operates – the ways in which it is not freeing and perhaps increasingly restrictive or generative of new systems of control, as well as the ways in which it is.

Rather than presume the hegemonically unified nature of the Village Law's operations, the study instead approaches the object of the law's implementation as a nodal point to be examined via a hegemonic lens. It explores the various articulatory mechanisms of power and discourse that have enabled and driven this implementational process and engages the many discursive formations such as global developmentalism, the nation-state, agrarian change, monocultural expansionism and forest preservationism that have intersected to shape these unfolding operations. Such formations, whilst engaging the law, are themselves constituted by dynamics that overlap with and extend beyond those spheres that might be conventionally conceived to define the domain of its implementational effects, thus drawing this analysis of the Village Law into sometimes unexpected places.

2.4 Analysing the Village Law's Implementational Hegemony

Having conceptualised the Village Law's implementation as hegemonic dynamics embedded in a domain of discourse, productive power and constituted actor powers, this section details the thesis's methods of analysing the Village Law decentralisation and exploring its effects on forest governance. This analysis has three key objectives, the first being the development of post-structurally rooted conceptualisations of hierarchical domination and liberation (sub-sections 2.4.1-2.4.2). 'Post-structurally rooted' in this case implies they were developed with reference to the work of post-structural theories and prioritise what Laclau terms the logics of

"*constitution and dissolution and the formal determinations of the spaces in which they interrelate*" above any "*sociologistic and descriptive account of the concrete agents involved in hegemonic operations*" (Butler et al., 2000, p. 53). As such, liberation and domination are framed as non-essential and diverse dynamics associated with decentralisation processes which are constituted and operate through and via interactions with the broader social dynamics in which reforms become operationalised. These twin concepts play vital roles in supporting the other two analytical agendas of this section.

Secondly, the section aims to depict the extent to which the Village Law can be framed as a decentralisation. This is important because many decentralisations either aren't designed to truly restructure dynamics of power or fail to materialise as such in practice. Delineating those dynamics which actually decentralise, which maintain the status quo, and which either recentralise or expand the powers of central authorities is critical to the interpretation of any research's findings regarding the Village Law's effects on governance and social/environmental metrics (Agrawal & Ribot, 1999; Poteete & Ribot, 2011; Lund, 2015; Mutune & Lund, 2016). This is achieved by reformulating the useful distinction identified by Agrawal & Ribot (1999), between deconcentrations and true decentralisations, as well as notions of democratic decentralisation developed by Agrawal & Ribot and later authors, with reference to the thesis's conceptions of liberation and domination.

Finally, sub-section 2.4.4 aims to develop a method for identifying the Village Law's hegemonic implementational logics, their compounding effects and to explore the extent to which and on what terms these have permeated the sphere of village forest governance. If the first objective explores what the Village Law decentralisation is, then this objective is concerned with what it does. Because the Village Law does not specifically target forests, exploring the linkages between its adoption and forest spaces

necessitated a concurrent delineation of the logics of its hegemony within the broader Indonesian social sphere. This approach draws on Foucauldian methods of power analysis and genealogy, utilising the thesis's conceptualisations of domination and liberation and centres on examining the evolution of discourses associated with the Village Law and linking these with shifts in power dynamics surrounding its implementation at the national, district and village level. Having defined the law's implementational hegemony, the section explains how they are deployed as a lens through which to explore the various shifts in forest governance associated with its adoption, facilitating delineation of causal linkages between the law and new/transformed governance mechanisms and enabling exploration of these mechanisms in terms of the ways they replicate or subvert the dynamics of the law's broader implementation hegemony.

2.4.1 Theorising Hierarchical Domination

The thesis terms the mechanisms whereby higher rungs of the governing apparatus – in this thesis's case the bureaucracy – wield control over those at lower levels of the hierarchy *hierarchical domination*. This framing broadly aligns with the conception of domination of Poteete & Ribot – the ability of actors to "*gain, expand, or defend positions of dominance vis-à-vis particular types of other actors*" (2011, p. 4). It also draws from the conception of subordination developed by Laclau & Mouffe, who use it to define dynamics in which an "*agent is subjected to the decisions of another*" (2001, p. 137). In line with its conceptualisations of hegemony, the thesis understands such domination as operating within and through compositions of power and discourse that attach decisions, agendas and framings of particular actors at higher rungs of the bureaucratic hierarchy with penetrative, effective power via the active participation of lower rungs of the hierarchy. Such operations are a result of the operations of productive

power but work to expand the reach of particular actor powers, thus positioning certain actors – such as the heads of central ministries – to determine policies which, through their adoption and forwarding by subordinates, generate widespread and impactful social effects. Whilst domination more broadly therefore produces various social hierarchies of privileging and power (Laclau & Mouffe, 2001, p. 138), hierarchical domination in particular operates through and is constituted via hierarchy. This thesis does not presume that all bureaucratic operations are hierarchically dominating. Rather, it is the effects of reforms upon those elements of the political apparatus that are hierarchically dominating and the extent to which these are restructured, disbanded or overthrown which is of interest in examining the extent to which a reform operates as a true decentralisation.

This thesis's efforts to specify and examine the various dynamics of hierarchical domination associated with the Village Law's implementation have been guided and enriched through engagements with literature on the theory of bureaucratic operations. Scott asserts that hierarchical structures demand legibility and the production of uniform subjects, spaces and operations. Indeed, in his book *Seeing Like a State* (1998) he claims that such logics are vital to the functioning of modern bureaucracies, and that they therefore tend to forward and be constitutive of their dynamics. He argues that the increasing demands placed on the bureaucracies of modern states to account for, predict and mobilise particular qualities of the complex systems they govern puts pressure upon them to simplify those systems via abstractions, standardisations and the narrow focusing on particular key, desired and measurable indicators.

In addition to more explicitly coercive techniques which, as demonstrated previously, are themselves constituted discursively, Scott links these operations with a discourse of 'rational' governance often employed to justify bureaucratic activities and which is equally critical in enabling operations of hierarchical domination. This ideology

privileges particular forms of 'expert knowledge' and frames its methods as logical, impartial and scientific exercises in governance (Scott, 1998). Such framings have been shown to operate as a so-called 'anti-politics machine' (Ferguson, 1990) that positions bureaucratic activity as routine and administrative rather than intrinsically political (Rose, 1999, p. 175; Li, 2011). These discourses serve to justify limiting democratic oversight over bureaucratic activities and have often been deployed to protect, insulate and extend bureaucratic power and authority during processes of political decentralisation (Poteete & Ribot, 2011; Chomba, et al., 2015; Rutt et al., 2015; Nuesiri, 2016; Ece et al., 2017).

Nonetheless, the engagement of these framings of bureaucratic logic does not imply that they are conceived to capture the totality of bureaucratic operations and agency. As noted previously, actors are always overdetermined in discursive formations such that no particular social model can fully account for subject positions and actions. Officials for example may tactically deploy dynamics of hierarchical domination in service of a range of agendas beyond those associated with formally articulated bureaucratic agendas. Li (2007), also emphasises that whilst officials may produce various development plans, a wide array of dynamics, local agendas, etc. intersect to generate the practical results of their programs. Drawing on Foucault, Li utilises the term *the witches brew* to define and explore the complex web of interlinking factors by which central planning is disseminated to the ground and is (re)shaped by the very dynamics it seeks to govern (Li, 2007, p. 282, also see p. 28).

The concept of the witch's brew facilitates a productive transcendence of the binary between licit and illicit governance dynamics. Indonesian bureaucracy literature highlights the operations of myriad and pervasive informal and semi-formal institutional structures and power networks in the country, placing particular emphasis on the

workings of two interlinking dynamics: clientelism and rent seeking (Jepson, 2001; McCarthy, 2002; Mulyani & Jepson, 2013; Berenschot, 2018). Clientelism refers to strong chains of relationships between patrons and their individual clients. Such relationships tend to be mutually advantageous and operate such that patrons provide resources and protection in return for their clients' loyalty and political support (Eisenstadt & Roniger, 1984; Neher, 1996; Auyero, 1999). Rent-seeking on the other hand refers to the revenue-generation strategies employed by officials in order to cover costs, maintain assets and pay salaries (Phongpaichit & Phiriyarangsan, 1994). Whilst it might otherwise appear that such mechanisms might further complicate dynamics of hierarchical domination by subverting the apparent agendas of higher officials in practice, Arora-Jonsson (2008) argues that informal structures tend to be particularly dominated by elites and entrenched power networks and are often highly significant in maintaining and reinforcing historic status quos. This has certainly often been true in Indonesia, where various bureaucratic bodies and officials have utilised their networks and positions as resource gatekeepers to entrench their authority, seize funds and resist operational reforms (Eisenstadt & Roniger, 1984; Neher, 1996; McCarthy, 2002; Tsing, 2005; Peluso, Afiff & Rachman, 2008; Mulyani & Jepson, 2013). On these terms, the hierarchical domination associated with Indonesian bureaucratic governance operates not in spite of, but through the interactions of a unique array of dynamics which crisscross lines between formal notions of legality and illegality.

2.4.2 Theorising Liberation

Having defined and delineated some of the more case-relevant operations of hierarchical domination, this section explores some of the mechanisms by which it can be disrupted, dispelled or overturned so as to generate meaningful decentralisation. This thesis deploys the concept of liberation in a particular, post-structuralist sense, drawing

significantly from the works of Foucault, Laclau and Butler. As highlighted previously, all three reject notions of transcendental, pre-discursive subjects lying beyond the dynamics of its social constitution. As such, they dismiss the notion that domination merely represses "*the presence of something which is impeded in its free development…*" (Laclau, 1996, p. 2). Subjects are produced through and cannot be conceived beyond power and discourse (Laclau & Mouffe, 2001, p. 113). As such, any efforts of liberation must be made by or on behalf of individuals, institutions, etc. which have themselves been generated or shaped to some degree through the operations of the domination being opposed. In the words of Laclau, "*to be oppressed is part of my identity as a subject struggling for emancipation; without the presence of the oppressor my identity would be different"* (Laclau, 1996, p. 17). Villages in Indonesia may have campaigned for autonomy from top-down control for example, but the very existences of political villages themselves are to a marked degree the result of top-down state-building processes. As a result, there can be no definitively free actors, freeing decentralisations, nor metrics of progress towards states of true emancipation.

Instead, liberation must be understood in context, and in relation to particular dynamics of power – as a liberation from something, rather than in a more transcendent emancipatory sense (Laclau, 1996, p. 2). Liberation in this sense loses a great deal of the normative thrust assigned to it in much materialist and human nature-centric literature as a concept that describes a procession towards something inevitably better or more authentic for the subjects involved than that which preceded it (Laclau, 1996, pp. 1-2). Rather, to draw from Butler, the undoing of certain dynamics of power, including those associated with bureaucratic hierarchical domination, can have both positive and negative effects from the perspective of those experiencing such 'undoing'. As she explains regarding the case of gender,

> *There are experiences of becoming undone in both good and bad ways. Sometimes a normative conception of gender can undo one's personhood, undermining the capacity to persevere in a liveable life. Other times, the experience of a normative restriction becoming undone can undo a prior conception of one who is only to inaugurate a relatively newer one that has greater liveability as its aim*. (Butler, 2004, p. 1)

Much the same could be said of being undone in the eyes of bureaucratic structures. Liberation therefore is not framed here as the aim of a transformative agenda, but rather as a function within the discursive space. Liberation in one sphere need not mean liberation in others – an idea which echoes the framings of Poteete & Ribot (2011) – and any liberating event will inevitably be associated with new productions of power in the absence of what has been limited, escaped or negated. Framed thusly, the analysis of liberation becomes one of exploring the diverse ways in which particular dynamics have generated liberational effects, in which ways, for whom, and with what effects in the fields of power, discourse and subjecthood. Liberation of this sort can operate in a myriad of fashions. Of these, four broad and somewhat overlapping classifications evidenced in post-structural literature appear particularly salient for this analysis.

Firstly, liberation may involve the evading or short-circuiting of particular power dynamics or norms affecting actors such that they can no longer operate upon them as they used to. As illustrated by Butler, "*if I have no desire to be recognised within a certain set of norms, then it follows that my sense of survival depends upon escaping the clutches of these norms*" (Butler, 2004, p. 3). Villagers for example may move away from an area dominated by an oil palm company and thus escape its direct coercive control. Similarly, the ability of a central ministry to control a space may become limited by budget shortfalls, thus liberating that space from the influence of its governing logics.

Secondly, liberation can be an emergent result of particular productions of power and discourse that carve out new social spaces and dynamics. The establishment and enforcement of new legal rights for marginal groups for example may necessitate the expansion of certain forms of domination such as those associated with law enforcement, etc., but nonetheless result in the freeing of those communities from threats they previously faced. As explained by Butler,

> *Self-determination becomes a plausible concept only in the context of a social world that supports and enables that exercise of agency . . . changing the institutions by which humanly viable choice is established and maintained is a prerequisite for the exercise of self-determination*. (Butler, 2004, p. 7)

Thirdly, as emphasised heavily by Laclau & Mouffe, liberation may take the form of repositioning whereby actors gain greater manoeuvrability both within and between formations of discourse and power such that these can no longer so effectively limit their activities or identities (Laclau & Mouffe, 2001). An example of this dynamic in operation is the ways in which Indonesian villagers have navigated the proliferation of NGO, private and bureaucratic mechanisms of community support following the country's 1999 decentralisation to gain greater access to resources and limit the historical domination of village heads in village life (Sahide et al., 2016; Warman, 2016; Naylor et al., 2019). As highlighted in this example, repositioning may also involve actors gaining access to new assets – e.g. capital, land, information, etc. – and thus attaining an upper hand or improved position in circumstances wherein they were previously disadvantaged.

Finally, liberation can involve the weakening or dissipation of certain discursive or power assemblages. As noted by Laclau & Mouffe, even hegemonic formations can

collapse if the logics of their formation and maintenance become undone. "*As the totality is not a datum, but a construction, when there is a breaking of its constitutive chains of equivalence, the totality does something more than conceal itself: it dissolves*" (Laclau & Mouffe, 2001, p. 130). In this liberational form, we find the possibility of a radical rearticulating of the social such that an entire formation is shattered, and its elements are forced to undergo profound re-articulations. As asserted by Butler, such a liberation can often appear the best or only mechanism by which to escape from seemingly totalising dominations.

> *I am not… arguing… that it is necessary to occupy the dominant norm in order to produce an internal subversion of its terms. Sometimes it is important to refuse its terms, to let the term itself wither, to starve it of its strength*. (Butler et al., 2001, p. 176)

2.4.3 Categorising Decentralisation and Assessing Democratisation

2.4.3.1. Deconcentration vs Decentralisation

In this thesis's framing, a truly decentralising dynamic must involve the liberation of an actor at a lower level of a hierarchical social structure from mechanisms of hierarchical domination radiating from a higher level of that formation. Without such legitimate liberating effects, nothing approximating a decentralisation as conceived in Agrawal & Ribot's framework – a shift in powers and accountability – can be said to have occurred. Conversely, in cases where dynamics of domination have been maintained or extended through various aspects of a decentralisation reform process one may speak of these dynamics as deconcentrations of power.

In both cases, it is critical to note that what is being documented through this conceptualisation are specific dynamics, rather than the essence of any particular

decentralisation. Decentralisation reforms can generate both liberating and dominating dynamics, can be both truly decentralising and deconcentrating for the varying subjects in differing ways, and such realities are themselves always subject to contestation, evolution and reformulation over time. They go beyond the direct reapportioning of powers from certain officials to others and are constituted and operate throughout the social fabric (Spade, 2011, p. 6). As noted by Agrawal & Ribot, such operations must be explored not only in terms of the authority that is being reapportioned, but also – and equally importantly – by that which is not (Agrawal & Ribot, 1999). Through such framings, the thesis maintains the useful distinction between reformulated notions of deconcentration and decentralisation, enabling its results to engage with wider debates regarding the linkages between political structure and environmental change, whilst shifting focus to the diverse mechanisms through which such dynamics are manifested in the social field.

2.4.3.2 Democratic Decentralisation

The thesis also aims to explore the extent to which the logics of the Village Law's implementational hegemony and their associated dynamics of power, domination and liberation enable, facilitate, undermine or preclude the emergence of democratic decentralisation and community-based governance as defined by authors associated with democratic decentralisation literature. Diverse conceptualisations, criteria and frameworks have been developed to define such governance structures and to assess the extent to which they have been realised. Many critical models however align with Agrawal & Ribot, (1999) in conceiving democratic decentralisations as processes that consign pronounced powers to democratically accountable local authorities (e.g. Agrawal & Ribot, 1999; Smoke, 2003; Larson et al., 2007; Ribot et al., 2010; Armitage et al., 2015; Mutune & Lund, 2016). Democratic decentralisation is also often linked

with the concept of representation, which differs from participation in implying the engagement of entire affected populations in ways that are significant and binding for decision-making processes (Ribot et al., 2010; Ribot, 2016). From the perspective of this thesis's theoretical framework, the reallocated powers associated with such processes may be understood as actor powers that enable local bodies to respond to the concerns of those to which they are accountable (Ribot, 2004; Rihoy & Maguranyanga, 2007), whilst accountabilities are conceived as kinds of counter-powers that enable those that are supposedly represented to oversee their representatives and sanction or otherwise contest their actions (Agrawal & Ribot, 1999; Ribot, 2004; Ribot et al., 2008).

As illustrated by its recent usage by Mutune & Lund, (2016), Agrawal & Ribot's framework continues to provide a useful tool for exploring the extent to which a decentralisation's output embodies such structural ideals, particularly when engaged in dialogue with the considerable body of subsequent democratic decentralisation literature. In line with its post-structural underpinnings, this thesis frames the formation and operation of the dynamics of power and accountability associated with democratic decentralisation as unstable products of interactions between legal reform and pre-existing social dynamics that shape and substantially preconfigure the scope of their operational dynamics (Li, 2007, p. 282). As with dynamics of deconcentration and decentralisation, they are not constructed in a vacuum, but instead emerge within and out of the matter of pre-existing social orders. Their operations will always spill into spheres beyond their formal boundaries, generate themselves through the unacknowledged workings of a witch's brew, and be produced, maintained and subverted by pre-existing and external dynamics and structures (Li, 2007, p. 282, also see p. 28).

An understanding of the complex social morphology of such (re)constitutions is vital to this analysis for several reasons. As asserted by Laclau and Mouffe, no social

structure can fully capture and represent the agendas of its constituent actors. Subjects have no fundamental interests as subjecthood itself is both perpetually overdetermined and a product of complex and evolving dynamics of social articulations (Laclau & Mouffe, 2001, p. 113; Butler et al., 2000, p. 49). As such, there can be no 'perfect' and transparent representational system. Even carefully crafted democratic structures are defined by certain logics of formation, notions of what constitutes 'democratic' procedure, structures of inclusion and exclusion, etc. – in other words, a system of power and one that itself drives an engine of new power productions (Laclau & Mouffe, 2001, pp. 122-123). Dynamics of accountability for example might operate through the construction of certain rule-ordered spaces (i.e. a dynamic associated with the third classification of liberation), via the reapportioning of powers so that officials can be forcefully held to account by their constituents, through the dissipation of formations of domination such that powers with which they were associated can no longer function, etc.

Centring the underlying dynamics of power, domination and liberation associated with any particular governance system – democratic or otherwise – enables both a contextualisation and denaturalisation of its operations and helps clarify linkages between them and impacts on forests and systems of forest governance. In summary, this thesis's deployment of Agrawal & Ribot's framework to assess democratic decentralisation aims to illuminate not only the extent to which anything resembling democratically decentralised governance is rendered possible through the Village Law's reforms, but also on what underlying terms of discursive formation.

2.4.4 Delineating and Analysing the Village Law's Hegemonic Logics

The Village Law's hegemonic dynamics are identified and explored with reference to the thesis's conceptions of power with the aim of detailing the agendas they

strategically forward, those they undermine or preclude, the effects they generate and the ways in which they redistribute resources, positionings, conceptualisations and tactical possibilities amongst actors. This analysis places particular emphasis on the ways in which these operations generate new dynamics of domination, liberation and subjection. Such exploration was a necessary prerequisite to the thesis's analysis of the Village Law's engagement with forest spaces because, given the thesis's focus on the law's hegemony, it was necessary to determine how it operates before causal links could be drawn between its dynamics and transformations in these spaces. As a result of the complexities of required analysis, half of the thesis's empirical chapters – Chapters 5 and 6 – have been dedicated to the analysis of the law's broader hegemony both at the national level and in Kapuas Hulu.

By delineating the logics of the law's hegemonic horizon, these methods enable the decentring of the very functions of liberation from hierarchical domination that define legitimate decentralisation processes. As highlighted by Spade, mechanisms of hierarchical domination are themselves only an element of broader power dynamics. "*Power is not a matter of one dominant individual or institution, but instead manifests in inter-connected, contradictory sites where regimes of knowledge and practice circulate and take hold*" (Spade, 2011, p. 4). Limiting analysis to the ways in which such dynamics reinforce or subvert the operations of domination in turn may blind analysis to the broader processes of transformation that most affect the lives of individuals and to the tactics best placed to engage them. "*Thinking about power only as top/down, oppressor/oppressed, dominator/dominated can cause us to miss opportunities for intervention and to pick targets for change that are not the most strategic*" (Spade, 2011, p. 6). In line with literature on 'contextualizing forestry decentralisation' (Lund et al., 2018), this analysis therefore aims to depict how the decentralisation operates,

irrespective of its typological relationship to an ideal notion of decentralisation and thus delineate its operational implications. particularly in relation to the sphere of village forest governance.

In emphasising the ways in which the driving logics of hegemonies propel, reinforce and evolve the manifestations of their effects in the social sphere, the thesis's conception of these formations is anything but static and necessitates an historical approach in scrutinising their operations that centres examination on the interlocking (re)formulations of power and discourse with which they are associated. In line with these requirements, this thesis analyses the Village Law's implementation hegemony with reference to Foucault's methodology of genealogy. Genealogical analysis differs from other forms of historical research which focuses on the evolving realities of pre-determined actors or institutions such as 'a country', 'women' or 'the poor' (Foucault, 1984, p. 81). Instead, it focuses attention on the ways in which the meaning and significance of concepts, practices and sentiments evolve over time, particularly those which – for their sheer commonality in discourse – become overlooked, normalised, or regarded as expressions of ahistorical truths or logics (Foucault, 1984, p. 80). As argued by Foucault, the evolution of systems, frameworks or disciplines often involves significant disjunctures and the total reinterpretation of their key notions, terms or tenets in ways that don't merely differ from their predecessors but may be totally at odds with them. As such, Foucault asserts that,

> *An event, consequently, is not a decision, a treaty, a reign, or a battle, but the reversal of a relationship of forces, the usurpation of power, the appropriation of a vocabulary turned against those who had once used it, a feeble domination that poisons itself as it grows lax, the entry of a masked 'other'*. (Foucault, 1984, p. 88)

This thesis's genealogical analysis involves juxtaposing the discourses, agendas, etc. associated with the creation of the Village Law – its so-called *vision* – and the discursive logics driving its present implementation. As explored previously, an understanding of the law's vision cannot be directly derived from an unmediated engagement with its text. Indeed, it could be argued that from a genealogical perspective, focusing primarily on the text of law exposes the researcher to substantial interpretive pitfalls by risking the uncritical projection of present, evolved conceptualisations of its significations into the past and glossing over the disjunctures between these and those associated with its production. Rather, this thesis conducts its delineation of vision via an analysis of the law in context, with reference to a wide array of supplementary materials including articles written at the time of its creation and recollections of the process acquired through interviews with relevant policy makers, officials, academics, NGO heads and other informed external onlookers. Analysis of the law's implementational present (or at least what was its present in 2018), involved grounded interviews with and observations of those actively engaged with it as a living political, bureaucratic and discursive mechanism such as villagers, bureaucratic officials and NGOs.

Both the law's vision and current implementational hegemony are framed as moments in an ongoing process of political struggle and discursive reticulations originating prior to the law's development and adoption and which are continuing to unfold in the present. In this process, the meanings of the law itself are themselves a key battleground. Rather than representing the 'truth' of decentralisation reforms, the 'visions' of a decentralisation like the Village Law may thus be recast as an emergent, temporary and contextually hegemonic, yet fundamentally contested set of framings articulated by specific arrangements of actors positioned to do so at particular moments in time. Examining the dynamics, conceptualisations, etc. associated with its

implementation in turn highlights the evolution of dynamics associated with the law since its adoption. These insights in turn enable targeted analysis of the mechanisms through which these changes have been brought about via further interviews, participant observations and examination of articles, legal documents etc. This approach asks, 'if this set of ideas were hegemonic in the law's production, how have these new ones gained primacy in implementation? What has driven these changes, who is subjected by their operations, on what terms, and whose interests have these reorientations served?'

The delineation of the law's hegemony serves as the lens through which to explore its effects on forests and village forest governance. Having specified the political and social horizons of its dominant logics in Chapters 5 and 6, Chapter 7 aims to explore the extent to which the Village law's hegemony is a driver of change in forests – both ecologically and discursively – and forest governance, as well as to identify causal linkages between shifts in these spheres and the functional hegemonic realities of the law's implementation. Because the analysis of forest governance was conducted to some degree concurrently with the analysis of the law's broader hegemony, the former served as a specific topical case study through which to develop, hone and test the explanatory power of the latter.

Chapter 3.0: Methodology

In common with Li's 2007 book on Indonesian governance *The Will to Improve*, this thesis aims to engage both the logics of governance and the social history of their functional manifestation in the world (pp. 27-29), though the thesis's analytical object of the law's implementation hegemony troubles the distinction between them. The thesis's exploratory approach to engaging these topics necessitated an organic, reflexive and iterative approach to theory and theory building complimented by a grounded method of generating and interrogating empirical findings. Grounded methods of qualitative research tend to commence with a broad topic – in this case, the linkages between the Village Law and forest governance – and explore it in the field or study site with an openness to allowing the process to be directed by the production of data (Glaser & Strauss, 1967; Charmaz, 2006; Bryant & Charmaz, 2007; Corbin, 2008).

Such an approach was vital to this study given the relatively limited research on how the Village Law was affecting forests and thus the necessity of developing an effective delineation of relevant dynamics and an analysis of underlying causal mechanisms whilst in the field, and with limited initial leads about what would be pertinent or interesting. This section outlines the major data generating and analysing methods of this thesis, as well as engaging questions of research ethics and researcher positionality. The principal methods used were qualitative and involved 215 interviews at all levels of the Indonesian administrative hierarchy, participant observation, literature review and community meetings. Data analysis centred on qualitative coding, with a grounded, case-study approach to methodological engagement with my topic linking with a process of theory building through iteratively reading, coding, describing and rereading my results. This section provides a detailed account of these methods, the intellectual perspectives

underlying their deployment and the ways in which they engage my analytical framework to generate the results presented in the thesis's four empirical chapters – Chapters 5-8.

3.1 Fieldwork

A total of nine months was spent conducting fieldwork for this thesis. This fieldwork was undertaken in several stages, beginning with a month-long scoping trip in August, 2017, which coincided with consulting work I managed alongside a local NGO. A second month-long trip was conducted in November, 2017. The longest period of fieldwork was from February to June, 2018. A final month-long period of fieldwork occurred in October of that same year. One and a half months of this time was spent in Jakarta, half a month in Pontianak and the rest of the time was spent in four study villages and in the towns of Semitau and Putussibau in Kapuas Hulu. About a month was dedicated to researching each village, though these time periods were not always contiguous. Village officials were sometimes unavailable, or a significant event might be transpiring elsewhere in the district, necessitating the breakup of the research schedule.

In line with the aim of this thesis to explore the dynamics of the Village Law as it operates throughout the bureaucratic hierarchy, research was undertaken at each level of this structure. These included the national level in Jakarta, the provincial level in Pontianak, the capital of West Kalimantan province, the district level in Putussibau, capital of Kapuas Hulu district, the sub-district level in Sejiram, capital of Seberuang sub-district, Lanjak, capital of Batang Lupar sub-district, and at the village level in four study villages. Each of these has been given a code name in order to increase the confidentiality of quotations taken at this level (Appendix A). These comprise Huma Wangi and Nanga Kantu in Seberuang sub-district, Sungai Sebilik in Bunut Hulu sub-district and Makai Nyamai in Batang Lupar sub-district. Some additional interviews

were also conducted in the villages of Silau in Bunut Hulu district and Seberuang Lelam in Seberuang sub-district (both also code named) for reasons outlined below.

This thesis is concerned with the grounded realities of the Village Law's implementation and engagement with village forest governance and thus aims to centre its analysis on the lived experiences of Indonesian villagers and village governments. As such, fieldwork centred most heavily at the village level in Kapuas Hulu District, West Kalimantan. The decision to focus research in a single district was made so as to control for the variance of policy and governance that exists between districts. Kapuas Hulu is home to a considerable number of ethnicities including Muslim Malays, and Christian Dayaks, and houses large numbers of forest villages – communities which have forests inside their designated boundaries and/or are located inside/adjacent to state forests (Djajanti & Perhutani, 2006; Barr et al., 2012). Given this distinct assortment of qualities, Kapuas Hulu is in many ways a microcosm of key broader challenges facing the country's rural areas and appears an ideal location to investigate the impacts of the Village Law on village forests.

Villages were chosen as case studies through a selection process aimed at capturing the diversity of village socio-economic, geographic and political circumstances, as well as the array of legal forest statuses with which they interact (Figure 1; Table 1). Indonesian law defines a number of legal forest categorisations which play an important role in determining how forests are governed, but its ecological definition of forestland is vague (Law no.41/1999, Chapter 1, Article 1). In selecting appropriate sites, this thesis adopted a loose definition of a forest as a space that meets three key criteria:

1. It is referred to – either legally or popularly – as a forest ('*hutan*' – See Chapter 2, section 2.2.3).

2. It is governed – legally or otherwise – in a communal fashion by the village, or some subset of that village's population.

3. It is classified as mature, secondary or regrowth forest according to the *Atlas of Deforestation and Industrial Plantations in Borneo* (CIFOR, 2019).

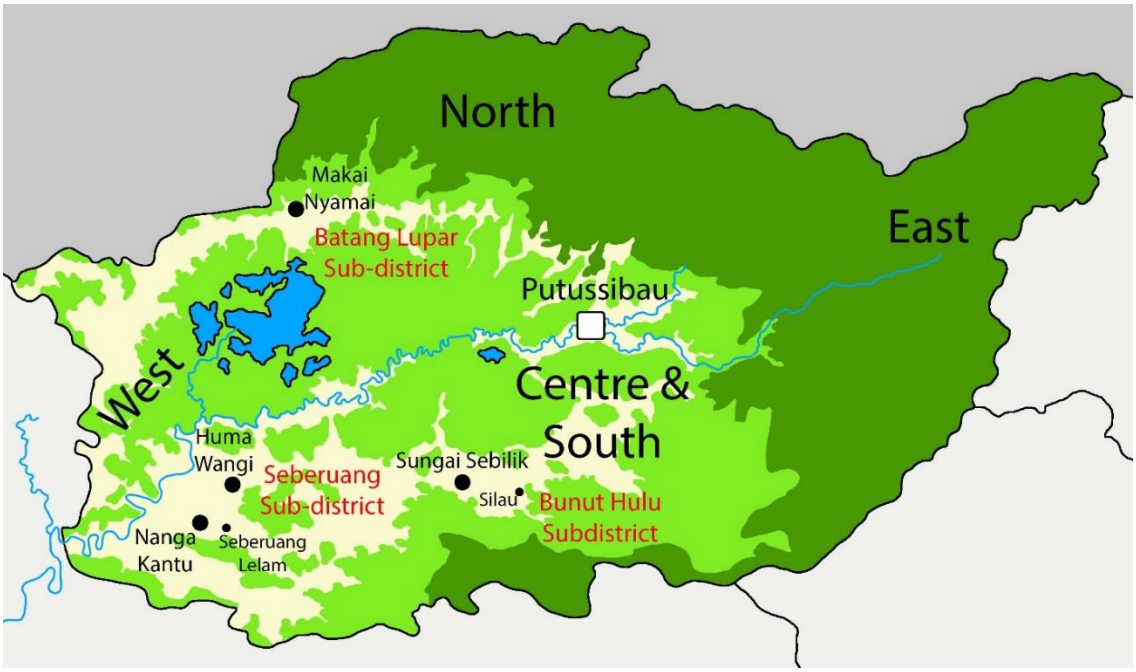

Figure 1: Location of the 4 study villages and surrounding forests, Kapuas Hulu Regency, West Kalimantan

The selection process also aimed to cover villages at different developmental levels according to the Village Development Index (IDM, 2015), a developmental typology prepared in conjunction with the implementation of the Village Law which shall be explored in greater depth in Chapter 6 (section 6.2.6). This was done in order to explore the diversity of ways in which the mechanisms of the Village Law engage and are deployed by communities at differing stages of a politically sanctioned conception of 'progress'. Additionally, efforts were made to capture a sampling of the district's ethnic and geographic diversity. As noted by one official, Kapuas Hulu has four major regions – a Muslim Malay majority centre and south, Malaysian influenced Dayak north, an

increasingly agro-business affected west and a remote, ethnically Punan east (KH TA 1, 2018). Study villages were selected in all these regions except for the east, which was excluded due to difficulty and cost of access. Additionally, efforts were made to include a village which has become the site of oil palm expansion because it was predicted that the expansion of this industry might interact with the implementation of the Village Law in potentially significant and analytically illuminating ways.

Table 1: Description of Study Villages: Development Level, Forest Status and Key Features

Name	Sub-District	Ethnic Group	Development Level	Forest Status	Additional Key Features
Huma Wangi	Seberuang	Suhaid Dayak	Left Behind	Protected Forest (Hutan Lindung)	Developing an Eco-tourism project
Nanga Kantu	Seberuang	Kantu Dayak	Developing	Community Forest (Hutan Umum, no official status)	Location of palm oil development; small forest area
Sungai Sebilik	Bunut Hulu	Malay	Rapidly Developing	Protected Forest	Established Eco-tourism project and Kapuas Hulu Model Village
Makai Mayo	Batang Lupar	Iban Dayak	Very Left Behind	Village Forest (Hutan Desa)	Established Village Forest and Natural Dye-Crafting program

Table 1: Study Villages of the Project

Study villages were identified gradually during a process of snowballing detailed further (in section 3.3). Nanga Kantu and Huma Wangi were selected as study villages in August, 2017 during the preliminary scoping trip to Kapuas Hulu. Sungai Sebilik and Makai Nyamai on the other hand were selected during the period when I was conducting interviews in these initial villages in March, 2018. Interviews in Seberuang Lelam undertaken during consultancy fieldwork during the thesis's scoping trip have also been included in this thesis due to their relevance to the history of Huma Wangi, as has research conducted in the village of Silau, which is the location of a noteworthy district-government-backed honey project widely renowned and imitated throughout the district.

Brief monographs of the thesis's four main study villages (Figure 2) are detailed below:

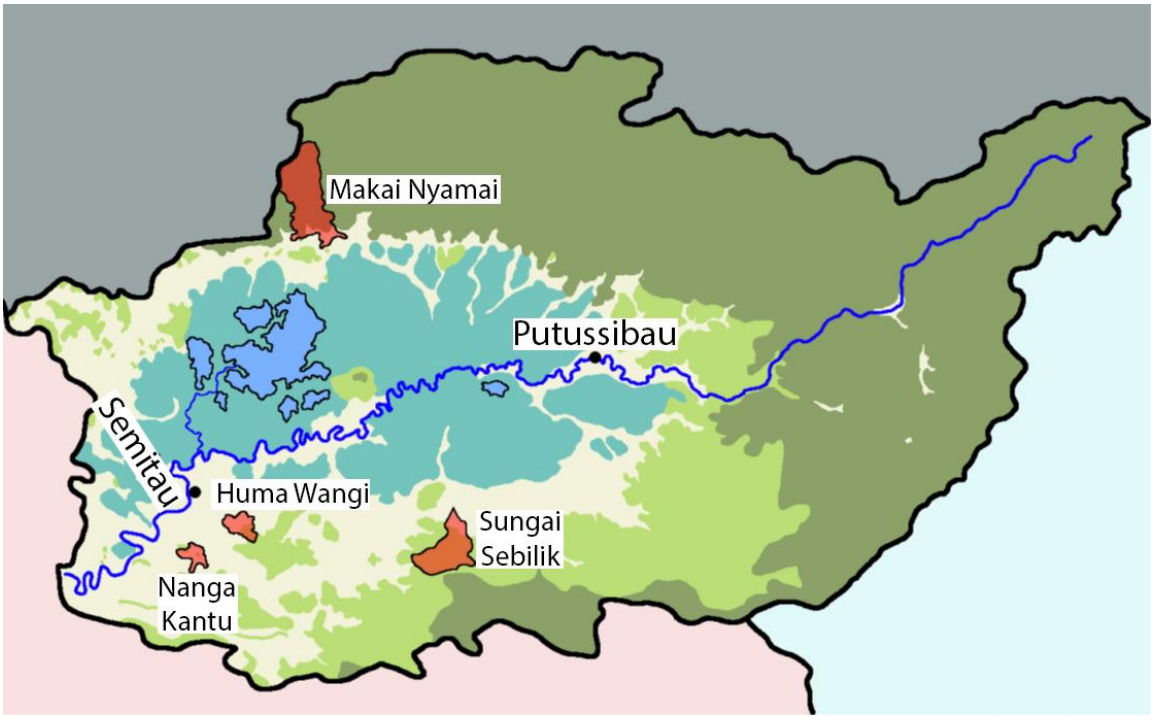

Figure 2: Location of the 4 study villages, Kapuas Hulu Regency, West Kalimantan

3.1.1 Huma Wangi (Figure 3)

This village located in Seberuang sub-district is ethnically Dayak of the Suhaid tribe (Suku Suhaid) and has a majority Catholic population with a considerable Protestant minority.

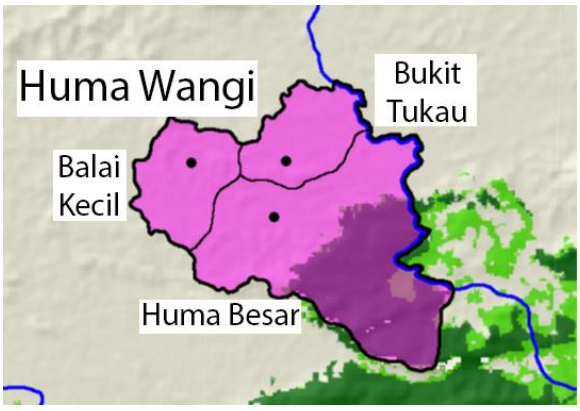

Figure 3: Study Village, Huma Wangi

Its settlements were originally founded in territory seized in war from the neighbouring Seberuang tribe sometime in the previous century (KeDes HuWa, 2018).

The village was formerly part of a neighbouring village before splitting from it in 2013. It has a population of 703 and an area of 4,200 ha**.** The community's three sub-villages are located along a single unpaved road that links the community to the sub-district capital of Sejiram.

The first sub-village encountered after entering the community's territory is Balai Kecil. It also has the smallest population of the three settlements. The second sub-village along the road is Huma Besar. It is by far the largest of the three in both population and territory and contains most village services including the village government offices, health centre, kindergarten and main meeting hall. It also contains a hill covered in roughly 14-square kilometres of forest land legally designated as a protection forest (*hutan lindung*) by the Indonesian government. The final sub-village is Bukit Tukau, which is located on a narrow ridge at the end of the road. It is difficult to access as a result of the poor state of the road, particularly as it crosses a steep hill that separates the settlement from Huma Besar. The village is considered to be underdeveloped according to national standards (KeDes HuWa, 2018) and the main economic activities in all three communities are subsistence agriculture and rubber tapping, an industry that has declined significantly in profitability in recent years (PemDes HuWa 1, 2018). Huma Besar also has access to forest products, some of which are sold in Semitau, the nearest town. Wealthier individuals both there and in Balai Kecil are experimenting with arowana fish farming and producing birds' nests used in birds nest soup. The village government is also making efforts to develop a tourism project in their forest, though it has stalled due to a variety of political dynamics (see Chapter 8).

3.1.2 Nanga Kantu (Figure 4)

This village is also located in Seberuang sub-district, along the road to Semitau that leads north from the main road connecting the towns of Putussibau and Sintang. The population is ethnically Dayak of the Kantu tribe and the majority is Catholic. Previously, all nine Kantu settlements in Seberuang sub-district were part of this village, but these have gradually separated into new villages, leaving Nanga Kantu with only its current three (PemDes NaKa 3, 2018). The village has a population of 813 and a total area of 2,272 ha (KeDes NaKa, 2018). It is ranked as one of the more economically prosperous villages in the sub-district and attracts immigrants from throughout the area (KeDus NaKa 3, 2018; Kec Official 1,2, 2018). It is rated as 'developing' by the Village Development Index – one of only two such communities in the sub-district.

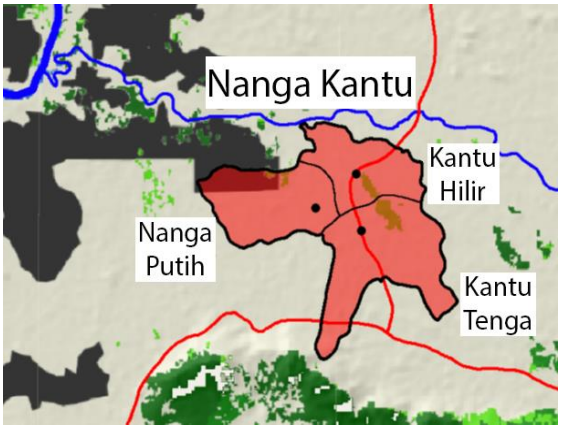

Figure 4: Study Village, Nanga Kantu

The village has two main sub-villages, Kantu Hilir and Kantu Tenga, both of which are located along the main road and are home to a meeting house and a basic medical centre. Kantu Tenga is the largest, whilst Kantu Hilir is the location of the village government offices and schools. The much smaller third sub-village of Nanga Putih is located off the main road and is reachable only via a small, motorcycle accessible and poorly maintained concrete road leading from Kantu Hilir or via a large dirt road built, guarded and operated by the oil palm company PT Anugrah Makmur Sejati, a subsidiary of Sinar Mas (KeAdDus NaKa 2, 2018; KeDes NaKa, 2018). This company has been leased land by the sub-village and its involvement in the community and local area is an ongoing and critical political issue in the sector. Each sub-village has

a customary forest. Those of Kantu Hilir and Kantu Tenga form a single continuous block and are roughly 0.26 and 0.45-square kilometres respectively, whilst that of Nanga Putih is very small – only around 0.10- square kilometres – and located right on the edge of the oil palm plantation. Villagers in all three communities engage in subsistence agriculture and many have jobs in the oil palm plantation. Many villagers also grow rubber and timber trees (KeDes NaKa, 2018) and one villager – the head of the village council (BPD)– has a small privately owned oil palm grove (KeBPD NaKa, 2018).

3.1.3 Sungai Sebilik (Figure 5)

This Muslim and ethnically Malay village is located in Bunut Hulu district along the main road linking Sintang and Putussibau. It was established in 2004 when it separated from a neighbouring village (BPD SuSe 2, 2018). The village has a population of 1,151 people and an area of around 13,500 ha.



Figure 5: Study Village, Sungai Sebilik

It is comprised of the two settlements of Sungai Sebilik proper and the nearby community of Bidang Baru which was established by settlers from Sungai Sebilik in recent decades (KeBPD SuSe, 2018). Sungai Sebilik remains the larger of the two and is legally divided into three sub-villages. The first, Bunga, is located on the west bank of the river that runs through the village. The second, Pinggir Jalan, is located on the east bank along the main road and is the location of the village offices. The third, Padang Bersih, is the largest of the three, set back slightly from the main road, and centred on a large field around which are located most of the settlement's facilities including its health centre, school, meeting hall and activities hall.

The majority of the village's territory is comprised of a protection forest (*hutan lindung*) which forms part of the larger region of contiguous forest running all the way to Sabah, Malaysia which is commonly termed the *Heart of Borneo* (WWF, 2020). The forest is logged by a small independent logging company based in the village which operates semi-illicitly and is an important hirer in the community. The village has several shops including a small restaurant. The most significant economic activities are subsistence farming, rice farming, rubber tapping and illegal gold mining (KeDes SuSe, 2018). The village also has a stone quarry located in between Sungai Sebilik and Bidang Baru which is used by a company that leases rights to the area from the village government, as well as by independent villagers. Sungai Sebilik has one of the largest village economies in the district and the village government was drawing on this wealth to develop the community's infrastructure long before the increase in village funding provided by the Village Law. The village is rated as 'developing' under the Village Development Index, but officials in Kapuas Hulu distinguished it to be 'rapidly developing', having progressed far further than most other 'developing' villages in the district and on the cusp of being upgraded to a higher official status. The village government not only taxes stone quarrying in the mine and in the lower sections of its river, but the activities of outsiders in its forest such as hunting and logging (KeDes SuSe, 2018). The village has two tourism areas – a newly developed village-run tourism area called Brunyau located along the upper reaches of their river and a recreational lake along the roadside between Sungai Sebilik and Bidang Baru that was established by a former village head on the site of a previous quarrying activity.

3.1.4 Makai Nyamai (Figure 6)

Makai Nyamai is located in Batang Lupar sub-district and its northern frontier is part of the Indonesian border with Malaysia. It is ethnically Iban and majority Catholic. The village has an area of around 23,000 ha and a population of 457. It is comprised of four longhouses which are divided into three sub-villages. The most populous sub-village, Mayao, is located just north of the main road between Putussibau and the international border crossing at Nanga Badau and is comprised of two longhouses. The second most populous, Ladang Bergulir, is located just north of Mayao at the terminus of a paved road that also links with the main one. The final sub-village, Tembawang, is the most remote and is located at the terminus of a dirt road leading from Ladang Bergulir on the edge of the forest. This forest comprises most of the area of the village. The majority of it has been recently re-designated from protection forest to village forest (*hutan desa*), meaning it is now governed by the village in line with Ministry of Forestry mandated standards and requirements. The village's northernmost territory is part of Betung Kerihun National Park.

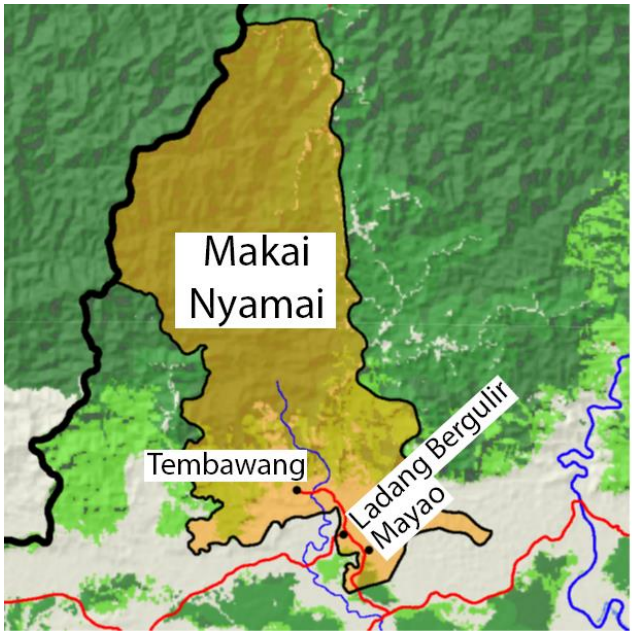

Figure 6: Study Village, Makai Nyamai

The village economy is dominated by subsistence farming and rubber tapping. The village is remote, has a small cash economy, and is considered 'very left behind' according to Village Development Index metrics (IDM, 2015; KeDes MaNya, 2018), with much of the youth population travelling across the border to the Malaysian state of

Sarawak to find work. The village government has been collaborating with several NGOs in recent years with the aim of developing their domestic economy so fewer individuals feel the need to obtain work elsewhere. These NGOs include the German-Indonesian collaborative program ForClime, which has supported them to gain *hutan desa* (village forest) status, develop new rubber growing strategies and test fish farming, and the NGO ASPPUK (*Asosiasi Pendamping Perempuan Usaha Kecil* or 'Small Business Women's Association'), which has helped them develop natural dye making and crafting projects (KeDes MaNya, 2018; PKK MaNya, 2018).

3.2 The Research Team

Whilst fieldwork in Jakarta was conducted alone, research in West Kalimantan was mostly conducted with the help of a small team of two people. The first member of the team was my mother, Gina Hamilton, who drove our rental car, took backup notes during interviews and was a constant and invaluable help in discussing research findings and their implications. The second member of the team was Siti Hajaroh the head of a kindergarten called Strawberry KinderCare in the town of Sintang, West Kalimantan. Originally, I had intended to conduct my interviews with the help of an interpreter from the NGO that facilitated my initial access to Seberuang sub-district. When it became clear that he would not be available during the fieldwork period, I called a friend who recommended I contact Siti about getting involved. She had a degree and considerable educational experience in English teaching, and though she had never been involved in research translation before she was eager to participate. She quickly adapted to the research process and we developed a fantastic working relationship. We constantly discussed research goals, questions and findings, and her fluency in the scope of the thesis's agendas was invaluable in effectively managing and directing semi-structured interviews.

3.3 Selecting Research Participants

My interviewee selection process aimed at covering two key and often overlapping blocks – institutions and individuals engaged with the Village Law and its implementation and those associated with forest governance in the country over the same time period. This sampling strategy aimed at enabling wide-ranging explorations of the evolving dynamics in both spheres, the ways in which they had intersected and the implications thereof. I employed a purposeful sampling method at the national, provincial, district and sub-district levels focused on capturing a diverse array of officials, NGO heads, politicians and academics that had played or continued to play significant roles in the law's creation, implementation, the monitoring and analysis of its dynamics and the usage and/or contestation of its operating mechanisms. Similar effort was made to engage officials at every level of the bureaucratic hierarchy associated with social forestry, the Village Law and the intersections between these two spheres. These sampling strategies permitted the capturing of a wide variety of positionings and perspectives with the aim not only of increasing understandings of the operations and power dynamics associated with the law, but also of minimising risks of skewing results in line with the framings of particular sectors, agendas, etc. (Fetterman, 2008; Given, 2008) or with my own personal biases (Patton, 2002; Ogden, 2008b), thus enabling a stronger triangulation of findings (Given, 2008; Ogden, 2008a; Rothbauer, 2008).

My methods for identifying research participants varied at different levels of the national hierarchy. At the national level in Jakarta, I relied substantially on key informants and snowballing. Key informants refer in this case to individuals with particular and significant knowledge relevant to the thesis's research concerns (Fetterman, 2008). Snowballing refers to the process by which I identified further relevant connections by asking the interviewees I'd already met about who they

recommended I contact next and whether they could help with introductions (Flowerdew & Martin, 2005; Weiss, 2008; Newling, 2011). This method carries with it a selection bias whereby interviewees tend to recommend people they know or who hold similar views, but proved vital in speeding up the process of accessing additional informants and was mitigated, particularly at the district and village level, via the repeated initiation of additional snowballing processes via the method of 'showing up' (see below).

I began work in Jakarta by identifying initial informants either through research and cold calling, by attending conferences such as the workshop 'New Law, New Villages' in Leiden, the Netherlands (2016), the 2018 Southeast Asian Symposium in Jakarta, and with the help of my University of Indonesia supervisor, Dr Mahawan Karuniasa. Interviewees at this level principally consisted of officials in the Ministry of Villages and Ministry of the Interior – two of the three principal departments involved with the Village Law's implementation – as well as officials in the Ministry of Environment and Forestry (MEF), politicians, activists, researchers and NGO heads.

At the provincial level, selection processes focused on identifying relevant NGOs and University researchers, as well as key officials in the province-level Department of Forestry. At the district, efforts centred on interviewing officials in the Community and Village Empowerment Office (*Dinas Pemberdayaan Masyarakat dan Desa* or DPMD) – the principal local government department engaged in addressing village-related issues and implementing the Village Law at the local level. I also targeted village facilitators – members of the new village facilitation system developed to help villages utilise their new powers and resources under the Village Law – officials involved with the management of the local Forest Management Unit (FMU)– the lowest level of the MEF bureaucratic hierarchy – and other relevant district and sub-district level authorities such

as the staff of the Kapuas Hulu department of regional planning, district and sub-district heads, etc.

Similar methods for identifying and accessing interviewees were deployed at the provincial, district and sub-district levels with the further addition of a method I term *showing up*. This involved arriving at administrative buildings, departments and events – e.g. the Village Competition and Village Innovation Expo – asking others about what events were currently transpiring and who I ought to speak to about my thesis topic, thus initiating via a different tactic the same processes of snowballing between various key informants detailed above. This was made possible by the fact that I could speak Indonesian and had access to my own vehicle which I had rented in Pontianak. This granted me a considerable degree of autonomy throughout the research process.

Access to each of the thesis's four study villages was gained through snowballing. In the case of Huma Wangi and Nanga Kantu, access was gained with the help of the Pontianak NGO that facilitated my initial scoping trip of Kapuas Hulu in September, 2017. They personally introduced me to the village head of Nanga Kantu and gave me the phone number of the head of Huma Wangi. Sungai Sebilik was accessed through the recommendation of a district-level village facilitator I met during a Village Competition opening ceremony in Sejiram, the capital of the sub-district where Nanga Kantu and Huma Wangi are located. I followed him to the community for the next stage of the Village Competition and he introduced me to their village head. Makai Nyamai was first identified during a visit to the offices of the FMU in Putussibau. There, I met the local staff of ForClime, a collaborative project between the governments of Indonesia and Germany aimed at reducing "*greenhouse gas emissions from the forest sector while improving the livelihoods of Indonesia's poor rural communities*" (ForClime, 2020, para. 1). One of their projects was to help villages receive *hutan desa* (village forest) status so

that they could manage these areas productively and in line with national regulations. Makai Nyamai was the location of their most advanced *hutan desa* project in Kapuas Hulu and they recommended it as a case study. I travelled there and introduced myself to the village head.

Sampling at the village level was also purposeful and targeted three major demographic groups. Firstly, members of village administrations including village heads, sub-village heads, neighbourhood heads, members of village councils, village government staff, traditional heads and other officials in village governance structures e.g. heads of farmer groups, women's groups, tourism management groups, etc. The difference between the terms 'village administration' (*perangkat desa*) and 'village government' (*pemerintah desa*) used in this thesis is that the former implies any officials involved with official village governance whilst the latter refers specifically to the village head and his staff. The sampling method for this group aimed to be as fully comprehensive as possible – e.g. to interview every member of government unless they were unable to be located or it was concluded during the research process that they would not be relevant to the study e.g. the traditional heads of several sub-villages in Sungai Sebilik who were not directly engaged in forest governance. Secondly, villagers were sampled using random walking – a process involving walking up to households at random and asking inhabitants for permission to interview them (Newling, 2011). Finally, villagers with particular involvement with forests e.g. wood cutters, loggers and other regular forest users were sampled via snowballing (Silverman, 2001). Efforts were made to ensure interviews engaged the various sub-villages within each village and covered relatively even numbers of men and women, a representative distribution of age brackets from youths to the elderly, and – in the case of Huma Wangi – internal religious diversity.

3.4 Generating Data Through Interviews

During fieldwork I interviewed a total of 215 individuals and held five group discussions containing more than four people. 178 people were interviewed in the four Kapuas Hulu study villages, with 46 being interviewed in Huma Wangi, 56 in Nanga Kantu, 31 in Sungai Sebilik, 45 in Makai Nyamai, and 1 in Seberuang Lelam. An additional 8 individuals were interviewed in Jakarta, 6 in Pontianak, 13 in Putussibau – the capital of Kapuas Hulu district – 7 in Sejiram – the capital of Seberuang sub-district, and a final 2 held in other areas of Kapuas Hulu district (see Appendix A for a breakdown of the interviewees according to location and 'interviewee type').

Most interviews were semi-structured, a format considered one of the most holistic means through which to explore the various forces and dynamics associated with a complex event such as the implementation of the Village Law and its effects on forest governance (Flowerdew & Martin, 2005; Weiss, 2008; King & Horrocks, 2010; Newling, 2011). Interview questions were developed in advance with the aim of covering a wide variety of topics and issues with potential relevance to the thesis's analysis. Questions were divided into sets associated with different interviewee types prior to and during the interview process. Most were open-ended with the aim of providing space for interviewees to express their positions, experiences and concerns in a more natural, back and forth fashion, as well as flexibility so that discussions could move in unexpected directions and follow new lines of enquiry as they emerged during the course of interview processes. Interviews began with a general explanation of the research aims and I discussed my own theories about dynamics and circumstances with the interviewees with the purpose of involving them in the process of producing the interview and delineating its trajectory (Denzin, 2009).

Given the exploratory nature of the research process, question lists were constantly revised throughout the interviewing process (Merriam, 2009). New questions were added and others that were not producing useful results were either rephrased or dropped. Whilst questioning grew more focused during the interview process, the length of interviews remained roughly the same, with efforts being made to preserve a consistency of scope between all interviews to facilitate direct comparisons between different perspectives and positionings. Below is a list of these interviewee types and the main kinds of questions asked to each.

Village Officials:

All villagers with an official or leadership position in villages. Interviews with members of this group usually lasted between one and two hours. Modifications were made to interview questions based on the varying positions of interviewees, be they members of the village government, council, sub-village heads, customary leaders or the heads of various community groups such as women's groups, tourism cooperatives, farmers groups, etc. Questions focused on their official roles and responsibilities, their understandings of the Village Law, its effects on their activities and their community and their opinions of its operations. Questions also centred on their roles in governing forest spaces, ways in which their communities were using Village Law related mechanisms to engage these spaces, and the effects these dynamics were having upon them. An important sub-category of this group are village heads, who received the longest interviews of all, many of which lasted over three hours, with some being conducted over two or three sessions.

Community Members:

All villagers without a specific role in village administration or leadership. Interviews with members of this group usually lasted an hour to an hour and a half. Questions for this group centred on knowledge of the Village Law and its tenets, experiences of change in village life since its adoption both in terms of quality and in regarding shifts in power dynamics and dynamics of participation within systems of village governance. *Forest villagers* are a sub-category of this type that engaged actively with forest spaces. Questions for this group focused on shifts in forest cover, quality of valued forest products and resources, dynamics of village forest governance and relationships with legal forest statuses, as well as the effects of the Village Law on these various realities, spheres and operations. In some villages such as Huma Wangi and the sub-village of Kantu Tenga, all normal villagers in the community were classified as forest villagers.

Village Law Officials:

Officials at every level of the bureaucratic hierarchy involved in some way with the implementation and governance of the Village Law and its associated mechanisms. Interviews with members of this group usually lasted between one and two hours. Some interviewees were also engaged for follow-up interviews. These included officials in the Ministries of Interior and Villages, the district-level DPMD, village facilitators and other relevant members of the district and district governments. Questions for this group commenced with exploring their roles and responsibilities and were modified in line with prior awareness of their positions. Questions then proceeded to engage their understandings of the law and its significance for their work and broader trends in social governance, their understandings of power dynamics underlying its implementational realities, as well as their opinions of its effects. Officials were also asked to discuss any

instances in which the Village Law's mechanisms were intersecting with forest governance.

Forestry Officials:

Officials at every level of the bureaucratic hierarchy involved in social forestry programs and, at the provincial and district level, with broader forest governance issues and intersections between forest governance and the Village Law. Interviews lasted between an hour and an hour and a half. Questions centred on trends in forest governance strategies and social forestry programs since the Village Law's adoption, their understandings of the Village Law, views on its significance and effects and the ways in which its mechanisms intersected with or might potentially impact upon forest governance and official forestry administration strategies.

Other Respondents:

All other interviewees involved with the study, including NGO heads and staff, politicians, academics and other key informants. Because this group was very heterogeneous, interview questions had to be more specifically tailored for each interviewee, often drawing on those deployed for other interviewee types. Interviews with this group lasted between one and two hours.

Whilst some interviews were recorded electronically, most were transcribed by hand as the interviewees were speaking using a shorthand notation method that I developed for the interview work I conducted during my Masters and in previous professional positions. I adopted this method both due to personal preference and out of concern that electronic recording might put off my interviewees or cause them to be less forthcoming on their opinions (Wall & Overton, 2006). I also like transcription because it allows me to justify breaks in interviews during which I completed writing my notes. I

found that such breaks often led to interviewees opening up about additional details or relevant information. Indeed, many of the most important quotes from interviewees used in developing this thesis's conceptualisation of the Village Law's implementational dynamics were disclosed after a pause. This transcription was supplemented by notes added while my translator was asking the next question. Each day's collections of interviews and notes were typed out in long form in the evening, translating those parts that were recorded in Indonesian into English. This method allowed me to relive the events of each day, expand and add detail to my field notes and consider the significance and research implications of the collected results. All interviewees verbally consented to the use of their responses in the thesis, with additional consent gained for the usage of recorded dialogue. Responses denoted as 'off the record' by respondents were not used in the thesis.

My command of the Indonesian language is sufficiently proficient to be able to pose questions, discuss topics and record responses with interviewees without translation and several interviews were conducted in this fashion – particularly those held in Jakarta. Most interviews however were conducted with the interpreter Siti Hajaroh. This method was adopted for several reasons. In addition to the benefits of her involvement listed in the previous section, there were several reasons for adopting this method. Firstly, she is a first-language Bahasa Indonesia speaker, skilled interpreter and native of the same Province and thus well versed in many of the dialectal subtleties of the colloquial Malay spoken in Kapuas Hulu. As a result, she was better placed to translate interview questions and comprehend the subtleties of responses. Secondly, this format gave me pauses in which to complete transcriptions of previous responses. Thirdly, these pauses allowed me to devote more time to thinking about the interviewee's responses, review my question list and make appropriate adjustments to my line of questioning. Such

breathing room was very valuable given this thesis's grounded and open-ended approach to interviewing and analysis.

Of the study villages, three had never been the subject of prior research by a researcher associated with a university. Indeed, I was the first person to officially register with the sub-district government to conduct research in Seberuang sub-district (Kec Head, 2018). Whilst it is of course difficult to predict what villagers thought of my work in private, they tended to express eagerness to participate in the research process or appeared to warm to it during their interviews, becoming more relaxed and open as they progressed. Indeed, conducting interviews of over one hour was an expected boon because, contrary to what might be imagined, responses tended to become more open and detailed the longer the discussions continued. Unlike in some parts of Indonesia, Kapuas Hulu does not have as entrenched a social hierarchy (KH TA 1, 2018) and villagers were often very happy to share their sometimes-negative opinions of village elites and higher officials.

Interviews were conducted in a variety of locations, with most interviews with officials occurring in their offices and most interviews with villagers taking place either at their homes or during periods of participant observation (see section 3.6). Villagers were also interviewed whilst 'hanging out' in the evenings – a type of engagement made easier both by my language skills and the presence of Siti, a local. Interviewees appeared to respond well to being met in their homes or in informal settings, particularly villagers from more remote sub-villages, with many remarking that they would not have shared the information they were discussing if I had not come to their residences. An example of such a statement was made by a village customary head in Nanga Kantu: "*I admit, this is an awkward subject. At first, I was keeping this a secret, but since you have come here, I will reveal the whole story*" (KeAdDus NaKa, 2). Whilst interviews typically began as

individual discussions, additional villagers regularly arrived to join in whilst they were in progress, resulting in impromptu focus groups (King & Horrocks, 2010). In such moments, I would typically re-ask questions already given to the initial interviewees so that these new arrivals would also get to participate in the full interview process. As a result of self-sorting, such group sessions rarely mixed genders.

3.5 Generating Data Through Community Meetings

During my time in the village of Huma Wangi, I convened a community-wide group meeting of the people of Huma Besar sub-village at their community meeting hall (Newling, 2011). The usage of this method was a trial because I was still unsure what would be the best way of meeting villagers and involving them in the research process. Ultimately, I settled on other methods such as random walking as preferable to this method and did not repeat it in other villages. Nonetheless, the community meeting generated very useful results for the study as it developed into a passionate debate between village officials and elites supporting the development of a tourism project in the village's protection forest and those that opposed it due to concerns about their customary use rights and potential loss of their *de facto* control over the area – a discussion that profoundly shaped the direction of my inquiry into the dynamics of change in forest governance in the village.

3.6 Generating Data Through Participant Observation

In addition to interviews, which produced the core of the thesis's grounded results, I also drew on a methodology often termed *participant observation* (Silverman, 2001). Also termed *shadowing* (Czarniawska-Joerges, 2007), this ethnographically rooted method involves purposeful but relatively unstructured interaction with research participants as they go about their daily lives or routines, commonly with the aim of

gaining practical experiences and understandings of how things are done (Newling, 2011). The term highlights that the researcher is themself a participant in the field whilst they are studying in it and cannot be separated from any associated processes of knowledge production (Lavén, 2008).

Whilst in each study village, I spent substantial amounts of time in village offices observing their daily working schedules. During these processes, I learned about how village governments managed their data, kept records of their activities and received information that informed their work from higher officials and other sources such as informal WhatsApp groups, etc. I observed village facilitators, district-level auditors and police conducting inspections of village office activities in line with expanded procedures of checking and supervision associated with the Village Law's implementation (see Chapter 6). I also followed the members of Kantu Tenga's forest patrol on a survey of the perimeter of their community forest, officials in Kantu Hilir on a survey of their forest and the newly planned development projects they intended to locate inside it, and villagers from Huma Wangi on an outing to collect forest products from their protection forest.

In Sungai Sebilik, I observed the daily operations related to the management of their new tourism area, travelled with the village head to survey the uncertain border of the village's protection forest and observe activities at their stone quarry. Whilst in Makai Nyamai I participated in craft making with the village women's group and followed villagers including the village head on a trip to manage their newly built natural dye plot. I also followed a popular district-level facilitator in his activities in Kapuas Hulu villages and at the district level in Pontianak, observing his work, discussing his thought processes and concerns and interviewing him repeatedly throughout the process. Finally, I attended events such as the Village Competition (*Lomba Desa*) both in Sejiram

and Sungai Sebilik, an annual multi-stage competition aimed at determining which villages have made the most impressive progress according to particular metrics across the country, a Village Innovation Expo (*Bursa Inovasi Desa/BID*) held in Putussibau (see Chapter 6, section 6.2.5), a rubber management presentation held by ForClime in Makai Nyamai and a fire safety training provided to village officials in Makai Nyamai by officials from Betung Kerihun National Park.

These methods provided significant insights into the practical workings and effects of the dynamics identified in interviews and also raised new talking points of their own. Witnessing the numerous acts of checking and supervision that village governments were subjected to during my relatively brief stays in village offices for example first drew me towards the topic of increased surveillance of villages which ultimately became a core theme of this thesis's analysis. Similarly, asking village officials about various aspects of their work as they were conducting their daily routines highlighted numerous challenges associated with managing the increased technocratic standards of the law and this topic became integrated as a key theme in my more formal interviews. Walking around villages and village forests both on my own and with villagers also provided me with a grounded sense of the topography of the events I was studying. The journeys through the forests of the two Nanga Kantu sub-villages of Kantu Hilir and Tenga and the along the forest borders of Sungai Sebilik for example helped me better understand the security challenges and access issues with which they are associated, the ways in which these were being engaged (or not) through the mechanisms of the Village Law and also introduced me to new knowledgeable interviewees that I met whilst in the forest. I was also able to observe first-hand the collection of forest materials by villagers in Nanga Kantu and Huma Wangi, enabling me to more fully understand the practical realities of village forest governance on the ground. Participating in meetings

on the other hand allowed me an opportunity to observe their underlying power dynamics, who was able to speak, the terms and boundaries of discussions and their associated performativities. Such observation opened further lines of enquiry relating to the role of such public events and their associated dynamics in the (re)production of grounded discursive and power dynamics and realities in village spaces.

3.7 Generating Data Through Review of Laws and other Written Material

A review of the literature and other written material was conducted for this thesis centring on two key types of resource: relevant legal documents, which were identified with the support of NGOs, university academics, and through personal research and newspaper articles, Ministerial statements etc. identified online. The latter were largely identified using Google Search employing keywords such as Village Law (*Undang-Undang Desa*), Village Fund (*Dana Desa*), conservation (*konservasi*) and forest (*hutan*). The aim of this review was to identify trends in discourse surrounding the law and its significance, as well as any discussions of its importance to the forestry sphere. This research was linked with relevant literature on the Village Law identified using both Google and the Bodleian Library's Solo search functions in order to develop a picture of the evolving discursive context surrounding the law – a context explored and grounded through the thesis's interviewing and participant observation methods.

3.8 The Process of Data Analysis

As mentioned previously, this thesis's analyses linked grounded exploration with an ongoing process of theory building (Foucault, 1991, p. 28). Analysis of results drawn from interviews, key legal documents, newspapers, government statements and participant observation, reviews of decentralisation literature and post-structural theory and the re-evaluation of methods and interview structures all proceeded concurrently

throughout and beyond the fieldwork period, generating the analytical framework that enabled the further analysis of raw data. In this way, I aimed to conduct an analysis that was sensitive to and conditioned by grounded circumstances whilst remaining clearly and actively engaged with philosophy so as to avoid any traps of presuming a transparent social sphere that can be engaged directly and without the mediation of a conceptual positioning (Laclau & Mouffe, 2001, p. 113).

After completing my interviews, I typed and translated them into English before copying them into a single Word document with a consistent table-style formatting. Questions were underlined and followed by responses, noting the respondent and any further notes about the interview in additional columns on the side. I also included notes from my participant observation work in these documents, located in reference to the interviews with which they were associated. These were then analysed using 'qualitative coding', a method for establishing categories and patterns within qualitative results by reading through them, identifying themes and specifying them as themes with names and associated sub-categories (Charmaz, 2006; Thomas, 2006; King & Horrocks, 2010). As shall be evidenced from the upcoming account of this coding process, constant reading and rereading of the entirety of my volume of interview and participant observation results was a constant feature of this thesis's analysis at every stage and helped to maintain a broad perspective of findings and contradictory results when writing each section in the thesis's theoretical chapters.

As analysis advanced, I increasingly employed the method of 'advanced coding' (Birks & Mills, 2015) by which I linked findings with insights from the broader field of decentralisation literature in conjunction with the evolving structures of my nascent analytical framework. Whilst this section's account of its analytical strategy overlaps to some degree with that articulated in the previous chapter and particularly with the

account of decentralisation analysis detailed in section 2.3, it differs significantly in that the analytical frameworks in Chapter 2 are presented clearly and sequentially as elements of a fully delineated analytical approach, and here they are engaged chronologically so as to highlight the process of analysis/theory production as it unfolded in practice.

Early stages of coding were relatively descriptive, focusing on identifying trends in the ways in which the Village Law was impacting village life, the experiences of interviewees with its various operations and the ways in which its mechanisms were engaging with the sphere of forest governance i.e. in the form of border mapping and new village government programs such as patrols and tourism projects. As detailed in the previous chapter, it rapidly became apparent that the law's implementational realities deviated substantially from those that I had come to expect after reading the law, attending a Village Law conference in Leiden and from initial discussions with experts in Jakarta. My coding method shifted accordingly, with the exploration now centring on the analysis of the broader dynamics and logics of the law's implementational hegemony in dialogue with examination of the various Village Law associated mechanisms of forest governance and their operations. This shift affected both the topics of interview questions and the development of coding categories.

Efforts to identify dominant implementational logics began with exploring some of the principal mechanisms that enabled the perpetuation and entrenchment of the structures of hierarchical domination I witnessed on the ground. I identified several key categories of mechanisms; what I, in line with Poteete & Ribot's (2011) term, call *repertoires of domination*. Some of the more prominent of these included top-down control of information, increased checking and supervision, exclusion of grassroots involvement in political decision-making and the proliferation of increasingly pressurising logics of national developmentalism. Coding my interviews in line with

these headings, I reviewed the responses placed in each category in order to identify relevant internal trends and dynamics, placing greater emphasis on how they operated in practice and (re)produced new arrangements of productive and actor power, repeating the process until I felt satisfied that I had generally delineated the most significant points. After writing these sections, I then reviewed the entire set of interviews and additional literature to explore the extent to which it aligned with or contested these findings. I then recoded these results in order to identify common themes that cut across them. The most significant of these I termed the law's *hegemonic implementational logics*. These included village-government-centrism, legality and developmentalism.

Having detailed these logics, I next reread my interviews alongside case-relevant literature to delineate the contours of the law's original implementational vision and construct a genealogy of how its agendas were morphed, overturned or replaced by those identified in practice, paying particular attention to the various power dynamics underlying these shifts. I then used the hegemonic logics of the Village Law to interrogate the various categories of forest governance mechanisms identified previously, using them as a tool through which to explore how and why they had emerged and the logics underlying them. These analyses provided multiple case studies through which to test the extent to which the various logics highlighted in the original analysis held validity as a viable explanatory model of change. Having explored each mechanism, efforts were then made, with reference to wider literature on the Village Law's interactions with forests, to develop relevant and illuminating narratives associated with each mechanism.

The results of the analyses of the law's hegemonic logics and the dynamics underlying the operations of various forest governance mechanisms were then examined through the lenses of liberation highlighted in the previous chapter (section 2.4), in order

to explore the ways in which they enabled, limited or precluded potentialities of transformative change in the village governance sphere. Key codes in this examination included those highlighted by Agrawal and Ribot such as 'power to create and modify rules', 'power to make decisions about resource usages' and 'accountability', as well as liberational forms identified in the theoretical framework section such as 'new social spaces and dynamics' and 'evading or short-circuiting power dynamics or norms'.

At length, results were analysed a final time with the aim of detailing a history of each study village's forest and highlighting shifts in power with which these were associated – particularly since the passage of the 2014 Village Law. Coding in this case centred on shifts in access to land, technology, knowledge and other key categories identified by Ribot & Peluso (2003), whilst rereading of findings aimed at identifying particularly significant and illuminating cases from amongst these to focus on in the thesis's final analytical chapter, Chapter 8. Those selected for close examination included that of Huma Wangi and the three sub-village forests of Nanga Kantu. Results were re-read once again in order to identify meaningful trends within the coded results for each case with reference to additional theoretical literature detailed at the start of that chapter.

3.9 Research Ethics

Research is a fraught and potentially exploitative endeavour and informed consent is a vital element in a research method that aims to respectfully engage its interviewees and remain sensitive to their needs and positionings (King & Horrocks, 2010). Whilst written consent is a norm in regions such as North America and Europe, verbal consent aligns better with the cultural norms in many parts of the world including Indonesia (Mollet, 2011). After consultation with researchers from Indonesia, I

concluded that verbal consent would be the approach taken during research for this thesis. When entering each new village, I first met with their associated village heads and asked their verbal consent for me to conduct research in their communities. In Sungai Sebilik and Makai Nyamai, I also asked for their consent to let me stay at their homes. All interviewees were informed about the general topic of research, the ways in which their responses would be utilised, and the efforts being made to preserve their confidentiality and were asked whether they were comfortable being part of the study. Similar efforts were made with officials at higher levels of the bureaucratic hierarchy.

These activities ran parallel with a more formalised process of gaining access mandated by the Indonesian government. I was required to present my project to a team of experts from various government departments in the offices of the Ministry of Research and Technology in Jakarta including the MEF before receiving a permit to conduct research in Indonesia. A similar process occurred at the Provincial level, with a permit being received only after two working days. I then had to formally register my project at the district and sub-district levels. At each stage, this involved a formal registration at a government office followed by registration with a relevant police department. Despite its apparent complexity, this process was ultimately relatively straightforward and played a useful role in my research process. The process led to formal introductions to the district head (Bupati) of Kapuas Hulu and to various sub-district heads – valuable introductions given the thesis's aims of engaging various levels of the bureaucratic hierarchy. When entering villages, I made clear that I was legally authorised by these higher officials to conduct my work, a demonstration of legitimacy that likely played an important role in convincing them to become involved with my study. I attended events such the Village Competition and Village Innovation Expo

alongside both village staff and higher officials, further reinforcing the socio-political acknowledgement that it was right and proper for me to conduct my research work.

I have made every effort to preserve the anonymity of my respondents. Rather than asking interviewees if they wanted to be kept anonymous, I simply informed them that they would be as this is the way I feel most comfortable working. In addition to using pseudonyms for the names of all study villages, all references to interviewees in the text are left vague (e.g. 'an official said', 'a member of the village council (BPD) noted', etc.) and the names used for referencing have also been coded (see Appendix A). Nonetheless, given the sometimes politically sensitive nature of my research and the inevitable risks that quotes might still be linked to respondents, only those that agreed to have their words included in the text were actively referenced. Most respondents agreed to have their quotes included and were satisfied with not having their names mentioned.

3.10 Reflexivity, Positionality and Limitations

In line with the principal theorists applied in this thesis's analysis, I contend that research processes, analysis and production of results, as well as the generation of knowledge more broadly, cannot be separated either from the researcher or their subjective positioning (Dreyfus & Rabinow, 1986, p. 203; Laclau & Mouffe, 2001, pp. 94-95, p. 113). I also align with grounded theorists who assert that the positionality of the researcher plays a critical role in the kinds of results that they can generate within a particular social context and that this will colour their impressions of their case and associated dynamics (Whatmore, 2003). I contest the claims of some authors (e.g. Patton, 2002; Merriam, 2009) that qualitative research is more prone to bias than quantitative analysis and, indeed, question the extent to which research can be meaningfully framed as 'objective' (Tysiachniouk & McDermott, 2015). Nonetheless, I remain cognisant of

the importance of adopting methods and approaches that work to purposely navigate the personal and structural blinkers and channellings associated with my positionality whilst acknowledging that their full transcendence is, from the perspective of this thesis, an ontological impossibility (Young, 1981; Dreyfus & Rabinow, 1986, p. 203; Laclau & Mouffe, 2001, pp. 94-95, p. 113).

Having grown up as a white person in Sabah, my positionality in relation to communities in Kapuas Hulu was somewhat unusual. With effective navigation, it opened a variety of possibilities – providing conversation starts and laying foundations for relationship building. As in many parts of Indonesia, people in Kapuas Hulu tended to be very interested in where I was from. The fact that I was from such a nearby location and thus in a way more 'local' to Kapuas Hulu than many foreign researchers helped make my positioning accessible, digestible and engageable for villagers. Whilst many villagers had heard of Sabah, few had ever been there, and they were often very interested to learn more about it. Whilst I had never crossed the border into Kalimantan before my fieldwork, I was surprised by the many similarities between Sabah and Kapuas Hulu. Popular talking points included the crops that Sabah grows, the circumstances of rural livelihoods in the state, whether there were issues with oil palm expansion, etc. People were also interested to discuss issues concerning immigration and other political dynamics between Indonesia and Malaysia. Many West Kalimantan officials in turn had visited Kota Kinabalu and we could talk about the city and their experiences. During village and district events (e.g. the Village Competition), many of which included cultural dancing, I also demonstrated the popular Sabahan Kadazan dance, *Sumazau* and sang Malay language Sabahan songs, thus participating in a dynamic of positive host/guest relations legible on both sides of the border. Alongside my ability to speak Malay and chat with people directly and without constant referral to a

translator, this positionality thus played an invaluable role in smoothing my entrance to communities and other social circles throughout the research process.

Possibilities were also opened through active navigation of my whiteness. The idea that a white person would arrive in an area and conduct research appeared generally unremarkable in and of itself since, as in Sabah, there has been a long history of white research in West Kalimantan stretching back to the Dutch period (Dove, 2011). As noted previously, people in villages often expressed excitement in having me in their communities, in participating in a research project, and would often write me when I was in other areas to ask when I would be returning. Nonetheless, there were clear expectations amongst both villagers and officials regarding the kinds of topics I would be researching and the types of issues that would interest me – particularly those related to forests or animals. Villagers and officials alike were often surprised to find out I was interested in the operations of local government and the implementation of the Village Law. In the words of a politician in Jakarta, "*I don't think many western researchers are interested in rural reform*" (Jakarta Politician, 2018). This subversion of expectations appeared to throw off many presumed scripts for how my engagements with villagers might proceed. Focusing initially on village governmental procedures, the construction of new paved roads and kindergartens, etc. instead of the conservation talking points such as orangutan numbers etc. which many respondents initially felt I would principally be interested in actually appeared to put people at ease through its sheer novelty. When interviews eventually turned towards forest and forest governance related topics, it was from a very different perspective – as an element of village life within the context of broader and evolving dynamics of village administration and economy. These methods appeared to open space for engagement with interviewees that might easily have been closed through presumptions of my concerns, perspectives and positioning.

The other members of my team – Siti Hajaroh and my mother Gina Hamilton – also played critical roles in navigating positionality, providing alternative perspectives and broadening the scope of dynamics that my research could effectively explore and engage. My translator Siti Hajaroh for example is from West Kalimantan, a second-generation Javanese trans-migrant and a resident of Sintang, a large town and capital of the district with the same name immediately bordering Kapuas Hulu. As a young, professional, extraverted local woman, she was able to navigate and to help me navigate local social circumstances with an efficacy and ease which I could never have managed independently and to open doors with interviewees that I could not have opened without her involvement. Because it was Ramadan while we were staying in Sungai Sebilik, she became good friends with the many villagers through their shared worship at the Mosque etc. Given that at the time I was presenting as a man (a circumstance to which, as mentioned previously, I was thoroughly opposed), her presence as translator also helped put women interviewers at ease throughout the research process. Similarly, my mother Gina was well received everywhere we went. People appeared to find it pleasing and reassuring that she had come along and were universally impressed that she was the driver. My mother is good at crafts, and villagers liked teaching her how to make various local products. She also donated wooden cotton gins and a spinning wheel to the village of Makai Nyamai and held classes on how to use it. Like Siti, her involvement helped put people at ease, indicating that, in comparison to many large-scale, project-oriented or conservation-based research initiatives, my project was a particularly home-spun, approachable and non-threatening affair.

Chapter 4.0: Background and History

In order to engage and effectively explore the intersections between the Village Law and village forest governance, it is critical to contextualise these dynamics within the broader history of village and forest governance in the country. Drawing from secondary literature, this chapter outlines these histories. The first section (4.1) provides a general background on Indonesia including an overview of the national administrative hierarchy and legislative structure, an account of the country's history of government and dominant discourse of developmentalism, as well as an introduction to the province of West Kalimantan and district of Kapuas Hulu where much of the research for this study took place. The second section (4.2) details key trends in village governance since the colonial period. The third section (4.3) covers trends in Indonesian forest governance. Finally, the fourth section (4.4) focuses specifically on trends in village forest governance – the sphere in which the dynamics of both these histories intersect. The accounts provided in these sections are necessarily simplified and streamlined with the specific aim of laying groundwork for the account of the Village Law's adoption provided in Chapter 5 and for subsequent analyses of its associated dynamics and effects.

4.1 General Background

4.1.1 Indonesia

Indonesia is the 16th largest country in the world with a territorial extent of 1,904,569 sq. km. It is the largest archipelago in the world with 13,466 islands, 922 of which are permanently inhabited. It has a population of 267,026,366 (2020 estimate), which is the fourth largest in the world (CIA, 2020). Roughly 52.1% or about 94,432,000 ha of Indonesia is forested, of which – roughly 86.9 million ha (roughly 45% of the country's total land surface) is included in the country's 'forestry estate' (*kawasan hutan*) (MEF,

2020). An estimated 80,000,000 - 95,000,000 people are to some degree forest dependent (around 33% of the total population), which makes Indonesia one of the countries with the largest forest dependent populations in the world (Chao, 2012; Colchester et al., 2014).

The country's administrative hierarchy, (Figure 7), is arranged into five principal levels – the central government located in Jakarta, 34 provinces (*provinsi*), districts/cities (*kabupaten/wilayah kota*) of which West Kalimantan has 14, sub-districts (*kecamatan*) of which Kapuas Hulu has 23, and villages (*desa*).



Source: Law No.15 of 2019, Concerning Amendments to Law No.12 of 2011 Concerning the Formation of Legislative Regulations (Tentang Perubahan atas Undang-Undang No.12, 2011 Tentang Pembentukan Peraturan Perundang-Undangan)

Figure 7: Hierarchy of Laws & Regulations in Indonesia

Villages typically consist of several administratively relevant segments, some of which exist as separate settlements, termed 'sub-villages' (*dusun*) which are themselves often divided into smaller units termed 'neighbourhoods' (*Rukun Tetangga/RT*). The country's legal structure is arranged through a similarly tiered structure, with laws and government regulations enacted by the country's parliament and president taking legal precedence over ministerial regulations and decrees and local government regulations (Law no.10/2004, Figure 7; Marifa, 2005).

The emergence of Indonesia as a unified country can be traced back to the colonial rule of the territory by the Dutch. After being briefly occupied by Japan during the Second World War, during which a civilian government was established under Japanese suzerainty, the colony won its independence from the Netherlands and

established the modern Republic of Indonesia. The history of Indonesia in subsequent years may be loosely divided into three periods. Firstly, the rule of President Sukarno, the civilian head of the country under the Japanese who led the struggle for independence from the Dutch after the War, the New Order era of Suharto, a general who overthrew Sukarno after a military coup and established himself as dictator, and the democratic era that emerged after the fall of the Suharto regime in 1999 and which has witnessed substantial decentralisations of power from the central government to local authorities – particularly at the district and provincial levels. This process has complicated the functional dynamics of the country's legal structure, with lower tiers of the administrative hierarchy enacting legislations that do not always align with those of their superiors and implementations of laws on the ground varying substantially in practice (Marifa, 2005).

4.1.2 Government and Developmentalism

In common with many post-colonial states, Li (2007) and others have amply demonstrated that Indonesia can be framed as a developmental state (also see: Vu, 2007; Li, 2011; Efendi & Alam, 2018; Sato, 2019), in which the rule of government has been justified since colonial times in terms of the ability to generate 'economic development' and thus provide welfare and life quality for the population (Li, 2007). Both during the colonial period and under the country's subsequent administrations, the pursuit of development has been conceived not only as a fundamental concern, but also as a top-down venture managed by expert trustees – e.g. the national bureaucratic apparatus as well as certain NGO representatives and international donors. Developmentalism has always sat alongside agendas of resource control and appropriation of similarly colonial origins. Both logics, although often internally fractious, have placed significant limits on the forms of the scope of official governance in the country and of what is thinkable

within the Indonesian political sphere. Li asserts that there have been some profound limits on the achievements of the repeated programs these logics have spawned – from agricultural intensification and the introduction of new crops to villages to the implementation of new infrastructural and conservation initiatives – and that there have often been serious costs to villagers and their livelihoods, but that they continuously assert that the maintenance of circumstances of top-down command and control is both necessary and incontestable for any meaningful social progress to be made. Li however also illustrates the ongoing creativity of villagers in contesting the workings of these projects in practice and in navigating their operations in service of local and alternative agendas (Li, 2007).

Suharto's dictatorship provides a particularly blatant example of these developmental logics in operation. It was a powerful centralised military/bureaucratic system which pursued a position of dominance in practically every field of Indonesian social life (Hadiz, 2000; Hadiz & Robinson, 2013). This administration, which was also rooted in resource extraction through a complex crony network, justified its autocratic and often environmentally exploitative activities via a discourse of development. Its failures to deliver on this front were associated with its collapse following the 1997 Asian economic crisis (Sato, 2019). The country's new democratically elected government immediately set about crafting a host of major reforms that – amongst other things – aimed to decentralise considerable powers to lower levels of government. Under the regional autonomy Law no.22/1999 (adopted in 2001) the central government retained control over only a few key areas of government – monetary policy, foreign policy, security, etc. and devolved all other authority to local governments - particularly districts (Casson & Obidzinski, 2002; McCarthy, 2004; Barr C., et al., 2006; Bullinger & Haug, 2012; Warman, 2016).

This process –often described as a ‘Big Bang’ in Indonesian history – has been named amongst the most significant decentralisation events of recent times (Crouch, 2010). Political compromises involved in the law’s creation resulted in legislation that was vague regarding the exact scope of the newly assigned powers, the specific division of authority between different levels of the country’s administrative structure, and the mechanisms by which it was to be implemented. In an effort to remedy some of these deficiencies, the Indonesian government replaced Law no.22/1999 with Laws no.32/2004 and no.33/2004 in 2002 – policies that returned many facets of government to centralised control whilst still reaffirming regional autonomy (Bullinger & Haug, 2012). Nonetheless, the Big Bang initiated a period of political restructuring, negotiation and competition between authorities at the national, provincial, district and village levels that has continued in one form or another till the present day (Antlöv et al., 2016a).

The centrality of the discourse of development however survived the fall of the dictatorship and remains a pivotal concern and driving logic of Indonesian bureaucratic and political activity today (Sato, 2019). Whilst the country’s 1999 decentralisation undercut central controls, these have been steadily reinstated in many fields of governance, and developmentalist logics have come to permeate the operations of governance in lower tiers of the national hierarchy as well (Li, 2007; Sahide, et al., 2016 ; Warman, 2016; Sato, 2019). The perpetuation of developmentalism has been clearly evidenced under the Jokowi administration, which ran on a popular and explicitly neo-developmental platform and has justified its legitimacy on highly development-centric grounds (e.g. see: Hamdani, 2018; Hanung, 2018; Muhammad, 2018; Reily, 2018).

Li also asserts that the new ostensibly decentralising or grassroots-centric neoliberal programs of “*government through community*”, that have come to play a critical role in development programs since 1999, are also designed to carefully preserve

the oversight of actors such as the bureaucracy and World Bank and to calibrate villager behaviours in line with their top-down agendas (Li, 2007, p. 232). In these regards, Indonesian governance has changed less than one might imagine since democratisation. In the framings of Day (2011), activism, reforms and global governance trends shifted some of the types of demands that higher authorities and institutions aim to address, but not the form by which they do so – top-down domination – with the result of insulating many key logics of governance from appreciable scrutiny or challenge (Li, 2007). As shall be seen, the collision between the Village Law and these long-enduring formations of power, knowledge and practice has profoundly shaped the realities of its implementation on the ground.

4.1.3 West Kalimantan and Kapuas Hulu

West Kalimantan is the third largest province in Indonesia. It is located on the island of Borneo, which is the third largest island in the world and a major centre of global biodiversity. West Kalimantan is centred around the Kapuas river, Indonesia's longest river which runs from the easternmost edge of the province on the border to the coast at the city of Pontianak. Kapuas Hulu is West Kalimantan's largest and easternmost district. As denoted by its name (meaning Upriver Kapuas), the district is located in the uppermost reaches of the Kapuas river valley. It has an area of 29,842 sq. km (Shantiko, Fripp, Taufiqoh, Heri & Laumonier, 2013; BPSa, 2018) and a population of 245,998 (BPSb, 2018). The district is ethnically diverse, comprising 20 major ethno-linguistic groups which are often arranged into two key umbrella groups – Dayak and Malay – along broadly religious lines (e.g. with most Muslim people identifying as Malay), (Bamba, Alloy, Albertus & Istiyani, 2008).

Agriculture remains the largest employment sector and engages around 80% of the population. Most farmers practice rotating agriculture, growing crops including

paddy, cassava, maize, pepper, fruits and tengkawang nuts, as well as the most significant cash crop – rubber (Dove, 2011; Shantiko et al., 2013). As detailed by Dove (2011), people in this region have a long history of mixing subsistence and cash cropping to enable resilience against market shocks, and similar practices remain in evidence in much of the district today. Since the country's decentralisation in 1999, the district has also witnessed steady expansion of oil palm – particularly along its eastern borders with Sintang district. Whilst this expansion has brought new opportunities for cash employment, particularly since the decline of the price of rubber, it has nonetheless been associated with numerous negative social and environmental effects (Shantiko et al., 2013; Pontianak NGO 1, 2018). As with many regions along the Kapuas river, the district also experienced considerable levels of illegal gold mining in recent decades, though it is now in decline in many regions (Pye, Radjawali, & Julia, 2017; Pontianak NGO 1, 2018).

The district has a high percentage of forest cover (over 50%) and is the location of two national parks – Danau Sentarum and Betung Kerihun, which occupy around 30% of the district's area. Another 25% of the district is designated as either production forest, including limited production forest (HPT) and conversion forest (HPK). Since the adoption of district head (*Bupati*) decree (SK no.144/2003), the region has been a self-declared conservation district. The decree outlines guidelines aimed at encouraging stakeholders to manage the district's natural resources sustainably and prevent ecological losses (Shantiko et al., 2013).

4.2 A History of Indonesian Village Administration

4.2.1 Before 1999

The notion of the village and its social and political roles has evolved substantially throughout the country's history. Whilst small settlements have existed in a multiplicity of forms throughout the history of the archipelago, the idea of the ancient, harmonious and unchanging village has been effectively challenged, with scholars highlighting both the internal complexities, antagonisms and fluidity of these communities and the particular political circumstances of their emergence, which were intimately linked with the history of Dutch colonial rule in the region (Bremen, 1982; Li, 2007; Dove, 2011; White, 2017). Bremen (1982) for example asserts that the village model originating in Java and later replicated by the Dutch in other regions of their empire wasn't a pre-existing social model, but one constituted via the colonisation process. It was explicitly developed to render colonised territory more governable, taxable and otherwise economically appropriable by colonial authorities.

The official administrative position of the village head similarly has its origins as an effect of the colonial process and first emerged as a significant figure charged with helping implement Dutch colonial taxation policies when management of these processes shifted from the district to village level (Bremen, 1982; Li, 2007). Because Dutch officials were primarily focused on expropriating resources, villages were initially largely allowed to manage their own affairs and customary law (*hukum adat*) was implicitly recognised within their territories to the extent that it did not contest this colonial exploitation (Burger, 1939, 1975; Bremen, 1982; Dove 2011). Nonetheless, the Dutch initiated trends of managing and commanding villages as united bodies, with compounding social and political effects throughout the country's history (Furnivall, 1939; Bremen, 1982).

Despite its contingent, colonial origins, the concept of the village has come to occupy a significant place in Indonesia's national (and nationalist) consciousness since Independence and has been framed both as the foundation of its society and a model for its government system (Galizia, 1996). The Indonesian national philosophical theory (*Pancasila*) for example was in part inspired by romantic notions of the village practice of mutual cooperation (*gotong royong*) (Galizia, 1996). As a result of this discursive incorporation and no doubt also due to its practical utility as an instrument of modern governance, this top-down imposed and, particularly in the outer islands, often loosely penetrating conception of the local community was preserved and reified in the new republic (Li, 2007). Indeed, the new government of Sukarno aimed to make villages administratively active and empowered institutions within the new national structure. Whilst prioritising national unity, the Indonesian constitution's Article 18 for example acknowledged scope for diversity in local government (Constitution of Indonesia, 1945). Subsequent Sukarno era village-governance legislation – six laws adopted over a 20-year period – established nation-wide structures of village regulation whilst granting substantial autonomy to village governments (Bedner & Van Huis, 2008).

Under Suharto's New Order, many freedoms granted to villages were withdrawn on the basis that local autonomy was a challenge to key national interests of security, stability and economic growth. According to Village Law no.5 on Villages 1969 (the predecessor to the current Village Law), villages were defined as administrative units under the coordination of the sub-district head (*camat*). The authority to appoint village heads was shifted from the village to the district level and village governments were made component and subservient agents of the centralised, authoritarian system that became increasingly entrenched throughout Indonesian public and economic life during this period (Li, 2007; Vel et al., 2017a; Li, 2007). Government priorities in this period

shifted away from land reform – implementation of the Sukarno era land reform program was put permanently on hold – and moved towards the opening up of land for state-backed resource exploitation (As per. Basic Agrarian Law (BAL) no.5/1960, Articles 7 and 10, p. 4; 17, p. 6; 53, p.15, Government Regulation no.56/1960, Government Regulation no.224/1961 and Government Regulation no.41/1964). Village heads – who were often appointees from outside the village who had received their appointments as rewards for clientelist loyalties, tended to favour the interests of their patrons over those of their village constituents. Village heads stood to benefit from facilitating land seizures and had few checks on their pronounced village-level powers. As such, authors such as Li and McCarthy identify pervasive abuses of elite power and surrenders of village lands to agrobusiness and logging companies across the country during the New Order period (McCarthy 2004; Li, 2007; Vel et al., 2017a).

4.2.2 Trends since 1999

The Big Bang decentralisation resulted in consequential and long-lasting changes to the structure and powers of Indonesia's previously highly disempowered village governments. Its most notable effects included: (1) increased village autonomy from higher levels of government; (2) greater support for local cultural and political practises (*adat*) and localised objective setting; (3) creation of new, democratically elected village governments composed of village heads and a village council to which they are accountable, and (4) more substantial streams of village funding (Antlöv, 2003). These changes were so significant – and such a departure from the exclusionist and authoritarian policies of the New Order – that they have been described as a "*quiet revolution in the countryside*" (Antlöv, 2003, p. 200). Most villagers surveyed in an extensive 2012 study reviewed these changes positively, stating that the quality of village governance had improved in the years following decentralisation (Antlöv et al., 2016a).

Free and open elections at the village level brought an end to many entrenched village political dynasties and allowed for a more accountable, effective and popular class of politicians to take their place. Village governments have also leveraged their increased autonomy to address local issues and defend their interests, building sophisticated political networks and alliances amongst themselves and with district officials and companies (Antlöv et al., 2016a).

Nonetheless, ongoing concerns with village governance have remained, particularly with regard to village financing. The 1999 reforms increased village funding, but the central government retained control over how most of it was spent (Aspinall & Sukmajati, 2016). In response to criticism from villagers and rural-reform activists, Government Regulation no.72/2005 reformed this system by allowing villages to propose their own projects and request government funding to enact them, but villages were forced to compete with one another for limited state finances (Aspinall & Sukmajati, 2016). Complaints were also raised regarding the limited authority of village governments, which were relegated to the lowest tier of government authority and whose powers were limited to the leftovers not covered by higher level authorities (Vel et al., 2017a). Another issue concerned the accountability systems aimed at blocking abuses of power by village heads, which were insufficient to prevent widespread issues of corruption and elite capture. Limitations on the authority of village heads were further reduced under Law no.32/2004 on regional government. In response to substantial lobbying by the association of village heads, who argued that strong councils were slowing government and generating conflict, the law greatly limited the power of the BPD (village councils), effectively reducing them to advisory committees for the headmen. As a result, possibilities for legitimate grassroots governance in villages gradually waned in the years following 1999 (Antlöv et al., 2016a).

This period however also witnessed an additional and equally profound trend in village life which, though intimately linked to the first, has nonetheless received less academic attention – the gradual erosion of the importance of the village government and the village as a political, social and conceptual unit in village life (KOMPAK, 2016; Vel, 2016; Berenschot & Sambodho, 2017). Democratisation and the expansion of the NGO sphere for example have multiplied the channels through which villagers can access resources and support, breaking the monopolies on access held by village heads under the Suharto regime. In the words of Berenschot & Sambodho, (2017, para. 5),

> *Village heads are no longer the main conduit to access government benefits, such as cash handouts or subsidised health care, because the selection of beneficiaries of such programs is now (partly) out of their hands… During our fieldwork we observed how villagers now rely on a much wider set of actors – from tim sukses members to health care workers to facilitators of the village development program called PNPM – to get things done.*

As a result, the coercive power of village heads waned, and fewer community decisions were being made in the fore of village administration. In the place of a domineering village government controlled by the whims of higher authorities, new complex and hybrid economic, social and governance dynamics proliferated in the countryside.

4.3 Trends in Indonesian Forest Administration

4.3.1 Before 1999

Forests are considered a key government asset in Indonesia and have been regarded as state property since the colonial period, when the Dutch government declared possession of all unregistered land, which included practically all non-

agricultural or silvicultural land in the territory irrespective of its use by local communities (Peluso, 1992; Rossabi, 1998; Simon, 2001). In her book *Rich Forests Poor People*, Peluso asserts that to a significant degree, this process produced *the forest* in Indonesia, generating it as a defined, appropriable territory subjectable to the knowledge of scientific forestry deployed by colonial administrators with the aim of extracting the maximum benefits from them in the name of the common good. In practice, such framings served principally to justify the exclusion of local communities and all alternative forms of territorial conceptualisation, access and governance from these spaces, which were rendered the exclusive formal preserve of government officials and formally sanctioned professionals (Peluso, 1992). This is not to say that all other engagements with forests were erradicated through colonialism, but these processes of space production and administration nontheless played a profound role in rendering these spaces appropriable to the forms of exploitation sought by colonial interests.

As with the colonial concept of the village, the colonial forest was preserved in the transition to independence. The constitution of independent Indonesia reaffirmed the notion that forests were state property when it declared that, "*The land and water and the natural resources contained therein shall be controlled by the State and used for the greatest welfare of the people*" (Constitution of Indonesia, 1945, Article 33.3), whilst the 1960 Basic Agrarian Law (BAL) stated that the government could declare customary lands and resources 'State property' (BAL no.5, 1960). At the same time, these documents recognised *adat* and described it as the foundation for the country's laws of land and agrarian affairs. The result was an ambiguous legal status regarding the country's vast tracts of community-used forests (Rossabi, 1998; Rachman & Siscawati, 2013).

It was only with the rise of Suharto's New Order (1966-1998) that the Indonesian government began to take full advantage of the constitutional mandate regarding forests. Taking the reins of a country riven by violence, debt and rampant inflation, Suharto turned to logging as a vehicle to stabilise the country politically and economically as well as solidify his grasp on the levers of national power (Rossabi, 1998; Jepson, 2001; Brockhaus et al., 2012). It was the New Order's Basic Forestry Law (BFL no.5/1967) which designated most of the country's forested land as *kawasan hutan* (forestry estate) under the direct legal jurisdiction of the Ministry of Environment and Forestry (MEF) without any reference to local titles or *adat* authority (Rossabi, 1998; Siscawati et al., 2017). Concessions to exploit these resources were then granted – via non-binding mechanisms – to allies of Suharto's regime as rewards for and guarantees of their ongoing loyalty (Barr C., 1998; Rossabi, 1998; Jepson, 2001; Tsing, 2005). By these means, Suharto established himself at the centre of a complex clientelist network which blurred lines between government and private enterprise (Gellert, 2010; Brockhaus et al., 2012) and resulted in a period of rapid and rampant deforestation across the country's outer islands (Rossabi, 1998; Casson & Obidzinski, 2002; Brockhaus et al., 2012). This amplification of the logging industry was mirrored by the increasing centralisation and expanding technical capacity of the Ministry of Environment and Forestry (MEF), whose power and influence grew steadily throughout the existence of the New Order regime (Warman, 2016).

Despite this growth in capacity, considerable legal ambiguities persisted. *Adat* law, for example, retained its formally recognised but loosely defined authority, whilst the jurisdiction of the MEF often overlapped with those of other ministries. The 1960 Basic Agrarian Law, for example, grants the National Land Bureau control over all land tenure rights including those held by the MEF (Marifa, 2005). Bureaucratic territoriality

amongst these agencies and their associated clientelist networks ensured limited coordination and resulted in an Indonesian forest governance regime whose tenets were contested by the numerous stakeholders involved (Marifa, 2005). Indeed, Rossabi asserts that interagency competition was actively fostered by Suharto, who played these bodies against each other in the interest of maintaining his ultimate authority (Rossabi, 1998).

4.3.2 During and After the Big Bang

One of the pivotal elements of the *reformasi* process initiated in 1999 was the decentralisation of authority to manage forests to the district level (Jepson, 2001; Warman, 2016). Whist legal control over forest lands was retained by the MEF under the country's new Basic Forestry Law (BFL no.41/1999), it nonetheless greatly increased districts' share of forestry revenue, whilst subsequent reform further empowered them to allot their own small-scale timber concession licences. Although the empowerment of districts was substantial, the exact extent of their authority in the forestry sector vis-à-vis the central government remained ambiguous and open to interpretation (McCarthy, 2004; Resosudarmo, 2004). Whenever possible, districts made use of these legal vagaries to extend and entrench their own powers over resources. Many districts developed their own legal structures for forest management which oftentimes contradicted those of the central government (McCarthy, 2004). This trend, coupled with a reassertion of *adat* rights and the endurance of the many jurisdictional overlaps established during previous administrations resulted in the emergence of a forest governance environment which was profoundly complex, fragmented and contested (McCarthy, 2004; Warman, 2016).

The immediate significance of this transition for both forests and forest governance proved particularly substantial and severe. Resosudarmo (2003) asserts for example that there was no sphere in which the sudden and initially chaotic shifts associated with decentralisation played out more dramatically than in the forestry sector.

The collapse of central authoritarian rule that had previously tightly regulated access to the benefits of forest exploitation, as well as numerous additional factors including the blurring of legal and illegal, lack of coordination between local and national policies and widespread corruption, resulted in a logging boom in the late '90s and early 2000s (Casson & Obidzinski, 2002; Arnold, 2008; Barr, et al., 2012; Bullinger & Haug, 2012; Warman, 2016). Logging and the conversion of natural forests to palm and other plantations – already significant threats to natural forest cover by the early '90s – increased dramatically (ITTO, 2001).

Dominant discourses came to frame these trends as the result of legal ambiguity and a lack of centralised control, and such framings played an important role in setting the stage for the next period in Indonesian forestry history (ITTO, 2001). Rather than use the opportunity presented by the fall of the dictatorship to explore serious reforms to the iniquitous system of exclusion that had ruled over forests since the country's independence, the Indonesian central government used this ostensive 'crisis' of authority to justify efforts to recentralise its control over forests (Bullinger & Haug, 2012). This began with adopted decree MEF no.541/2002, which withdrew from districts many of the powers they had been previously granted. This legal recentralisation was further entrenched with the passage of Law no.32/2004, which codified the right of the central government to veto regional regulations and budgets (Rosenbarger, 2009; Warman, 2016). Nonetheless, there remained broad rejection of this disempowerment at the district level, resulting in furthering legal confusion and ongoing struggles for power and authority amongst the different levels of government (Rosenbarger, 2009; Warman, 2016). Matters were further complicated in 2014 when many remaining district powers were transferred to provincial level departments of forestry, adding another layer to the country's complex and multipolar forestry regime (Sahide et al., 2016). Legal

ambiguities, overlapping jurisdictions, entrenched clientelist arrangements, and the still pivotal financial role of the forestry industry in Indonesia have ensured that questions of forest control and governance remain highly contested and politically charged (Jepson, 2001; Marifa, 2005; Warman, 2016).

Whilst this account appears to suggest that central authority over forests has been substantially muddied since democratisation, several authors have taken a longer-term view and argue that the MEF's power has actually continued to increase since independence. They note steady growth in financial resources and administrative capacities and assert that these have continued to expand since 1999 despite initial confusions and ongoing political challenges from lower rungs of the national hierarchy (Bullinger & Haug, 2012; Warman, 2016). Indeed, some have argued that recent trends of decentralisation such as the creation of Forest Management Units (FMU) – and the establishment of social forestry programs actually indicates the growing confidence of the MEF. They have served principally to undermine district-level controls and position central authorities as arbiters amongst increasingly divided and upwardly accountable local administrative units (Sahide et al., 2016). This process, which has also played out in other countries, has been termed *recentralisation through decentralisation* (Ribot et al., 2006; Sahide et al., 2016) and will be an important concept when examining the implementational dynamics of the Village Law.

4.4 Evolution of Indonesian Village Forest Governance

4.4.1 Before 1999

Indonesian villages have actively governed forests via a wide array of ever-evolving systems since time immemorial (Rossabi, 1998). Whilst *adat* law has received at least tacit recognition since colonial times, the country's legal framework denied village ownership of forests and the legitimacy of local governance approaches for most

of its history (Rossabi, 1998; Siscawati et al., 2017). Whatever their legal status, most villages continued to maintain *de facto* control and use of their forests – especially in areas that were not actively being exploited – throughout the colonial period and early years of the Indonesian Republic (Rossabi, 1998). Under the New Order, these arrangements came under attack across the country and *adat* notions of tenure came into direct collision with the agenda and instruments of state-backed industrial forestry (Rossabi, 1998; Siscawati et al., 2017). Under the Suharto Regime, all forests were categorised as either state or privately owned, with *adat* rights receiving no recognition whatsoever (Rachman & Siscawati, 2013). As the exploitation of natural resources by state-backed companies escalated under New Order policies, numerous villages were excluded from their forestlands and even evicted from their settlements (Siscawati et al., 2017).

In response, resistance movements of customary communities – *masyarakat adat* –emerged across the country with aims of restoring and legitimising historically realised rights (Siscawati et al., 2017). These groups grew increasingly organised and outspoken during the early 1990s, forming part of a broader civil society movement seeking to curb state abuses of power over land and resources. From the mid-1980s onwards the government responded to these sustained critiques by implementing a number of experimental policies and programs aimed at providing villagers with benefits from forestry practices (Brockhaus et al., 2012; Warman, 2016; Siscawati et al., 2017). Often poorly adhered to by companies and criticised for being vastly insufficient to address concerns, these initiatives nonetheless represented a gradual shift in governmental thinking towards accepting more inclusive modes of forest governance (Siscawati et al., 2017).

4.4.2 During and After the Big Bang

Following the collapse of the New Order, rapid decentralisation of forest governance under the country's new Basic Forestry Law (BFL no.41, 1999) proved a mixed blessing for villages. Many drew on their increased autonomy to regain access to forests and reinforce their customary claims to land. In cases where community land claims and concessions overlapped, many communities were able to forcefully exclude companies etc. from forests, thus emerging as powerful resource gatekeepers (McCarthy, 2004; Barr, R., et al., 2012; Bullinger & Haug, 2012). At the same time, many villages received small-scale concessions from district authorities, and worked collaboratively with local officials and logging companies to exploit forest resources. As a result – and for the first time in decades – large numbers of villages were able to derive direct monetary benefit from the logging industry. Concurrently, this confused and lawless period brought with it increased resource conflict, inequality and depletion of village forestlands (McCarthy, 2004; Barr C. et al., 2006; Bullinger & Haug, 2012; Warman, 2016). The subsequent recentralisation of forest governance by the MEF greatly slowed village forest loss, but it also re-erected many of the pre-existing barriers to forest access and placed the benefits from logging back in the hands of companies (Bullinger & Haug, 2012; Warman, 2016). Nonetheless, many forms of access to forests that villagers had held prior to the Big Bang were retained during this clampdown. In East Kalimantan, for example, village-level logging was largely halted by the 2004 forestry recentralisation, whilst more low-impact activities such as rattan harvesting continued (Bullinger & Haug, 2012).

The ongoing access struggles and legal insecurities of villages regarding forestlands are rooted in the 1999 Forestry Law's omission of any recognition of customary community *adat* rights to land and forest resources (Rachman & Siscawati,

2013). Nonetheless, the law did lay groundwork for the establishment – under certain conditions – of inclusive governance arrangements referred to collectively as 'social forestry' (*perhutanan sosial*). In the years following the 2004 recentralisation, a combination of regional legal struggles and national-level lobbying and legal reform have resulted in a proliferation in social forestry arrangements across the country (Antlöv et al., 2016a; Siscawati et al., 2017). There are now at least eight social forestry classifications in operation in Indonesia, including community forests (*hutan kemasyarakatan or HKm*), community-based timber plantations (*hutan tanaman rakyat/HTR*), forestry partnerships (*kemitraan kehutanan*), customary forests (*hutan adat*) and village forests (*hutan desa*). Each of these classifications have their own implementation logics and core objectives, as well as legal tenets and regulating bodies (Royo, 2006). All of these programs have received critique from groups such as the National Association of Indigenous Communities, Indonesia (AMAN) - an alliance of indigenous communities in Indonesia – for failing to grant villages the secure forest tenure they have always sought. They have also been criticised for insufficiently accounting for internal power imbalances within villages – e.g. relating to gender, wealth, etc. (Siscawati & Mahaningtyas, 2012; Warman, 2016).

Vagaries surrounding land ownership endure and village victories remain fragile, yet the number and scope of social forests has nonetheless continued to expand rapidly in recent years. Villagers in many regions of the country have succeeded, by leveraging their increased powers and ties to the country's newly empowered civil society, to regain access to forests and their resources under one of the country's social forestry schemes (Antlöv et al., 2016a; Siscawati et al., 2017). A number of villages in Jambi province for example succeeded in obtaining *hutan desa* status for their traditional forests via legal battles with the state and large companies (Antlöv et al., 2016a). In 2013, the

constitutional court ruled that customary forests should be classified as private, rather than state forests, thus relinquishing absolute state jurisdiction over customary forest land. The ruling obliged the state to grant legal ownership of forests to villages, though this has rarely occurred in practice (Butt, 2014; Antlöv et al., 2016a; Table 2). In 2014 President Joko Widodo announced a plan to transfer 12.7 million ha – an area the size of Malawi – to village hands (Lumban Gaol & Dahlia, 2017).

Table 2: The Changes in Forest Area Under Various Forest Tenure Regimes in Indonesia

Tenure type Category		Tenure trends			
		2002		2013	
		Million ha	Percent	Million ha	Percent
Public ownership	Government administered	97.7	98.3	91.7	96.0
	Area designated for indigenous people & local communities	0.22	0.2	1.05	1.1
Private ownership	Owned by indigenous people & local communities	0.00	0.0	0	0.0
	Owned by individuals & firms	1.49	1.5	2.73	2.9

Source: Siscawati et al., (2017). Overview of forest reform in Indonesia. (Vol. 223, p.2). CIFOR.

Despite its rising profile, the absolute area under social forestry remains small and – despite current government policy – is likely to remain so in coming years as re-designation efforts have quickly fallen behind schedule (Butler, R., 2015). Given that approximately 90 percent of indigenous customary territories are forestlands, the vast majority of Indonesian villages that maintain access to forest resources continue to do so via means that, to at least some degree, are considered illegal under the country's current legal frameworks (Moeliono, Pham, Bong, Wong, & Brockhaus, 2017; Zakaria, 2017). Despite ongoing tenure insecurity and continued exclusion from the timber industry, villages across the country nonetheless persist in varying capacities to govern their customary forests via traditional forest management systems that continue to develop and

evolve systems that carry on developing and evolving in response to the rapidly shifting realities of modern Indonesia (Moeliono et al., 2017).

4.4.3 Hutan Desa (Village Forests)

The most widely adopted form of social forestry and the only category directly engaged in this thesis is *hutan desa*. This forest type was recognised by Government Regulation no.6/2007 and defined in its current form by Government Regulation no.3/2008. Forests of this type are designated with two principal aims – the protection and effective management of forestlands and the state-sponsored empowerment of villages and their institutions (Siscawati et al., 2017). The main purposes of the village forest are: (1) management and protection of state forestlands which have not been managed by logging companies (in terms of production forests) or government agencies (in terms of protection forest); and (2) state-sponsored community empowerment through village-based institutions. *Hutan desa* are regulated by the Director General of Social Forestry and Environmental Partnerships within the MEF, which issues permits to districts to begin implementing such schemes within their borders.

Village forest permits can be issued for state forests categorized as production forest and protection forest. In order to receive a licence, villages must establish *hutan desa* management committees or LPHD (*Lembaga Pengalolaan Hutan*) as part of existing village governing bodies. These are responsible for determining the borders of the *hutan desa*, developing their management plans, overseeing their governance in line with forest zoning regulations and reporting on events to the MEF (Moeliono, et al., 2017). Rather than providing villages absolute tenure, the Village Law is something more akin to a 35-year lease, after which the arrangement must theoretically be re-approved by the government (Akiefnawati et al., 2010). The complex, multi-stage process for attaining *hutan desa* status, as well as the stringent governance requirements

needed after acquiring this status, are seen as a significant deterrent to pursuing *hutan desa* by many villages. As a result, most *hutan desa* are acquired with the active support of NGOs and external financial backers such as national governments (e.g. Germany's ForClime program) (Moeliono, et al., 2017; De Royer, Van Noordwijk & Roshetko, 2018).

SECTION 2

Empirical Analysis, Part 1

Delineating the Village Law's Implementational Hegemony

Chapters 5 and 6

Chapter 5: Visions and Re-Visions: Clashing Agendas in Creating and Implementing the 2014 Village Law

Chapter 6: Disseminating Domination: Producing the Law's Hegemony in Villages

Chapter 5.0: Visions and Re-Visions: Clashing Agendas in Creating and Implementing the 2014 Village Law

5.1 Introduction

This is the first of the thesis's four empirical chapters. The first two of these – Chapters 5 and 6 – focus on interrogating the Village Law's hegemony. The second two – Chapters 7 and 8 – explore the interactions between this hegemony and the sphere of forest governance. Given the linear structure of these chapters, with each building on the findings and concepts engaged and developed in those that preceded it, this chapter aims in part to provide an overview of important mechanisms and events associated with the Village Law that will be relevant to subsequent analyses. These include a description of the law's key tenets and associated implementing regulations, as well as an account of the processes of its creation and implementation. These descriptions continue the story of the evolution of village governance structures provided in Chapter 4. A similar detailing of relevant structures and concurrent events linked specifically with the sphere of forest governance shall be conducted later, in Chapter 7.

In conjunction with these descriptive goals, the chapter also commences an analytical project – completed in Chapter 6 – of delineating the pivotal logics of its implementational hegemony and thus developing the lens through which the thesis shall explore the law's effects in the forest sphere. It begins by conducting a genealogy of the Village Law that compares key discourses associated with the law's creation – what the thesis terms the law's *vision* – with those that have dominated the processes of its adoption, highlighting differences between them and ways in which these have been formally crystallised through legal reforms, amendments, implementing documents, etc.

The chapter then proceeds to explore political and power dynamics associated with these discursive and legal trends such as contests between ministries and renegotiations of relationships between central and district-level authorities. Conceiving both to be inseparably linked, the section places particular emphasis on exploring the various ways in which discursive framings and political processes have interacted with one another to mutually drive evolutions of the law's hegemonic constitution.

As a result of its differing subject matter – e.g. national discourses and political shifts – the methodological composition of this chapter differs substantially from those that follow it. Whilst subsequent chapters centre their analyses on examinations of the substantial volume of interview and observational results generated at the district and village levels, this chapter conducts its exploration primarily via reviews of literature such as newspaper articles, op-eds and academic analyses of the Village Law, complemented by reviews of key laws and interviews with officials, university researchers and NGO heads, most of which were conducted in Jakarta.

5.2 Creation and Adoption: An Activist Law

5.2.1 Producing the Village Law

An effective historical account of the discourses and power dynamics underlying the 2014 Village Law must begin with its origins in the complex political milieu that emerged following the collapse of the Suharto dictatorship. Whilst broad parallels may be drawn between the 1999 democratic decentralisations that brought down the New Order dictatorship and those associated with the Village Law – both were rapidly adopted and implemented, involved significant transfers of authority from the central state to lower levels of government, and resulted in considerable reapportioning of state funds to the benefit of newly empowered administrative units (McCarthy, 2004; Antlöv et al., 2016a; Vel et al., 2017a) – it is nonetheless important not to overstate the

similarities between these two reform processes. The 2014 Village Law may ultimately owe its existence to processes first unleashed during the Big Bang, but the story of its adoption differs strikingly from that of its predecessor and is rooted in the very different social and political realities that have emerged in post-New Order Indonesia (Vel et al., 2017a).

One of the most notable differences between the 2014 Village Law and its predecessors is that it was in large part the product of a participatory law-making process involving numerous actors and policy communities. Widespread disappointment was voiced by Indonesia's newly empowered civil society regarding the impacts of Government Regulation no.72/2005, itself an amendment to the earlier Law no.22/1999 on Regional Government that enabled villages to advance their own development projects but forced them to compete with other communities for government funding and drastically truncated the power of village councils (BPD) to control the activities of village heads (Antlöv et al., 2016a). This discontent resulted in the emergence of a wide array of disparate movements seeking reform in the face of government inactivity (Zakaria, 2000; Rozaki & Rinandari, 2004; Eko & Krisdyatmiko, 2006; Antlöv et al., 2016a; Vel et al., 2017a & 2017b).

Beginning in 2006, mass protests by village heads succeeded in elevating the issue of reforming or replacing the Village Law to the level of a national concern (Vel et al., 2017a; Vel & Zakaria, 2017). The objectives of these villages' heads were largely limited to improving the status of their own positions – increasing the length of their terms, making them official civil servants, etc. Once the government agreed in 2007 that it would address these concerns by drafting a new Village Law however, a broad range of additional actors seized on the opportunity to involve themselves in the legislative process with the aim of shaping its outcome to address their own particular interests and

concerns. These included a coalition of activists and academics called the Village Reform and Empowerment Forum or FPPD (*Forum Pembaharuan dan Pemberdayaan Desa*) which focused on getting the government to recognise more diverse models of community governance, the National Association of Indigenous Communities (AMAN), which aimed to gain greater rights for indigenous communities, a block of civil society organisations and foreign donors concerned with increasing democratic village governance in line with various models of democratic decentralisation with which AMAN and the FPPD frequently disagreed, a diverse civil society movement fighting for greater village political and financial autonomy, and a set of international bodies such as the World Bank interested in promoting new methods of community-driven development (Vel et al., 2017a & 2017b).

Despite their diverse concerns, these varying groups all agreed on the need for substantial rural reforms and ultimately proved willing to collaborate. Their protracted unified efforts of legislative consultation and political agitation resulted in a legislation that simultaneously acknowledged and integrated the full breadth of varied agendas and laid out with relative clarity the mechanisms by which they would be practically realised (Vel et al., 2017a & 2017b).

The resulting law – which reframed villages as self-governing communities and outlined radical distributions of power and resources in favour of democratically governed villages – received considerable pushback, particularly from bureaucratic bodies which preferred to codify villages as the lowest rung of the administrative hierarchy, but whilst its text was modified somewhat to avoid total relinquishment of bureaucratic involvement in governing villages (Antlöv et al., 2016a), the substance of its radical text nonetheless remained largely in place (Vel et al., 2017a).

Increasingly cognisant of the entrenched interests that would be threatened by such a profound shift in administrative authority, the government of the time attempted to modify the content of the bill or, if that failed, to block it from passing into law (Antlöv et al., 2016a; Vel & Zakaria, 2017; Vel et al., 2017a). In response, a broad coalition of actors mobilised to force the government's hand – lobbying, campaigning, and threatening to hand the legislative process over to Parliament. Political parties recognised the popular support behind the law, resulting in a scramble to take ownership of the legislation and a fast-tracking of its implementation (Antlöv et al., 2016a; Vel et al., 2017a). Finally, the law was embraced by both rivals in the 2014 presidential election: incumbent Susilo Bambang Yudhoyono and challenger – and ultimate victor – Joko Widodo in the form presented by the policy coalition. At last, after one of the most complex, multi-faceted and contested legislative processes in Indonesian legal history, the 2014 Village Law came into effect (Kuwado, 2014; Anggriani, 2016; Vel et al., 2017a).

5.2.2 The Law's Vision

As noted in the previous section, the coalition involved in crafting the Village Law and forcing its adoption were motivated by an extensive array of heterogeneous aims and concerns. Nonetheless these actors gradually coalesced around six broad reformist agendas, each of which were ultimately recognised and incorporated into the text of the new law:

1. Improving the position of village heads within the Indonesian bureaucracy;
2. Gaining recognition for the country's diverse range of village institutional and governance structures;
3. Guaranteeing village finances and increasing village budgets;
4. Securing village customary land-rights;

5. Improving democratic control and accountability mechanisms within village governments;
6. Supporting community driven development (Vel et al., 2017a).

Despite this multiplicity, those agendas related to issues of democratisation and empowerment are particularly emphasised both in its text and in discourse surrounding its adoption. The law for example opens with two acknowledgements sometimes described as its foundational principals, (Jakarta NGO 1, 2018; Hutabarat, 2019) that villages have rights to self-organise and regulate themselves in line with their communal needs (Village Law 2014, Preamble *a*, p. 1), and that the many types of villages in the country must be "*protected and empowered*" in order for them to become "*strong, advanced, independent, and democratic*" (Village Law 2014, Preamble *b*, p. 1). It then proceeds to list the key qualities intended to underly village authority and govern their actions: "*recognition; subsidiarity; diversity; togetherness; mutual cooperation; family; deliberation; democracy; independence; participation; equality; empowerment; and sustainability*" (Village Law 2014, Article 3, p. 5).

The Village Law's Preamble *b* asserts that in pursuing its two main principals, the law aims to "*create a solid foundation in implementing governance and development towards a just and prosperous society*" (Village Law 2014, Preamble *b* p. 1). Preamble *b* thus introduces an additional decisive agenda of the Village Law that played a critical role in the politics of its creation: rural development. Developmentalism forms a pervasive theme throughout the Village Law's text. In addition to its regular direct references to the concept of development (*pembangunan*), the law also recurrently discusses themes such as the maximising of village potential development (*pengembangan potensi*), community competitiveness (*daya saing masyarakat*) and common wealth/general welfare (*kesejahteraan bersama*), as well as improving village

economies (*perekonomian desa*), encouraging rural investment (*investasi*) and encouraging effective utilisation of community resources (*memanfaatkan sumber daya*).

Critically however, the law places developmentalism in a specific relation with the law's principles of self-organisation and community empowerment. Development for example is typically placed lower than these in lists of the law's objectives (e.g. in Preamble, p. 1 and Article 4, p. 5-6, Village Law, 2014), and tends to be conceived as a resultant product of their realisation. In other words, whilst development is clearly framed as a key objective and the law strives to provide mechanisms and resources that support villages to pursue economic and social improvements, it places the determination of community agendas in the hands of villages themselves (within the bounds of the country's laws) through processes of democratic deliberation. Article 18 for example states that "*[v]illage authority includes the authority in the field of implementation of village governance, the implementation of rural development, rural community development and empowerment of village communities based on community initiatives, rights origin, and village customs*" (Village Law, Article 18, 2014, p. 12). Article 54 in turn places village assemblies in charge of determining strategic and administrative agendas relating to planning, investments, the formation of village cooperatives (BUMDes) and the utilisation of village assets (Village Law, Article 54, 2014, p. 29).

These emphases align with framings of many articles and opinion pieces written around the time of the law's adoption (Purwanto, 2014; Soetono, 2014; Vel & Bedner, 2015; Anggriani, 2016; Antlöv et al., 2016b; Purwanto & Moestrup, 2016; Vel & Zakaria, 2017; Vel et al., 2017b). An article in the Jakarta Post by Dr Purwanto of Universitas Pembangunan Jaya at the time of its adoption asserted for example that,

> *The dream behind the legislation is to establish villages that are strong, developed, independent and democratic — the keys to enabling the welfare of a community. Villages are not the sub-system of district/town governments but the unitary state of Indonesia. Village government is self-governing communities, like a 'small state', which has clear boundaries of jurisdiction, authority, community and natural resources.* (Purwanto, 2014, para. 6)

In their assessment of the events associated with the Village Law's adoption and implementation, Vel, Zakaria (a key academic involved with the law's creation) and Bedner frame the law's vision as an effort to move "*the village from a position as an administrative unit in a top-down system towards one of an autonomous community*" (Vel et al., 2017a, p. 1).

Such framings were also echoed by interviewees. For example, a Jakarta academic involved with creating the law stated that its core concern was "[*p]olitical recognition of indigenous peoples' rights, including the structure, the self-organisation of villages as fundamental to governance*" (Jakarta Academic 1, 2018). An NGO head in Jakarta stated that,

> *If we look at the process of making the UU Desa, the central government wants to support desas to become independent and a source of economic growth and wealth for the nation… It's not just about economics – the Village Law also advances the country's politics and culture. In politics, the villages have been given authority to run their own governance.* (Jakarta NGO 2, 2018)

Similarly, the politician who first proposed the law to parliament noted that the law is, "[*n]ot about development per se. It's not about business per se*" – and proceeded to argue that the law is about establishing "*a kind of direct democracy like the poleis of*

ancient Greece. The desas [villages] are like poleis. So, we are trying to create 74,158 poleis in Indonesia" (Jakarta Politician, 2018). He went on to argue that,

> *What is important is the state policy of providing funds and the village facilitators... These are the two most important things – not any other particular policy. That is because all other policies are supposed to be approved by the [community] through [the Village Meeting]. Villagers know the best. [government-appointed facilitators] just provide the role of expert panels facilitating everything – not as the main decision makers. That is supposed to be the villages. So, the state is supposed to enhance the capacity of the [village facilitators] and [they are] supposed to enhance the capacity of the villagers. That's all. Money and know-how. That's all. Leave everything else to the villagers to decide and let them connect with each other.* (Jakarta Politician, 2018)

High ranking officials involved with the law's implementation also agreed that the most important thing about the Village Law was the increase of autonomy and democratic governance for villages which, in conjunction with increased resources, would enable them to pursue development in line with their particular local concerns and worldviews. An official at the Ministry of the Interior stated for example that the law's primary aim was,

> *[t]o generate masyarakat awareness rooted in the society of each desa and make desa powerful in all aspects. How can we make it strong? Firstly, by creating clear desa boundaries and secondly, by giving desa authority to manage all potentials in within those boundaries…. Secondly, other than desa boundaries and authority, we must create participation; we must ensure masyarakat participation in all desa activities through musyawarah (discussion). Thirdly, to*

> *ensure that masyarakat activities are based on traditional custom (hak asal usul) and that these are adopted, respected and implemented, as long as these do not threaten the unity of the Republic of Indonesia*. (Jakarta KemDalam Official, 2018)

An official in the Ministry of Villages in turn asserted that the law's most important innovations were to put "[*s]trong pressure towards community participation in the village governance process*" and to transfer funding "*directly from the state to the village through district or city governments*" (Jakarta KemDes Official, 2018).

Framed thusly, the Village Law's vision aims for far more than either a conventional rural development reform or even a process of democratic decentralisation. Rather, it sets its sights upon a total transformation of the dynamics, structures and hegemonic logics of Indonesian bureaucratic administration – a program of liberation from dynamics of governance that defined the country prior to its adoption mirroring the radical social-movement-driven law-making process through which it was spawned (Kuwado, 2014; Anggriani, 2016; Antlöv et al., 2016a & 2016b; Vel et al., 2017a & 2017b). The MP that proposed the law was particularly strident in outlining the transformative potential of the legislation, highlighting the myriad mechanisms for resisting hierarchical control and fostering bottom-up governance included in the law. He continued to assert that,

> *[B]y drawing on this indigenous energy, we can rejuvenate the whole nation by reforming the business model, political model, cultural model, etc. by utilising the real character of science technology – the real character of how the society has been organised here for thousands of years… The way they organise their society,*

safeguard and secure their environment, carry out business, that can be the new way. (Jakarta Politician, 2018)

5.2.3 Key Reforms

The Village Law's text includes a dramatic set of reforms to the positioning and operations of villages in Indonesia (Antlöv et al., 2016a). These reforms operationalise the wide array of agendas associated with the law's creation via four major avenues of reform. Firstly, the law aims to respect and legitimise the great variety of village governance structures in Indonesia by creating two principal classifications of village – (*desa*), or traditional village (*desa adat*). *Desa adat* status allows villages to govern themselves – and their customary territories – via traditional methods and institutions, so long as these are not in violation of human rights (Village Law 2014, Articles 97.2, p. 53; 107, p. 57). This authority encompasses the right to resolve disputes and punish offenses with reference to *adat* codes of law. To achieve *desa adat* status, a village must be able to demonstrate that it is a unified cultural unit with a living system of traditions and *adat* laws (Village Law 2014, Article 97, 1&2, p. 53). The creation of the *desa adat* classification provides space for the wide range of traditional village governance systems in Indonesia to achieve legal validation, freeing them from the cookie-cutter expectations of previous village laws.

Secondly, the Village Law reframes the place of villages and village governments within the broader Indonesian government hierarchy. Villages are now spatially bound autonomous communities with their own citizens, areas and borders; self-governing entities accountable directly to the central government and with the power to determine their own plans, budgets and regulations (Antlöv, 2003; Asian Development Bank, 2016; Purwanto & Moestrup, 2016; Salim, Bulan, Untung, Laksono & Brock, 2017; Vel et al., 2017a & 2017b). Whilst some of these powers existed in theory before the law's

adoption, they were often vague in scope and rarely employed. The Village Law articulates the need to provide villages with direct facilitation to enable utilisation of the full scope of their powers and authority.

Thirdly, the Village Law establishes a variety of new village governance structures aimed at involving villagers in decision-making processes and checking the powers of village heads to ensure they act lawfully and in the interests of their communities. Heads are now accountable horizontally to the BPD (village councils), which have been politically re-empowered after having their authority substantially curtailed under Government Regulation no.72/2005 though the mechanisms of council appointment – intended to keep them equally accountable to their electorates – and is reframed from directly electoral to an appointment through representative deliberations, somewhat mystifying the process (see Article 30.2, p. 16). They are also accountable downwards to newly established village consultative forums (*musyawarah desa*) – community meetings held at least once annually that must approve all village decisions (Village Law 2014, Article 54.2 & 3 and Article 55, pp. 29-30) – and upwardly to the district government and national-level ministries, to which they are expected to regularly submit reports. In theory, these changes represent a substantial curtailing of the powers of village heads as their actions must be now authorised by the whole community via an array of democratic processes and channels (Antlöv et al., 2016a; Berenschot & Vel, 2017).

Fourthly, the Village Law dramatically increases village funding – with a target of 10% of national GDP going to villages, alongside 10% of the national balance transfers to regions allocated to districts (Village Law 2014, Article 72, pp. 39-40). Once funding systems are fully operational, this will amount to an estimated Rp 104.4 trillion in direct village funding – roughly Rp one billion per village (approx. USD $70,000).

The scale of this reallocation ensures that villages no longer need to compete with each other for funding – each can receive its due allocation provided its budgetary objectives are approved (Antlöv et al., 2016a).

In the vocabulary of the thesis's general typology of liberation (See section 2.4.2), these reforms aim to empower villages by carving out new spaces of democratic governance within the social fabric, increasing village access to and control over valuable resources, breaking or loosening tethers of hierarchical domination over the process of village decision-making and expanding the manoeuvring space in which villages can legally articulate local formulations of governance. Together, these structural reforms appear to align well with this thesis's conception of democratic decentralisation – a process that entrusts significant powers to democratically accountable local authorities (e.g. Agrawal & Ribot, 1999; Smoke, 2003; Larson et al., 2007; Ribot et al., 2010; Armitage et al., 2015; Mutune & Lund, 2016). The village government is clearly centred as the principal unit of empowered governance and the law aims to appreciably expand its roles, authority and involvement in village life, but it is simultaneously tethered by mechanisms of community-based accountability and the law opens spaces through which local people can restructure administrative functions in ways they find suitable. Through these means, the decentralisation appears to open increased "*spaces for participation from below… that challenge the traditional [centralized] way in which public policy decisions [are] made*" (Larson & Soto, (2008, p. 216).

5.3 Discursive Fault Lines

Both during and since its adoption, the Village Law has been at the centre of heated debates regarding how Indonesia should best pursue the widely popular agenda of rural reform. With the defeat of those actors and discourses that resisted the law's adoption outright, discussion came to focus on how the Village Law ought to be

implemented in service of its various aims, and indeed what those aims are or ought to be. I conducted a literature review of research papers, articles and interviews associated with the Village Law accessible either via Google or Solo between 2014 and 2018 and employed coding to identify three major discursive camps that have played significant roles in this debate, each of which is associated with very different social framings, concerns and approaches to reform. I have termed these three blocks *village empowerment*, *intra-communalism* and *developmentalism* respectively. This section provides an outline of some of the arguments associated with each of these discourses, the sorts of activities individuals linked with them have advocated and pursued, and their varying fortunes in the years since the law's adoption.

5.3.1 Village Empowerment

The first body of discourse, village empowerment, has been articulated by actors whose framings and agendas appear to broadly align with the law's vision and who are generally satisfied regarding the contents of its legal text. Actors associated with this bloc – largely national-level policy makers, academics and other elites (White, 2017) – assert that the law provides the necessary legal basis to achieve their socio-political objectives and tend to focus their efforts on determining the best means to achieve its effective realisation on the ground (Purwanto, 2014; Anggriani, 2016; Legislator, 2018; NGO Head 1, 2, 2018; Rodiyah, 2018). One of the key issues highlighted by the bloc is the need to educate and empower village heads to realise the potential of their newly elevated political positions (Anggriani, 2016; Rodiyah, 2018). As articulated by a national level NGO head, "*the village heads have to change their mindset…. Now, things are different. … We now have the village consultative forums, and villages can do whatever is decided at those meetings, but only some villages have realised that*" (Jakarta NGO 2, 2018).

Another related focus for this discursive bloc is general community empowerment, often via improved access to technological innovations (Purwanto, 2014; Anggriani, 2016) and new approaches to social organisation. These concerns are well articulated by the politician who proposed the law, who asserted that rather than pursuing further reforms or amendments to the Village Law, activist efforts needed to focus on undermining traditional hierarchical structures and establishing horizontal, grassroots social associations that can control village activities from the ground up.

> *That is why we need a new approach – a social movement approach to this UU Desa. Social movement approach involves participation and we use technology to facilitate the process. That is why we try to introduce to villagers this technology… Empowerment is not only for elevating people from poverty but also about enhancing capacity… (my network of NGOs) are providing them with tools to help them realise and see these benefits... As long as you are working within the constraints of the UU Desa and as long as you are using the correct technology and tools and you can connect, you can reach your results and you can prove you are right – that you are correct*. (Jakarta Politician, 2018)

With its emphasis on communal capacity building and self-improvement within the confines of the present legislative order, this discursive bloc is referred to in this thesis as village empowerment.

5.3.2 Intra-Communalism

Even before its final adoption however, the Village Law's text and underlying vision had begun receiving criticism from a second bloc referred to here as intra-communalism. Actors associated with this bloc of discourse – principally academics, but also many government bureaucrats including interviewees at both the district and

national level – argue that the law's vision is rooted in erroneous, romantic conceptualisations of villages as unified, harmonious communities with common interests and village governments as benign entities that seek the realisation of shared communal aims (Vel, 2016; White, 2017). They assert that such conceptualisations are naïve, dangerous artefacts of colonial and New Order era propaganda (White, 2017). Conversely, this bloc emphasises the heterogeneity of villages and tends to frame village governments as bureaucratic administrative units that are typically dominated by local elites and have historically served their interests and those of higher officials and other powerful actors rather than those of the communities they purportedly represent (Antlöv, 2003; Antlöv et al., 2016a & 2016b; Vel, 2016; Salim et al., 2017; White, 2017; Zakaria & Simarmata, 2017).

Such perspectives have informed critique of Indonesian village laws for decades. Antlöv (2003) for example notes the vital importance of liberating villagers from the control of their own political elites. As summarised by the comment of a district-level village facilitator, "*village freedom is different from freedom of the kepala desa [village head]*" (KH TA 1, 2018). Research highlights how the years since the country's 1999 decentralisation have witnessed a steady weakening of the power of the once authoritarian, state aligned village heads both as a result of democratic reforms and an increase in alternative avenues through which villagers can access resources and support that bypass establishment channels (Vel, 2016; White, 2017). They argue that the Village Law appears to reverse many of these trends with weak accountability mechanisms (Antlöv et al., 2016a; Berenschot & Sambodho, 2017; White, 2017), opening the door for the re-emergence of the powerful patron-heads of the New Order (White, 2017).

Both the village empowerers and intra-communalists agree that the principal concerns of a village law should be fostering the autonomy of villages and the freeing of

villagers from the domination of elites, hierarchical structures and cookie-cutter, centrally determined administrative and developmental models. In this regard, the agendas of both may be described as fundamentally liberational vis-à-vis the post-1999 status quo. Their divergences relate to their differing conceptualisations of the best way to pursue these common ideals, with the former tending towards more structural, institutional solutions and the latter framing local government as one of the roadblocks hindering the forwarding of valued liberational processes. Whilst members of the former block have tended to engage the mechanisms and possibilities of the law, the latter has either opposed or ignored them. One example of the latter approach has been that of the indigenous rights group AMAN, which whilst not actively resisting the law during its creation, was critical of its utility in forwarding their agendas and has pursued alternative channels of reform in the years since its adoption (Vel et al., 2017a).

5.3.3 Developmentalism

Despite ongoing debates between them, the village empowerment and inter-communalism discursive framings have come to be substantially overshadowed by a third bloc of discourse that has come to dominate both public discourse and the law's practical realisation on the ground, referred to here as developmentalism. Despite its limited emphasis in the law's text, both outgoing President Yudhoyono and incoming President Jokowi framed the law's purpose in explicitly developmental terms (Kuwado, 2014; Rezy, 2014), with Prof. Firmanzah, the President's Special Staff for Economics and Development describing its two central themes as: "*expansion of welfare and reducing regional disparity*" (Gatra, 2014, para. 4). Since then, a substantial body of literature has been generated concerning how best to leverage the law to achieve various development aims (Anto & Amir, 2017; Azlina, Hasan & Muda, 2017; Diamantina, 2017; Indrianasari, 2017; KOMPAK, 2017; Social Monitoring and Early Response Unit,

2017; Haning & Tahili, 2018; Ramly, Wahyuddin, Musyida & Mawardati, 2018; Sutiyono, Muluk, Mafira & Rakhmadi, 2018; World Bank, 2020).

Unlike the other two, this bloc appears broadly disinterested in issues of governance per se, addressing such topics largely in relation to how they affect the pursuit of its fundamental concerns such as promoting efficiency and administrative capacities of village governments and ensuring that progress towards key village developmental targets is effectively encouraged and measured. Via such conceptualisations, issues like corruption or low public participation become problematised primarily in terms of their ability to, for example, block or impede the effective utilisation of village funds (Azlina et al., 2017; Haning & Tahili, 2018; Sutiyono et al., 2018). A comment by a Kapuas Hulu district facilitator effectively summarises the worldview associated with this discourse:

> *[T]he thinking now is that 'the village must spend money for purposes and so must be empowered to implement this spending effectively', rather than 'the village must be empowered to be free, democratic and accountable and the [village fund] will be a vehicle by which it expresses its empowered will'.* (TA 2, 2018)

Of the three blocs, developmentalism is the clear outlier. It is not that it is opposed to village empowerment, autonomy and other forms of structural liberation per-se, but that such transformative agendas lie largely outside its immediate range of concerns, which are principally focused on the achievement of developmental metrics. The fact that valued metrics tend to be those that have been determined and forwarded by the central government however appears to run counter to the ideal of villagers freely pursuing development on their own terms – framing the law's reforms instrumentally as

means to achieve other ends (Azlina et al., 2017; Haning & Tahili, 2018; Sutiyono et al., 2018).

5.4 Implementing the Law: Politics, Clashes and Reordering

This section details some of the more marked events and processes associated with the Village Law's implementation process. In shifting attention from the evolving fortunes of discursive framings to the political and power dynamics that have unfolded in the years since the law's adoption, this section aims in part to account for the rise of the discourse of development to its presently hegemonic status despite its clear variances from the law's vision. It asserts that this process has been intimately linked with bureaucratic resistance to the Village Law's vision and associated discourse of village empowerment and their need to develop a viable alternative political agenda. It also highlights the ways in which the entangling of the developmental discourse with these operations has generated revolutionary shifts in modes of governance in the country that go far beyond a mere entrenchment of the status quo – an argument elaborated further by the analyses conducted in Chapter 6.

5.4.1 Bureaucracy Resurgent

With the adoption of the Village Law, the unity of purpose which had united the broad swathe of actors involved in its creation failed to maintain its unity and purpose in guiding and monitoring how it was implemented. A product of compromise, the law failed to fully satisfy any of their agendas, and with its approval most dispersed to advance their causes in other arenas (Vel et al., 2017a; Jakarta Academic 1, 2018). As such, the adoption of the Village Law was a watershed in more ways than one. Passed into law by the prolonged effort of civil society activists, implementation of the 2014 Village Law would now be left almost by default in the hands of the very national bureaucracy they had outmanoeuvred in order to do so (Vel et al., 2017a).

From the offset, major ideological rifts separated the objectives of the activist creators of the Village Law from the ministerial bodies now charged with its execution. Before 2014 the ministry most directly involved with village governance, the Ministry of Home Affairs, had principally sought to govern villages via efficient, top-down means in the pursuit of various internally and nationally mandated targets (Vel & Zakaria, 2017; Jakarta Politician, 2018). Despite some empowering reforms such as Government Regulation no.72/2005, which granted villages the authority to implement certain locally determined development projects, village governments remained by far the weakest rung of the Indonesian administrative hierarchy and the subject of the agendas of higher officials (Vel et al., 2017a). The village autonomy, democratisation and recognition of diverse village governance practices promised by the Village Law appear the anathema of these standard operating procedures and run counter to many of the key bureaucratic logics such as legibility, apoliticality and function of top-down mechanisms of hierarchical domination (Scott, 1998). It thus presented a significant threat to ministerial authorities and their capacities to implement their mandates (Vel & Zakaria, 2017; Vel et al., 2017a).

Drawing from Poteete and Ribot's repertoires of domination perspective, these dynamics appear to provide a classic example of powerful actors – in this case central ministries – that are both threatened by decentralisation reform and well-positioned to influence the ways in which it is realised on the ground (Poteete & Ribot, 2011). The approach of the bureaucracy in engaging the law in the years since its adoption may in turn be understood in part as an effort to leverage their privileged position and the key levers of access still at their disposal to conduct an implementation process that bypasses or contains the more threatening aspects of its reforms and preserves and even extends the power and functionality of their historic mechanisms and structures of governance.

Whether intentionally or implicitly, both the actions of these bureaucratic bodies since the law's adoption and the key discourses they have centred and forwarded have served to entrench their uncontested hegemony over the process of its implementation – an assertion of domination that in turn enables the reshaping of the law's grounded realities in line with these path dependent governing strategies and standard operating procedures.

It is in this context that the ascendency of the discourse of development must be understood. As highlighted in Chapter 4, forms of this discourse have played a key role in justifying governmental actions in the country since independence (Warburton, 2018; Sato, 2019). It is uniquely suited to bureaucratic utilisation because it centres technocratic, measurable, bricks and mortar governance – the kinds such administrative structures are best suited to address. As such, it should come as little surprise that a retooled version of developmentalism would make a resurgence in bureaucratic approaches to the law, particularly given the strong presence of developmental ideals and mechanisms in its legal text. The presently ascendant discourse of development and the approaches taken by the bureaucracy to implementing its reforms however differs critically from that articulated in the Village Law by placing little emphasis on fostering community autonomy and empowerment and opening doors for the continuation of a centrally planned, hierarchy-preserving model of developmental activity (for examples of similar processes around the world, see: Nightingale, 2005; Baruah, 2015; Rutt et al., 2015; Nuesiri, 2016; Ece et al., 2017). The discourse of development has thus come to serve as a centrepiece of a broader assemblage of power that has successfully enabled the pursuit of a fundamental yet often imperceptible strategy of maintaining and entrenching bureaucratic power over villages that runs entirely counter to the visions of liberation that inspired the law's creation.

The effectiveness of this developmental discourse as a replacement implementational agenda and mechanism of depoliticisation is intimately linked to the wide popularity and normalisation of similar discourses both nationally and internationally, with these broader dynamics constituting it as a uniquely well-suited mechanism in forwarding bureaucratic aims. A global trend of new developmentalism – a normative commitment to active state involvement aimed at stimulating fast economic growth and economic redistribution – has swept the global south since the early 2010s (Khan & Christiansen, 2010; Trubek, Garcia, Coutinho, & Santos, 2013; Döring, Santos & Pocher, 2017; Suryahadi & Izzati, 2018; Warburton, 2018) and the government of Joko Widodo was elected in 2014 championing an explicitly developmentalist agenda (Hamdani, 2018; Hanung, 2018; Muhammad, 2018; Reily, 2018; Warburton, 2018; Sato, 2019). Despite embracing the Village Law, the Jokowi government demonstrated little direct affinity with the more liberational aspects of its vision, focusing instead on its potentials to foster rural development in line with bureaucratic aims (Jawa Pos, 2019; Julita & Asmara, 2019; Setiawan, 2019). A developmental framing thus operated as something of a boundary object between the government and bureaucracy (Star & Griesemer, 1989) – a framing and focus that allowed the bureaucracy to satisfy the desires of the new administration, align themselves with their agenda, and enable them greater space to implement the Village Law as they see fit.

The centring of developmentalism has in turn had significant impacts on the bureaucracy itself, with an overwhelming reliance on its justificatory discourses necessitating a noteworthy increase in developmental efforts and associated proliferation in mechanisms and metrics through which to support these aims (Rakhmat & Tarahita, 2018; Yuwono et al., 2018). These outcomes highlight that no matter the reasons behind a discourse's adoption, its employment inevitably generates transformative power effects

and new strategic drivers for the systems in which they are embedded that lie beyond the complete control of those that have chosen to wield it. Nonetheless, such dynamics have themselves also ultimately served to strengthen bureaucratic structures, justifying massive expansions in bureaucratic oversight and involvement in village affairs. Such dynamics are explored in further detail in Chapter 6.

5.4.2 Ministerial Rivalries

Despite broad alignment around a developmentalist agenda, key bureaucratic ministries and departments disagreed regarding which among them should be involved in the Village Law's implementation and how the various powers and responsibilities related to the Village Law should be allocated between them (Vel & Zakaria, 2017; Vel et al., 2017a). These disputes form yet another chapter in a broader trend of contestations over power and authority between and within key levels of Indonesian government that have been unfolding since the country's democratic decentralisation in 1999 (Barr C. et al., 2001; Casson & Obidzinski, 2002; McCarthy, 2004; Bullinger & Haug, 2012; Antlöv et al., 2016a; Warman, 2016). The adoption of the Village Law has opened a new theatre in this contest of bureaucratic territoriality which, since the collapse of the activist coalition involved with its adoption, has come to play a central role in driving the trajectory of the law's implementation (Vel & Zakaria, 2017).

Rather than being defined by struggles between activists and the national bureaucracy, the principal axis of competition over its trajectory in this new chapter in the Village Law's history has lain between different branches of the bureaucracy itself (Vel & Zakaria, 2017; Vel et al., 2017a). That this should be the case is quite remarkable given initial framings of the law's adoption as a decisive defeat for the bureaucracy and for business as usual and highlights the failure of civil society actors to capitalise on their victory and maintain a strong role in monitoring and shaping the law's post-adoption

actualisation (Vel & Zakaria, 2017; Vel et al., 2017a). Indeed, rather than having to fight to assert hegemony, the bureaucracy was practically gifted it. By default, the principal question since the law's adoption has since shifted to who within the bureaucratic structure shall dominate the various aspects of that process and successfully pursue their agendas via its mechanisms (Vel & Zakaria, 2017).

As the product of a complex process of negotiation and political compromise, many crucial aspects of the Village Law were left vague and details of how to operationalise many of the law's tenets were left almost entirely to 'implementing regulations' that would have to be developed after its adoption (Antlöv et al., 2016a). One matter left entirely unaddressed by the law was that of which ministries would be responsible for its implementation, and this resulted in fierce inter-ministerial competition in the months immediately following its adoption. Central prizes of this jostling for power included authority over the transfer of funds between various levels of government, over the management of village-owned business entities, over mechanisms of upward village accountability, and more broadly and significantly, over the authority to delineate and draft the all-important implementing regulations (Vel & Zakaria 2017).

The Village Law was adopted at the beginning of an election year, and this resulted in a sustained period of limited political engagement with the new law and the mechanisms of its implementation (Vel et al., 2017a). Given the sheer scope of the law and the technical requirements of its implementation, the government announced that a new village ministry would be established to oversee processes related to its enactment, but this too was delayed until the new administration of Joko Widodo took office in October, 2014 (Vel et al., 2017a)**.** During this period of limbo, lacking clear direction or political oversight, and highly concerned and uncertain regarding the potential impacts of the new law, the Ministries of the Home Affairs and Finance independently set about

designing their own sets of implementing regulations. Neither ministry had any clear authority to involve itself with the process of enacting the new law but seem to have taken the legal ambiguities of the time as an opportunity to insert and solidify their own agendas within this process before they could be effectively excluded (Vel et al., 2017a; Vel & Zakaria, 2017).

The Ministry of Home Affairs issued implementing regulation Government Regulation no.43/2014, which effectively limited the autonomy of villages both in designating themselves as customary villages (*desa adat*) (Government Regulation no.43/2014, Article 37, p. 19) and in spending their village funds, which would now have to be allocated incrementally, with district-level oversight, and in accordance with their village development plans (Government Regulation no.43/2014, Article 154, pp. 68-69). In both cases, the regulation increases the powers of district governments, granting them both the final say in finalising conversions to customary *desa adat* status (Government Regulation no.43/2014 Article 37, p. 19), and in authorising village spending plans, which are required to remain in alignment with district development plans (Government Regulation no.43/2014, Article 154, pp. 68-69). The second key implementing regulation, Government Regulation no.60/2014, was prepared by the Ministry of Finance, and continued this process by granting the ministry greater oversight – via various processes of reporting and accountability – over the spending of village funds. Significantly, it made village financial activities directly accountable to the Ministry of Finance – again, via the conduit of the district governments (Vel & Zakaria, 2017).

The activities of these ministries clearly infringed upon the mandate of the new Ministry of Villages and it attempted to reassert dominance over its bureaucratic territory (Vel & Zakaria, 2017). Rather than overrule actions of the Ministries of Finance and

Interior during the turbulence of 2014, the President decided to officially involve all three ministries in the implementation process, outlining the new division of authority in 2015, with the Ministry of Home Affairs retaining control over matters of village administration and government, the Ministry of Finance receiving paramount authority over the Village Fund and the Ministry of Villages managing issues of village development and empowerment (Parlina, 2015). Despite this compromise, ministries continue to compete to control the law's various mechanisms, with both the Ministry of Home Affairs and Ministry of Villages having issued their own regulations regarding the sorts of projects and services a village can decide to pursue autonomously (Vel & Zakaria, 2017), causing officials at lower levels of the administrative hierarchy to face considerable confusion over which standards they should follow (Jakarta KemDalam Official, 2018; KH DPMD Official 1, 2018; KH TA 1, 2018).

5.4.3 Dynamics Between Districts and Ministries

Notwithstanding ongoing legal ambiguities, bureaucratic efforts to restrict village autonomy and reorient towards centrally planned developmentalism have still left them with appreciable new powers and authority (Jakarta Politician, 2018). Ministerial decrees for example have never introduced direct penalties on villages that developed independent and atypical development strategies, thus preserving a notable portion of their *de facto* fiscal autonomy. This legal autonomy is highlighted by the law's proposer, who asserted,

> *Villages are very free. For example, there is a rule from [the Ministry of Villages] to put the composition for development and empowerment at a certain level, but there are some villages in my constituency in central Java that put 80% of their funding from Village Fund into their BUMDes (village cooperative), and there is no rule that is violated by this village*. (Jakarta Politician, 2018)

Indeed, and in spite of their run of apparent political triumphs, both district governments and the three ministries dominating the law's current implementation have still experienced substantial curtailments of their legal power to determine the policies of villages. As shall be elaborated in Chapter 6, such formal circumstances have not prevented higher officials from developing or entrenching dynamics of domination over communities that maintain or increase their control over village actions in practice. These unfolding realities on the ground however are themselves the result of political actions and informal restructurings catalysed by the Village Law's adoption. New challenges faced by districts and ministries under the new law for example appear to have opened spaces for considerable rapprochement and collaboration between these two historically rival tiers of the bureaucratic structure.

Districts are distinctly sidelined in the Village Law, with its emphasis on the village as a self-governing, autonomous unit (Jakarta NGO 2, 2018; Village Law, 2014). Through the adoption of the law's implementing regulations, central ministries have since increasingly positioned themselves in the roles of supervisors of village activities. Nonetheless, they continue to lack the legal authority and structures to enact their oversight over communities directly. The result has been the emergence of a symbiotic dynamic in which ministries draw upon the resources of districts and districts depend on the legitimacy and symbolic power divvied to them by their administrative 'superiors'. One of the stronger pieces of evidence for emergence of this new relationship has been the increasing allocation of new powers and responsibilities to district-level institutions by ministerial authorities via new implementing regulations, which has established them as the principal enforcers of ministerial edicts on the ground (Government Regulation no.43/2014, Articles 37, p. 119; 72, pp. 33-34; 154, p. 68-69). As a result of this complex and somewhat ambiguous circumstance, some legal scholars have come to

frame villages as being subsidiaries of districts as well as autonomous units under central ministries (Salim et al., 2017) – a noteworthy departure from the ideals of village autonomy forwarded in the law's vision.

A by-product of this emergent order has been the limiting of the village-level effects of ministerial contests for power because districts have become the central conduits and interpreters for the local signification of their various edicts. One Office of Community and Village Empowerment (DPMD) official for example explained,

> *[I]n practice, it is not so different (from before the Village Law) because the DPMD still does all the implementation. It is just that our instructions come from two different ministries now and we must send reports to them both.* (KH DPMD Official 1, 2018)

A district-level facilitator similarly asserted that, "*(Y)es, there are issues between the two ministries, so I try to find a middle path*" (KH TA 1, 2018). Nonetheless, relations between these two levels are not free from friction, and officials on the ground continue to balance between their varying agendas, further muddying the drivers of dynamics on the ground, as evidenced by the words of a village facilitator, "(*T)here are some conflict or clashes between the central government and kabupaten (district). I think the rules coming from the centre have been good, but there has been conflict about implementation. I follow the central government – the Ministry of Desa"* (PendLok 3, 2018). Relations between village, district and central authorities are also defined by a significant symbolic dimension which shall be explored further in the next chapter (see section 6.2.5).

5.5 Conclusions

The chapter has highlighted the politically charged, activist processes that resulted in the creation of the Village Law and the radical ambitions of its vision, which centres on the democratisation and empowerment of village communities so that they may pursue development and wellbeing on their own terms. The chapter also explores the complex and fraught dynamics that have defined the process of the law's implementation. In line with the conceptions of Poteete & Ribot (2011), adoption has merely set the stage for another round of contestations and struggles to define the law's core narratives and set the course of its operational agendas. The broad contours of this process have been defined by two pivotal shifts:

1. A shift in the power dynamics surrounding the law involving the dispersal of the activist coalition behind its ratification and the embracing of its reforms by the political and bureaucratic classes that had previously resisted its adoption.
2. A shift in official and popular discourses of the law away from its original vision centring on liberational concerns with autonomy, diversity and grassroots governance towards a new hegemonic narrative of developmentalism which intersects tangentially and often operates counter to the agendas of its activist creators.

These transitions are intimately linked, with the ascendance of the discourse of development and the assortment of reforms, agendas and new economic and political mechanisms with which it is associated being critically affiliated with the emergence of the national bureaucracy as the uncontested drivers of the law's functional realisation. Charged with implementing the unacceptable, bureaucratic actions have succeeded with little pushback in re-engineering the law both discursively and operationally (via implementing regulations, etc.) as a vehicle for the forwarding of their own agendas. Such success has been pronouncedly enabled by the synergies of their newly formulated

approach to the law with the concerns of the country's government and wider popular trends in favour of neo-developmentalism. Whilst the emergence of the present order may represent a triumph for the bureaucracy, it must also be understood therefore as being embedded within broader social and political trends that are in many ways beyond their control and which they have been forced to navigate in forwarding their various interests.

Despite their present domination over the process and scope of the law's implementation, the Village Law nonetheless inflicted substantial legal blows to the power and influence of ministerial bureaucrats over villages that are only partially redressed in subsequent implementing regulations, as well as the numerous uncertainties surrounding the allocations of authorities relating to the implementation process, and have sparked consequential clashes, negotiations and reshufflings of power dynamics between bureaucratic agencies in relation to villages. This outcome has been lauded as a success by actors associated with the discourse of village empowerment. Nonetheless, this analysis – as well as subsequent examinations in Chapter 6 – suggests that uncertainties and contestations over power belie a broad bureaucratic consensus regarding the need to maintain hierarchical domination over villages and preserve the legibility of village activities to bureaucratic instruments of governance. Indeed, the years since the law's adoption appear to have witnessed considerable rapprochements between fractious district and ministerial authorities aimed at addressing their shared concerns and interests.

The response of the bureaucracy to the Village Law's adoption therefore goes well beyond a mere effort to contain and sideline its more subversive, liberational aspects and discourses. Instead, the new discursive and political arrangements that underlie their approach to its implementation have had significant transformative effects on the

bureaucratic bodies engaged in its implementation. They have also generated the foundations of a new bureaucratic strategy for villages with logics and trajectories that differ profoundly from those that defined village life before the law's adoption. As such, the adoption of the Village Law does undeniably represent a watershed in the history of Indonesian governance, but one that diverges profoundly from, and indeed substantially precludes, the radical liberational agendas associated with its vision. The next chapter shall continue the delineation of this newly emergent order by tracing the dynamics of its dissemination to the village level and the emergent hegemony they constitute, thus developing a lens through which to explore the law's intersections and implications in the forest governance sphere.

Chapter 6.0: Disseminating Domination: Producing the Law's Hegemony in Villages

6.1 Introduction

The previous chapter detailed the reassertion of bureaucratic dominance over the processes of the Village Law's implementation and associated shift in its guiding agenda from the vision of village autonomy and empowerment advocated by its creators to one increasingly focused on the enaction of centrally planned rural developmentalism. An examination of dynamics at the bureaucratic centre however gives only a very limited picture of how the Village Law's hegemony actually works in practice. In order to explore these functional dynamics and logics, the chapter descends to the village level, exploring various repertoires of domination (to use the terminology of Poteete & Ribot, 2011) through which the framings and agendas of higher officials have been disseminated and operationalised in the thesis's four study villages (section 6.2).

Despite higher bureaucratic assertions of political and discursive dominance and the additional powers granted to them through implementing regulations, the Village Law still provides substantially increased resources to village authorities and mandates new structures of grassroots community governance that threaten the powers and influence of the higher bureaucracy in village spaces. The chapter explores the extent to which the bureaucracy has overcome these new challenges in practice to exert its agendas in villages. This analysis aligns with the thesis's analytical framework in engaging the Village Law's decentralisations as an ongoing process, asserting that its effects can only be understood and linked with causal mechanisms through the tracing of actualised, evolving dynamics in implementation. This focus enabled organic identification of key shifts in roles, activities, expectations and discourses of village

governance in villages since the law's adoption. These were then interrogated and corroborated through literature review and interviews with ordinary villagers, higher officials and other key informants.

In conducting this exploration, the chapter examines the ways in which higher bureaucratic repertoires have intersected with dynamics and agendas at the district and village level to generate an implementational hegemony of the law on the ground and details the logics guiding its emergent functionalities (section 6.3). These logics are framed as comprising the horizon of power and discourse with which the law is associated – a realm of bounded possibilities and driving momentums that transcends the agendas of any particular set of actors and which, as shall be explored throughout the chapter, is being rendered increasingly imminent in the Indonesian social sphere through its compounding operations. This implementational hegemony provides the lens through which analysis of the law's effects in the forest sphere are analysed and explored in the next chapter.

Finally, the chapter applies the thesis's reformulation of Agrawal & Ribot's 1999 APA (*actors, powers, accountability*) framework (section 6.4) in order to detail the reallocations of powers and accountability linked with the law in practice, the extent to which these have functioned as liberations from structures of hierarchical domination and on what terms, and the degree to which these resultant dynamics generate relational circumstances approximating those of a democratic decentralisation – an entrusting of considerable powers to democratically accountable local authorities (Agrawal & Ribot, 1999; Smoke, 2003; Larson et al., 2007; Ribot et al., 2010; Armitage et al., 2015; Mutune & Lund, 2015). In addition to being significant empirical findings in their own right, the results of this analysis also play a vital role in subsequent examinations of the

extent to which its effects on systems of village forest governance with which its dynamics intersect are or have the potential to be liberational and democratic.

6.2 Grounding Decentralisation: Repertoires of Domination in Kapuas Hulu

6.2.1 Access to Training and Information

The 2014 Village Law represents a distinct departure – conceptually, structurally and procedurally – from previous systems of Indonesian village governance, and efforts to actualise its tenets, demand the transfer of vast volumes of new information and training both to villages and every other level of the country's bureaucratic structure (Antlöv et al., 2016a; Vel, 2016; Berenschot & Sambodho, 2017; Vel & Zakaria, 2017). The challenge of meeting such demands has been exponentially exacerbated by the dizzying proliferation of associated regulations, guidelines and directives that have been produced annually by the country's many national and local-level ministries and departments since its adoption (Social Monitoring and Early Response Unit, 2017; Sutiyono et al., 2018). Given the sheer speed and scope of these changes, it is unsurprising that interviewees and large volumes of Village Law literature consistently identified knowledge dissemination and weaknesses of village governance capacity as two of the most weighty challenges limiting the law's effective realisation on the ground (Lewis, 2015; Antlöv et al., 2016a; Haning & Tahili, 2018; Jakarta KemDalam Official, 2018; Jakarta KemDes Official, 2018; Rakhmat & Tarahita, 2018; Susan & Budirahayu, 2018; Sutiyono et al., 2018).

As with all aspects of the law's practical implementation, the task of overcoming these shortfalls has been assigned to the bureaucracy – particularly the Ministries of Villages and the Interior – and district-level departments of Community and Village Empowerments (DPMD), and this grants them significant power both to determine the methods and content of this dissemination. In alignment with both access theory and

Scott's work on bureaucracy (Scott, 1998; Ribot & Peluso, 2003; Nightingale, 2005; Poteete & Ribot, 2011; Rutt et al., 2015), this chapter frames control over access to the privileged knowledge associated with the new law as a pivotal and foundational repertoire of higher domination.

Besides supplying village offices with copies of key laws and regulations, bureaucratic approaches to knowledge sharing under the new system have centred on two key mechanisms mandated in the law's text – trainings and facilitations. Trainings involve various lectures and workshops by higher officials aimed at improving "*the quality of government and village communities*" (Village Law, Article 112.3b/2014, p. 59) by informing village staff about various aspects of the Village Law and its associated requirements and procedures (Antlöv et al., 2016a; KOMPAK, 2016). The law in turn necessitates facilitations for "*planning, implementation and supervision of village development*" (Village Law Article 112.4/2014, p. 59) and the government has addressed this need via the established vast village facilitation system aimed at providing quality support to every village in the country (Antlöv et al., 2016a). Central components of their roles include supporting village governments in lawfully fulfilling their obligations and providing any additional information required by village officials in pursuing their various programs and agendas (IFAD, 2018).

Taken together, these assorted mechanisms of knowledge dispersal appear to have achieved striking successes in developing certain capacities in village governments (KeBPD HuWa, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; KeDes SuSe, 2018; PemDes HuWa 1,2,3,4, 2018; PemDes MaNya 1, 2, 2018; PemDes NaKa 1,2,3, 2018; PemDes SuSe 1,2,3,4, 2018). Nonetheless, the kinds of information made available to villages through such channels remains narrow, particularly in light of the broader opportunities made possible under the law (Social Monitoring and Early Response Unit,

2017; Wahyudi, 2017; Vel & Zakaria, 2017; Haning & Tahili, 2018; Sutiyono et al., 2018). Priority capacities that officials highlighted for improvement included the ability to conduct the administration in accordance with key regulations, produce yearly plans and progress reports in an accurate and timely fashion and efficiently deploy village funding in line with bureaucratic agendas (KH TA 1, 2018; PemDes HuWa 1,2, 2018; PendLok 4, 2018).

Furthermore, most training has been focused on village governments, leaving councils, assemblies and traditional institutions neglected despite their explicit targeting in the original law (Village Law, Article 115i/2014, p. 62). Ordinary villagers in study villages had received no direct governmental trainings or education on the law whatsoever, as evidenced by the fact that few respondents had even heard of the UU Desa, and the few that had, understood it mainly in terms of the Village Fund. As one villager noted, "*We were never told about the exact rule of UU Desa but we were just told what kind of things we can spend the money on*" (Masy HuWa 3, 2018). Besides the basic trainings provided to heads upon their appointment, the bureaucracy has similarly made little effort to improve the capacity of the BPD (village councils) (KOMPAK, 2016; Berenschot & Sambodho, 2017). As such, the degree to which individual councils have actualised their functions and powers has been largely left to their own initiative (BPD MaNya 1,2, 2018; KeBPD SuSe, 2018).

Even the comparatively well-serviced members of village governments expressed ongoing challenges keeping up with the constant slew of new regulations and directives (KeDes MaNya, 2018; KeDes NaKa, 2018; PemDes HuWa 3,4, 2018; PemDes MaNya 3, 2018), complaining that trainings were often overcrowded or poorly targeted, that administrators other than village heads, secretaries and treasurers received little formal training (PemDes MaNya, 1,2, 2018; PemDes SuSe 5, 2018) and that village facilitators

came irregularly and often lacked key information (KeDes HuWa, 2018; KeDus NaKa, 1,3,5, 2018). Indeed, officials in Huma Wangi, Nanga Kantu and Makai Mayo asserted that nearly all their work needed to be re-written or corrected for errors after being reviewed by facilitators (KeDes MaNya, 2018; PemDes HuWa 4, 2018; PemDes NaKa, 5, 2018). Beyond merely highlighting the limitations of the present facilitation system, these circumstances demonstrate how the proliferation of legislative and administrative systems associated with the Village Law have rapidly become impenetrable to all but the most highly trained of experts (KOMPAK, 2016; Vel, 2016). For a law aimed originally at empowering grassroots governance, this is a serious issue.

To summarise, the emergent effects of the rapidly proliferating legal ecology surrounding the Village Law and the associated, stratified power dynamics of its knowledge dispersal and capacity-building regimes have generated a highly imbalanced and gradated hierarchy of knowledge and expertise in which those lower down in the hierarchy depend heavily on the legal interpretations of those above them (Jakarta NGO 1, 2018; Jakarta NGO 2, 2018; Jakarta Politician, 2018; KeDes NaKa, 2018; KeDus NaKa 1,3, 2018; KOMPAK, 2016). Village officials also benefit from these operations, with their privileged access to and control over information granting them substantial power to control the allocation and content of trainings within their communities (KeAdDus NaKa 2, 2018; KeDes MaNya, 2018; KeDes NaKa, 2018; KeLPM MaNya, 2018; Masy HuWa 19, 20, 21, 2018; PemDes NaKa 2, 3, 2018; PemDes SuSe 1, 3, 4, 2018). Such realities ultimately work to stunt the ability of villages to chart their own independent trajectories and realise the broader political and social potentials of their increased autonomy.

6.2.2 Checking and Supervision

Whilst the Village Law envisioned a withdrawal of higher-level authority from village spaces, there are two spheres in which, in the years since its adoption, its capacities have unequivocally increased – those of checking and supervision (Social Monitoring and Early Response Unit, 2017). The origins of this proliferation lie with the law's implementing regulations, which responded to public concerns about corruption through the creation of a variety of new monitoring mechanisms (Antlöv, 2003; Antlöv et al., 2016a; Vel, 2016; Vel & Zakaria, 2017; Vel et al., 2017a; White, 2017; Zakaria & Simarmata, 2017). Ministry of Finance Regulation Peraturan no.50/PMK.07/2017 for example, mandates that villages receive an initial instalment of yearly funding only after providing proof of effective usage in the previous year and that they demonstrate 90% fund usage and a certain level of attainment in terms of their yearly goals before receiving two subsequent instalments during the course of the rest of the year. Since then, the volume of legal administrative requirements associated with village administration has rapidly expanded at every level of the bureaucratic hierarchy (Salim et al., 2017).

The volume of monitoring agents has also rapidly increased, one of the most notable elements of which is the new village facilitation system, much of whose workload involves supervising and preparing reports on village administrative activities (Jakarta KemDes Official, 2018; KH DPMD Official 1, 2018; PendDes 1, 2018; PendLok 2,3, 2018). Their role was outlined by a Ministry of Villages official, who stated that, "*we also conduct monitoring and evaluation of village finances, that is why we have our village facilitators – so we can observe the development of the village*" (Jakarta KemDes Official, 2018). A village official similarly explained,

> *The district facilitator is involved with every stage of the process regarding UU Desa and Dana Desa (Village Fund). He knows the goals, the details of the plans and if things aren't implemented as intended, he will check what has happened. He monitors always and if there are problems, he informs the police. So far, though, I never heard about the police becoming involved.* (KeDes HuWa, 2018)

In addition to the facilitation system, village activities also receive regular scrutiny by agents of the Office of Village and Community Empowerment (DPMD) and district secretariat, as well as by sub-district officials and local representatives of the army and police (KH DPMD Official 1,3, 2018; Kec Official 1,2, 2018).

It is important to emphasise that ministerial efforts to increase oversight and scrutiny of the usage of the Village Fund did not emerge in a vacuum. Efforts at corruption eradication emerged as a core agenda of the Indonesian state in the years following the fall of the Suharto dictatorship, leading to the establishment of the famed National Corruption Eradication Commission (KPK) in 2003. This agency succeeded in convicting hundreds of district, sub-district and village heads on charges of corruption and misuse of funds in the years following its formation (Maulana & Situngkir, 2013). In the context of this broader anti-corruption culture, it appears hardly surprising that the Village Fund would become a focus of similar anti-corruption attention. It might just as easily be argued however that the pre-existence of a context of strong support for anti-corruption measures in the country made anti-corruption a particularly accessible and leverageable discourse through which to legitimate greater top-down oversight of villages and their activities. The massive expansion of mechanisms of control and supervision related to the Village Law in the period immediately following the adoption of the law's implementing mechanisms certainly suggests that the act of increasing top-down oversight over the Village Fund set a standard that legitimated a proliferation of

top-down mechanisms more broadly, regardless of the intent of the officials that put such initial anti-corruption mechanisms in place.

The effect of these dynamics has been a compounding tightening of top-down surveillance and control of their activities (BPD SuSe 2, 2018; KeDes HuWa, 2018, KeDus NaKa 1, 2018; PemDes HuWa 1, 2018; PemDes NaKa 4,5, 2018; PemDes SuSe 1, 2018). As noted by the head of Huma Wangi, "*every use of the Village Fund is very clear and transparent. Everything is done with the oversight of the sub-district head, military and police and is controlled and monitored by them*" (KeDes HuWa, 2018). When asked for an example whether he felt more empowered or controlled since the new law, the head of Nanga Kantu asserted emphatically that he felt "*more controlled – I am very controlled by the laws. Everyone is checking on me all the time, so these days I am always having to be careful*" (KeDes NaKa, 2018). Some village officials spoke about their fears of going to jail for administrative mistakes and had heard stories about this happening to officials in other nearby villages (See also KOMPAK, 2016; KeDes NaKa, 2018; PemDes HuWa 2,3, 2018; PemDes SuSe 5, 2018). As explained by an official,

> *I am now afraid or worried because a team from the sub-district – the 'verification team' – will come here and check everything. When a building is finished for example, they will come and check everything. We are always worried about whether we are within the regulations, so we don't dare to take any risks*. (PemDes HuWa 4, 2018)

Whilst these accounts evidence that the expansion of top-down village observation has indeed produced increased pressures to behave legally, the meaning of 'legality' in this context represents less an alignment with law than an adherence with the subjective interpretations and emphases regarding what is correct and permissible held

by those charged with policing and enforcement (Gellert & Andiko, 2015; Moeliono et al., 2017; Basnyat et al., 2018). It was widely acknowledged by district officials, facilitators and village governments that as a result of ongoing capacity shortfalls and legal proliferations associated with the law's implementation, the activities of practically all villages in the district, including all four study villages, could be framed as operating to some degree illegally under the current system (Haning & Tahili, 2018; Jakarta NGO 2, 2018; Jakarta Official, 2018; KH TA 1, 2018; Kec Official 1, 2018; PemDes HuWa 4, 2018; PemDes NaKa 5, 2018; PendLok 3,4, 2018). This leaves higher officials in the position to determine what and who is and isn't worth actively prosecuting. The interactions of power dynamics associated with access to information, checking and supervision have thus promoted a system in which higher level officials are both more actively, precisely and arbitrarily involved with the regulation of village governmental affairs and effectively at their discretion to direct forceful legal action at practically any village they wish.

Interestingly, and despite observing multiple National Corruption Eradication Commission posters in all four village government offices, none of my interviewees mentioned the agency, and instead overwhelmingly attributed increased levels of oversight and risk to the Village Law. Though I am not sure of the reason for this notable absence, several causes may be hypothesised. The Village Law may for example represent a further tightening of a level of increased oversight which had otherwise been normalised at the village level. At the same time, it may have been that fear of the Commission led officials to purposefully avoid discussing its activities and use the Village Law as a more neutral cypher through which to voice broader fears about anti-corruption activities.

There is an appreciable body of literature on the significance and impacts of corruption in Indonesia, but less research has emphasised the role of the discourse of corruption as mechanism and justification for forwarding bureaucratic domination. As highlighted in Chapter 2 (see section 2.4.1), tendencies to frame illegality, corruption, and rent-seeking as universal evils masks their potential positive functions, such as opening alternative channels of support for the disenfranchised (Oi, 1989; Kahn, 1996; Phongpaichit & Phiriyarangsan, 1996; McCarthy, 2002; Pisani, 2014) and making otherwise flawed systems functional or bearable (Scott, 1998, Dove, 2012). In line with Ribot & Peluso (2003), this thesis therefore frames illegality and corruption as multi-faceted and politically negotiated concepts employed in service of varied agendas. In this case, concerns over legality have been employed to justify a rapid proliferation of village reporting requirements (Social Monitoring and Early Response Unit, 2017; Jakarta KemDes Official, 2018) as well as the erection of vast new structures for the bureaucratic checking and supervision of village activities. As a result, threats of being accused of corruption or misconduct now hang like the sword of Damocles over all the activities of village governments, with the impacts of these circumstances holding profound implications for the future trajectory of village governance.

6.2.3 Control of Village Funds

The Village Law grants villages substantial freedom to manage and determine the usage of village funds – referring only to the central government's obligation to disburse funds from the National State Budget (APBN) to villages in Indonesia (Village Law, Article 72.4/2014, p. 40). The law's implementing regulations, whilst outlining the kinds of projects that can be funded (Government Regulation no.60/2014; Government Regulation no.22/2015), and recommending that they be pursued in "*alignment with the direction of district/city development planning policy*" (Permendagri no.114/2014,

Articles 7.2, 7.3b), nonetheless preserve preeminent village control of their new funds (Sutiyono et al., 2018). Appearances can be deceiving however, with the grounded realities of funding usage presenting a striking case study of the extent of the influence of higher officials on village behaviours.

Given its centrality as justification for bureaucratic approaches to the law's implementation and its pivotal linkages to the functioning of the present umbrella of legitimisation, there is ample cause for officials to clamp down heavily on practices that might divert funds away from or limit progress towards the realisation of key development goals. Their legal capacities to do so however are limited. The Ministry of Villages for example produces yearly documents listing ministry defined village priorities – particularly small irrigation schemes, village cooperatives, sports centers, and the development of superior village products (Edunews.id, 2016; Vel, & Zakaria, 2017; Kementerian Keuangan, 2018; Jakarta KemDes Official, 2018). The ministry has also developed the Village Development Index – a system used to categorise villages' levels of development based on a complex series of social, economic, infrastructural and environmental criteria (IDM, 2015; Yuwono et al., 2018).

These priorities and index actually have no direct legal authority to influence village governmental actions. Nonetheless, when asked about the Ministry of Village's priorities, village officials stated they weren't recommendations but obligations (KeBPD HuWa, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; KeDes SuSe, 2018; KeDus HuWa 3, 2018; KeDus NaKa 1, 3, 2018). One official explained,

> *These are national standards that all villages are advised to follow. However, villages can choose between these key categories based on their local conditions and society. The rule is that each village must take on at least one of these*

> *categories and implement projects under it. Which ones they will adopt, and the kinds of projects they will implement is up to the desa and is decided at the meeting*. (KeDes HuWa, 2018)

These discourses align with the assertions of village facilitators and members of the district DPMD that village funds must be utilised in alignment with both central government priorities and with the district's vision (KH DPMD Official 1,4, 2018; Kec Official 1, 2018; PendDes 1,2, 2018; KH TA 1,2, 2018; See also Wahyudi, 2017). As explained by a district official,

> *Villages can do things differently such as develop things that are not related to the vision. That's fine, but at least they must do the big things related to the vision. For example, if the sub-district head is concerned with the agriculture in a village, then that village must implement a plan to improve agriculture, but otherwise they can do what they want based on their needs… villages cannot use the money till it gets approved by the Bupati [district head] because… [he has] to decide if their plans reflect our agenda.* (KH DPMD Official 1, 2018)

Whilst such discourses surely operate with masking and normalising effects, their adoption by village heads does not only evidence misunderstanding or false consciousness (Anggriani, 2016; Jakarta Academic 2, 2018; Jakarta NGO 1; 2018; Jakarta Official, 2018; Rodiyah, 2018). Instead, they present relatively accurate assessments of the present position of village governments. Higher officials may be legally limited to issuing recommendations regarding the fund's use but their practical capacities to influence behaviours of village governments remain immense. As has been explored previously, the rapid proliferation and complexity of the Village Law's legal ecology and the simultaneous increases in supervision and pressure to behave 'legally'

have placed village governments in positions of profound vulnerability – compelling them to align with higher expectations or risk drawing attention to the peculiarities of their varying efforts to implement the law in their communities. Higher officials have the power to press for legality in the spaces they choose, and such pressures are particularly strong in relation to village funds (KH DPMD Head, 2018; KH DPMD Officials 1,3,4, 2018; KH TA 1, 2018).

In fact, village governments evidenced strong awareness of their legal rights regarding the fund, asserting clearly that it was theirs to do with as they pleased and that higher officials had no right to interfere with their decisions, whilst simultaneously stating they had to follow higher directives (KeBPD HuWa, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; KeDes SuSe, 2018; KeDus NaKa 1,3, 2018). The head of Nanga Kantu for example asserted the value of village assemblies because they ensure "*everything [I do] is based on the priorities of the village*", and subsequently said that one of the chief benefits of the Village Law has been that *"when the village head and the village government inform people about what to do or what to build, then people cannot complain because it is what is required by the Village Law"* (KeDes NaKa, 2018). Such doublespeak allows village officials to navigate the diverse pressures and potentials of the present order in which they appear to be free but in practice are not – implementing higher agendas and drawing on the umbrella of legitimation to normalise their actions with the grassroots.

The cumulative effects of this dynamic of domination are readily evident at the national level. In 2019, the Ministry of Villages announced exceptional progress on their developmental targets, including the construction of 191,600 kilometres of village roads, 1,140,378 meters of bridges, 58,931 irrigation facilities, 959,569 clean water facilities, 240,587 public washrooms, 50,854 kindergartens and 24,820 local medical centres units

(Kemendesa, 2019). As such, rural Indonesia is clearly undergoing rapid transformation, but as a result of the repertoires of domination outlined here and in subsequent sections, the principal drivers of these changes are not the whims of decentralised, grassroots governance as envisioned in the Village Law, but rather the agendas of central authorities disseminated through the bureaucratic apparatus to the grassroots.

6.2.4 Excluding the Grassroots

The 2014 Village Law radically overhauled the systems of village administrative decision-making and bottom-up accountability and delineated three key autonomous and interlinking branches of village governance – the village government, village council and village assembly – each with their own clearly differentiated powers and responsibilities. These changes aim at making the administration and governance of villages more democratic, accountable and responsive to the desires of their constituents. As discussed previously, the bureaucracy has focused most of their energies on building a limited set of village government 'capacities'. Councils were widely recognised as important, with officials noting their critical roles as supervisors of village governmental actions in line with higher regulations (KH DPMD Official 1,4, 2018; KH TA 1, 2018). Nonetheless, bureaucratic attention to the capacities of councils have been limited to basic trainings, with even the relatively powerful councils complaining about the uneven and lacklustre quality of their facilitation and support (KeBPD MaNya, 2018; KeBPD SuSe, 2018; See also: Salim et al., 2017).

As a result of this neglect, the strength of councils varied widely between villages. In Nanga Kantu the responses of many officials and villagers, including the members of the council itself, suggested it was an essentially non-functioning institution (BPD NaKa 1,2,3, 2018; KeBPD NaKa, 2018; Masy NaKa 31, 2018), whilst Huma Wangi's appeared to essentially be an extension of the village government that worked

alongside them in tandem (BPD HuWa 2, 2018; KeBPD HuWa, 2018). Sungai Sebilik and Makai Nyamai's were described by villagers, government officials and council members as powerful and well established, but they both nonetheless viewed their role primarily in terms of ensuring village government correctly followed higher regulations (BPD MaNya 1,2, 2018; BPD SuSe 1,2,3,4, 2018; KeBPD MaNya, 2018; KeBPD SuSe, 2018). The council head of Makai Nyamai for example stated that his role was "*to supervise village development, supervise and control village finance and supervise the activities of the village head*" (KeBPD MaNya, 2018). In none of the study villages did the council appear to be acting as an effective bridge between the people and the village government (KeBPD NaKa, 2018; KeBPD SuSe, 2018; KeRT MaNya 2, 2018). When they do function therefore, village councils (BPD) appear to be operating less as institutions of local democracy and more as additional monitors of village governments – working to ensure they enact the expectations of higher authorities in line with bureaucratically shaped understandings of legality.

Despite evidence of their widespread weakness and disempowerment, village assemblies also appeared to have received very limited support from higher officials. In Huma Wangi and Nanga Kantu, village assemblies had very limited attendance, with many villagers asserting that they either weren't allowed to participate, that they weren't informed when meetings occurred, that they first needed to be invited, or that they would not be welcomed if they attended. When asked who gets invited, another villager asserted that it was *"[t]hose who are close to the village government. If you are friends with them and have the right connections, then you will be invited"* (Masy NaKa 34, 2018). Similarly, an official in Sungai Sebilik stated, "*We only invite the VIPs*" (BPD SuSe 1, 2018; See also: Anggriani, 2016). Only Makai Nyamai experienced widescale

assembly attendance, but villagers in all four villages stated they had little influence on village administration practices. As one Nanga Kantu villager explained,

> *There is no way to change their position or criticise their actions. We have no information and the people choose to be quiet and to not interfere. The public feel that the sub-district, police and the district control the village government so whatever they are doing must be legal. We just let them do their tasks and talk about them behind their backs*. (Masy NaKa 34, 2018)

Although the importance and value of all aspects of the system mandated by the Village Law was regularly asserted by interviewee officials, it is undeniable that vast resources have been deployed to improve particular capacities – those which best support a broader agenda of hierarchical domination – whilst others have been either neglected or completely ignored. Village governments are important and a priority for district and central officials. Their effective operations are critical to the success of the bureaucratic, developmentalist agenda and an extensive system of training and support has been aimed at its realisation. Village councils (BPD) are important but not a priority for these authorities – their effective operations may help support the realisation of the hegemonic order but are not critical to its actualisation and they have received limited and uneven bureaucratic support. Village assemblies are neither important nor a priority. Their effective operations are a potential hindrance or threat to the maintenance of bureaucratic power over villages and there has been very little effort to support increases in their capacities.

Given the ongoing weakness of their systems of bottom-up and lateral accountability and the substantial increases in top-down supervision and control since the law's establishment, it should be little surprise that villages continue to face upward and

focus overwhelmingly on fulfilling the expectations of their 'superiors' rather than those of their own communities and electorates (Jakarta Academic 1, 2018; Jakarta KemDalam Official, 2018; Jakarta KemDes Official, 2018; Jakarta NGO 1,2, 2018; Jakarta Politician, 2018; KH TA 1, 2018; KeBPD HuWa, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; KeDus HuWa 3, 2018; PemDes MaNya 1,2, 2018; PemDes NaKa 4,5, 2018; See also Sikor, 2013; KOMPAK, 2016, Diamantina, 2017; Salim et al., 2017; Diningrat, 2018; Sutiyono et al., 2018). Such circumstances appear to be a natural result of the successful operations of the various implementational repertoires of domination listed previously. It is similarly unsurprising that most of the villagers interviewed in this study felt profoundly disconnected from the operations of their village governments. Just as when village officials frame bureaucratic priorities as requirements, such assertions are, to a large extent, accurate (KOMPAK 2016; Berenschot & Sambodho, 2017; Sutiyono, 2017; Vel & Zakaria, 2017; Haning & Tahili, 2018; Rakhmat & Tarahita, 2018; Salim et al., 2018). As deftly summarised by one villager, "*If we have no way to criticise or control the village government, then we are clearly not empowered*" (Masy NaKa 34, 2018).

These findings contest the idea – commonly espoused by actors associated with the discourse of village empowerment – that these failures of local democracy should be framed as temporary implementational aberrations that will ultimately self-correct (Anggriani, 2016; Jakarta Academic 1, 2018; Jakarta KemDalam Official, 2018; Jakarta KemDes Official, 2018; Jakarta NGO 1,2, 2018; Jakarta Politician, 2018; Rodiyah, 2018). Resources are always scarce, and the ways in which actors prioritise their usage often reveals more about their agendas than the aims or values they purport to elevate. Irrespective of the personal beliefs of individual officials, the deployment of funding, support and discourse by the higher bureaucracy has – in line with their bureaucratic

norms and path dependencies – overwhelmingly served to reinforce their hierarchical dominance and capacity to implement their developmental agendas and marginalise grassroots mechanisms of village governance. The current system, with its overwhelming focus on ensuring top-down domination of village planning and supervision, is largely fit-for-purpose in the pursuit of present bureaucratic priorities, and interviews with officials indicated little intention of changing it.

6.2.5 Normalisations and the Umbrella of Legitimisation

As has been demonstrated, the bureaucracy continues to control a nexus of key repertoires of domination through which they can exert hard actor power in village spaces and thus control the actions of village governments. In practice however, the threat of the deployment of power is often more significant in influencing the behaviour of actors than its direct exertion (Poteete & Ribot, 2011; Krott et al., 2014). Similarly, many of the daily realities of the operation and reinforcement of power are cloaked or rendered invisible to their subjects by the normalised realities and performances of daily life (Foucault, 1998). As noted by Foucault, "*power is tolerable only on condition that it mask a substantial part of itself*" (Foucault, 1998, p. 86). Finally, officials at every level of the bureaucratic structure have incentives to maintain both the appearance and the functions of hierarchical authority even in cases where coercive mechanisms might not otherwise operate. In understanding the means by which hierarchical domination functions to produce change in villages, it is thus critical to attend not only to repertoires which enable their direct actor-power, but also to subtle processes of often non-coercive normalisation which veil such power and work to limit the frequencies of its hard deployment.

In the case of village governmental relations with higher bureaucracy in Kapuas Hulu, the legacy of past hierarchical structures, behaviours and norms embed

'subordinates' in relations of deference and obedience to their 'superiors'. As discussed previously, norms and performances – rehearsed and socially entrenched during previous eras– tend to gain a certain self-perpetuating momentum all of their own (Hall & Taylor, 1996; Steinmo, 2008; Hall, 2010; Poteete & Ribot, 2011). Such realities support officials at the district and sub-district levels to exert power in village spaces even when their former legal powers have been markedly curtailed (Nightingale, 2005; Jakarta Politician, 2018; See also: Basnyat et al., 2018), with the successful conduction of such claim-making deepening their underlying normalisations within bureaucratic structures and the public mindset (Poteete & Ribot, 2011).

These processes are reinforced by a dynamic, identified via grounded theory, which I term *the umbrella of legitimisation*. This umbrella refers to ways in which, by aligning themselves with agendas of and framings of their 'superiors', actors at lower levels of the administrative hierarchy are able to gain greater symbolic authority and legitimacy in the public eye, protect themselves from scrutiny and normalise their own activities – even those not specifically mandated by higher authorities – as the routine and apolitical technocratic functioning. Ongoing efforts of districts such as Kapuas Hulu to regulate villages in accordance with ministerial agendas, even when ministries have no legal or coercive means through which to compel them to do so (KH DPMD Official 1, 2018; KH TA 1,2, 2018; PendDes 2, 2018), may be understood in part as examples of this umbrella in action. As touched upon in the previous chapter (see section 5.4.3), districts wielded appreciable direct authority over villages at the time of the Village Law's adoption, whilst central ministries lacked the logistical channels through which to enforce the oversight mechanisms that they'd authorised for themselves through its implementing legislations. As such, both have substantial incentives to take common cause and present a monolithic front, with districts like Kapuas Hulu gaining a new

source of legitimacy for their ongoing involvement in village affairs through a broad alignment with ministerial agendas.

Similar dynamics of legitimation and empowerment over subordinates is also available through the umbrella of legitimisation to officials at lower levels of the hierarchy including those at the sub-district and village levels. This reality helps explain why officials at all levels of the system continue to embrace, defend and understand their roles in terms of a hierarchical bureaucratic machine in the context of an apparent political decentralisation. Facing the spectre of a system of genuine grassroots power and bottom-up accountability provides ample reason for officials at every tier to close ranks, particularly when given the presently limited direct coercive powers of the system's central bank of legitimacy – the central ministries. Put simply, practically every tier of the system has incentives to forward their agendas under the normalised protection of the present system rather than risk subverting it entirely.

As a result of these dynamics and ongoing bureaucratic domination of the law's implementation, the hierarchies and hierarchy-affirming rituals, behaviours and norms of the old system have not been notably challenged and have been allowed to continue to operate as if nothing substantial about the relationship between villages and higher levels of authority has changed (Jakarta KemDalam Official, 2018; Jakarta KemDes Official, 2018; Jakarta Politician, 2018; Jakarta NGO 1,2, 2018; KH TA 1, 2018). Some of the most conspicuous of these hierarchy normalising procedures are the great events held annually across Kapuas Hulu and throughout the country. These include the yearly trainings for village officials which work to reinforce a teacher-pupil relationship between district and village officials, as well as the many other large-scale gatherings of village, sub-district and district-level officials held annually throughout the district. Two such events were observed during the research process – the Village Competition and

Village Innovation Expo – and present case studies of performative and symbolic power in action. The Village Competition is a multi-stage competition aimed at increasing knowledge about village funds, as well as enhancing village independence in utilising these funds (Kemendesa, 2019). The Village Innovation Expo on the other hand is a forum in which village heads can share and access new village innovations (KH TA 1, 2018; KeDes SuSe, 2018; Yanto, 2018; Infodesa 2019).

Both events aim to foster inter-village competition and encourage involvement and compliance via incentives including the promise of cash prizes, awards and additional aid and attention from district departments and other bodies (KH District Head, 2018; KH DPMD Head, 2018; KH DPMD Official 1, 2018; KeBPD SuSe, 2018; KeDes SuSe, 2018; KeDus SuSe 1,2, 2018; PemDes SuSe 1,2,3,4, 2018; Pontianak ComEm, 2018; Yanto, 2018). As explained by one Sungai Sebilik official, "*because of the Village Competition, district officials came here to coach us and used their money to do it… If there was no competition, this wouldn't have been possible*." (PemDes SuSe 2, 2018). Both events also involve district and sub-district officials presiding over the village 'subordinates', leading chants, giving speeches about their visions and appealing to village heads to seize the opportunities of the Village Fund and realise their district's developmental goals (KH DPMD Head, 2018; KH DPMD Official 1, 2018; KH District Head, 2018; Pontianak ComEm, 2018; Yanto, 2018). These incentives and performative mechanisms play the ornamentalist (Cannadine, 2002) role of further binding village officials to the existing order – linking their authority in their communities to the grand pageantries and manifest power of the seemingly monolithic state and a grand national narrative of developmentalism (Potetee & Ribot, 2011). Village governments in this context may be understood both as subjects of power operations aimed at normalising their subordination and as willing participants and beneficiaries that draw from the

symbolic qualities of these associations to elevate themselves as uncontested authorities within their communities.

6.2.6 The Discourse of Development

As detailed in the previous chapter, a discourse of centrally planned developmentalism has gained ascendency as the dominant conceptualisation of the Village Law's meaning and is a critical driver of its implementational operations. This section explores the ways in which the logics of this discourse have colonised activities at the district and village levels as a repertoire of hierarchical bureaucratic domination in their own right. Perhaps the most powerful mechanism in mainstreaming these developmentalist logics is the Village Development Index, developed by the Ministry of Finance after the law's adoption in 2014, ostensibly to develop a picture of current developmental levels in the country (IDM, 2015; Yuwono et al., 2018). As described previously, it employs a variety of economic, social and environmental indicators such as paved road construction, the construction of kindergartens and the maintenance of fire suppression equipment – though significantly, none for democracy or empowerment – and categorises villages based on their level of development (Yuwono et al., 2018). Since its creation, interviews with district and village officials (KH District Head, 2018; KH DPMD Head, 2018; KH DPMD Official 4, 2018; KH TA 1,2, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; PendDes 2, 2018; Pontianak Governor, 2018; Yanto, 2018), as well as official government statements (Hantoro, 2019; Kemendesa, 2019) and media coverage (e.g. Hamdani, 2018; Hanung, 2018; Muhammad, 2018; Reily, 2018) suggest that improving the rankings of villages and achieving targets set by the Village Development Index has grown to become a central objective of the ministries and departments involved with implementing the Village Law and its importance in

propelling their actions and agendas cannot be overstated. This focus is illustrated by an internal memo circulated by the governor of West Kalimantan, which stated that,

> *West Kalimantan contains 2031 villages and 174 sub-districts. From this total, we only have 1 independent village… To overcome this condition, we aim to direct purchases and development activity to fulfill the Village Development Index requirements necessary for more villages to attain independent village status. let's work together for a 'New West Kalimantan' for all of us!* (Pontianak Governor, 2018)

The Village Development Index serves as an ideal complementary mechanism both to the discursive agenda of developmentalism and to the forwarding of broader bureaucratic agendas. The current bureaucratic preoccupation with its metrics reflects the workings of a discursive synergy. With its clear metrics, the index serves to further depoliticise bureaucratic actions and normalise efforts associated with the pursuit of prioritised developmental goals as the everyday procedural behaviours of a modern developmental state (Nightingale, 2005; Baruah, 2015; Rutt et al., 2015; Nuesiri, 2016; Ece et al., 2017). The index's simple cookie-cutter systems also lend themselves to the production of clear metrics and statistics that highlight failures and successes, pushing villages to compete with one another (KH District Head, 2018; KH DPMD Head, 2018; KH DPMD Official 4, 2018; KH TA 1, 2018; Pontianak Governor, 2018) and both enables and justifies the exercising of increasingly targeted deployments of disciplinary power and support. The index also serves as a powerful compliment to the Jokowi government's popular agenda of rural development, with progress on the index serving to indicate the efficacy of this vital element of the administration's political platform (See: Hamdani, 2018; Hanung, 2018; Muhammad, 2018; Reily, 2018), further linking the outputs of bureaucratic agendas with the concerns of the elected political class.

The workings of the index and the broader discourse of development also place increasing pressure on higher officials to pursue its metrics. District and provincial levels also receive grades under the new system with scores being determined based on the index performances of villages within their territories (KH District Head, 2018; KH DPMD Head, 2018; KH DPMD Official 4, 2018; KH TA 1,2, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; PendDes 2, 2018; Pontianak Governor, 2018; Yanto, 2018; Yuwono et al., 2018; Antara Kalbar, 2019), and this opens them to the same kind of public scrutiny as villages for failing to competitively deliver its clear indicators of progress. Much like the umbrella of legitimisation, the Village Development Index has thus taken on something of a life of its own – colonising and disbursing power through the bureaucratic apparatus and broader social order and increasingly binds all actors engaged with its operations to the service and scrutiny of its logics.

Evidence of the operations of these various developmentalist dynamics were evident throughout Kapuas Hulu. The governor of West Kalimantan, for example, issues yearly directives to district governments setting particular targets of index progress to be reached by particular dates (Pontianak Governor, 2018). In 2019, a formal task force was created to continue efforts to improve the province's development ratings (Antara Kalbar, 2019). Similarly, Kapuas Hulu district is presently listed as 'left behind' and improvement in these rankings is a central aim of district-level officials and facilitators (KH DPMD Head, 2018; KH DPMD Officials 1,3,4, 2018; KH TA 1,2, 2018; PendDes 2, 2018). One district facilitator explained,

> *Through the Development Index, the desas easily arrange their priorities – what they will do using the Village Fund. For me, it helps as a tool to improve knowledge of the villagers in each village regarding what they should be focusing on and how they should set their priorities. I can say, OK, you are 'very left*

behind', so this is what you should be focusing on to move up in your rank. (KH TA 2, 2018)

The effective dissemination of the developmentalist agenda was readily apparent in all four study villages, with officials framing their principal roles in explicitly developmental terms (KeBPD HuWa, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; KeDes SuSe, 2018; KeDus HuWa 3, 2018; KeDus NaKa 1,3, 2018) and three of the villages centred their attentions on implementing a key set of index-prioritised infrastructural developments (KeBPD HuWa, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; KeDus HuWa 3, 2018; KeDus NaKa 1,3, 2018). Only Sungai Sebilik, which had already completed most such infrastructure before the law's adoption had turned the majority of its funds to other purposes such as tourism development (BPD SuSe 2, 2018; KeDes SuSe, 2018). When asked if the current activities of the village government were effective for addressing the main issues of their community, most villagers framed their responses in developmentalist terms (See also: KOMPAK, 2016). Whilst some villagers complained about lack of consultation in these programs, development nonetheless appears to have been broadly relegated to the sphere of the mundane functioning of village administration, rather than being driven by a political process of democratic deliberation as envisioned in the Village Law (Village Law, Articles 1.4, p. 2; 54/2014, p. 29). These realities highlight the effectiveness of the discourse in discursively limiting public involvement with many aspects of the day-to-day of village developmental activity and reinforcing broader trends that detach village elites from the scrutiny and control of their communities.

6.2.7 The Legality Gauntlet and the Internal Transformation of Villages

In addition to delineating how repertoires of domination enable bureaucratic control of villages, it is equally important to explore the productive aspects of this

domination – what kind of villages and village governments do these operations work to produce? Broadly, the workings of the law's implementational dynamics have caused village governments to become involved in an ever-wider sphere of village activity to achieve various bureaucratic development targets and also be held increasingly accountable for the actions of the village institutions they oversee and to which they allocate funding. Discursively, these operations are linked with and masked by broader discourses of development and path dependent norms of 'correct behaviour' which work to frame certain village activities as legal, laudable and worthy of further external attention and support and others as illegal, condemnable and cause for intervention or exclusion from government programs. Drawing on another concept developed through grounded theory, the thesis conceives of the workings of these dynamics as a kind of *legality gauntlet* through which may pass only those institutions, practices and beliefs that are broadly aligned or compatible with those of the higher bureaucracy. Through its workings, the expansion of the village government in their communities operates as a driving mechanism for the expansion of bureaucratic logics.

Some of the more important internal transformations initiated by the Village Law have occurred in village governments themselves. As a result of increased educational requirements, new entry examinations and growing work pressures, traditionally powerful local elites in all four focus villages have increasingly given way to a new cadre of bureaucratically connected, educated, tech-savvy and business-minded officials with skills and worldviews that align well with hegemonic discourses of developmentalism (Permendagri no. 112/2014 Article 21d; Permendagri no.83/2015 Article 2d, p. 4; Permendagri no. 110/2016 Article 13d, p. 8; See KOMPAK, 2016; KeBPD HuWa, 2018; KeBPD SuSe, 2018; KeDes SuSe, 2018). The head of Sungai Sebilik for example explained that his contacts were a major factor in winning his office.

"*Back when I was working as a business man, I met a lot of VIPs from this kabupaten (administrative district). Without connections, everything is very difficult here… [the community] knew I could get things done*" (KeDes SuSe, 2018). Whilst it has been argued that recent trends in the composition of village administrations represent a shift towards a more egalitarian and merit-based system of village administration (Antlöv et al., 2016a; KOMPAK, 2016), the findings of this study indicate that the process can also be understood as the replacing of one kind of elite with another – one whose interests both align with and are profoundly linked with those of the higher bureaucracy. This problem of *professionalisation* – the production of technical barriers to entry that thus reinforce and extend pre-existing power inequalities, is a well-documented and common by-product of decentralisation processes worldwide (Lund, 2015).

Under the Village Law, village governments have emerged as key village employers; paying villagers to work on development projects and hiring them to staff village cooperatives (BUMDes). Under a recent joint ministry decree (SKB Menteri, 2017, p. 8), village governments are expected to employ and pay their own constituents in implementing their various developmental goals with the highest priority for employment going to the poorest members of their communities. As a result, many surveyed villagers stated they'd been involved in some form of village pay-for-work scheme since the law's adoption. Similarly, the cooperatives of Nanga Kantu, Sungai Sebilik and Makai Nyamai all provide permanent salaried positions. At the same time, there were several examples of officials hiring outside labour or threatening villagers with cutting their salaries in order to complete their various developmental objectives (Masy HuWa 24, 2018; Masy NaKa, 34, 2018; PemDes SuSe 1, 2018).

Effects of expanding village governments have also been felt in the various community bodies such as women's, farmer and youth groups that are present in most

villages in Indonesia (KH TA 1, 2018), which have become more formalised and supervised since the law's adoption. In Huma Wangi for example, one village official explained,

> *Before the UU Desa, the whole system [of the women's group] was quite unofficial. There was no real power vested in the group – people just met in gardens and people's houses to discuss ideas and do group projects. There was no specific funding allocation. Now, everything is very clear, and we can do many more projects with the support of the Village Fund.* (PemDes HuWa 1, 2018)

Makai Nyamai and Sungai Sebilik's women's groups have both been re-formed according to official guidelines and have received additional funding from the village government since the law's adoption, with the latter using it to develop communal natural dye gardens (BUMDes MaNya, 2018; KeDes MaNya, 2018; Masy MaNya 1,2,3,4,5,6,8,11,12,16,17,18,20, 2018; PKK MaNya, 2018; PKK SuSe 1,2, 2018).

At the same time however, growing pressures on village governments to accurately account for the usage of funding have caused those in Huma Wangi and Nanga Kantu to cut monetary support for their youth groups entirely. As explained by a Huma Wangi official, *"we don't want to give funds to it because they are quite useless, and it will be difficult for us to report about their spending because they won't use the funds properly or they will not keep good records*" (PemDes HuWa 4, 2018). Even Huma Wangi's new women's group was scrapped due to the limited capacities of its head. "*When the village head gives funds, he knows his wife [the traditionally nominated head of the group] cannot be responsible for a lot… all funds must be held accountable and reported to the sub-district head and district head"* (PemDes HuWa 1, 2018). The loss of women's and youth groups was bemoaned by villagers that had once participated

in and benefitted from their operations (Masy Group HuWa 2, 2018; Masy HuWa 24,25,26, 2018; PemDes HuWa 1, 2018).

These realities underscore one of the most significant issues both with the Village Law's implementation and, indeed, with the Village Law itself. As highlighted by actors associated with the inter-communalist discourse, present approaches tend to treat village governments and villages as synonymous and monolithic. In reality, village governments tend to be overwhelmingly staffed by village elites and their activities will tend to be defined by and operate in service of their particular interests (Antlöv et al., 2016a; Berenschot & Sambodho, 2017; White, 2017). Village officials tend to focus on maintaining access to developmental resources and bureaucratic patronage, and the dynamics of the law's implementation empower them to focus on these agendas at the expense of other spheres of their communities.

Just as argued by authors such as White (2017) and Berenschot & Sambodho (2017), these findings indicate that the increasing centrality of village governments does represent something of a return to the old era of the village head as a patron. With their increased resources, authority over a greatly expanded sphere of community activity and the backing of the apparatus of the higher bureaucracy, coupled with limited grassroots and internal supervision, village officials are largely free to enact an ever-increasing penetration of village spaces by the norms, expectations and logics of their superiors.

6.2.8 Summary: Intersections of Domination

This chapter's power analysis of the implementation of the decentralisation engendered by the 2014 Village Law reveals the multiple ways in which repertoires of bureaucratic domination have interacted with one another to generate and entrench a new bureaucratic order of power in villages spaces. To summarise the results of the nuanced

accounts of the operations of the repertoires presented in the previous section, the emergent hegemonic dynamics that define the Village Law's implementation have been generated via the interactions of broad social dynamics such as the expanding hegemony of the national discourse of developmentalism and the actions of officials at different levels of the bureaucratic structure. Having sidelined the broader discursive agendas of autonomy and diversity forwarded in the law's vision, bureaucratic bodies associated with the law's implementation have employed the ascendant discourse of development to justify a rapid proliferation in mechanisms for the checking and supervision of village governmental activities. Higher officials in turn have leveraged these mechanisms and associated disciplinary powers, as well as their privileged access to information to maintain and increase the influence of their agendas over the full complement of village governmental activities.

These assertions of power are masked and normalised via the discourse of development as well as the continued operations of a wide array of local path dependent hierarchy-affirming political norms and performativities. Development in particular has gifted this bureaucratic hijacking a clear purpose and justification, linking its operations with the presently hegemonic and widely popular national developmentalist discourses (Warburton, 2016; Sato, 2019). Mechanisms such as the Village Development Index have propagated logics of competitive development throughout the country's political body, generating feedback loops of power and legitimacy that render its agendas increasingly inescapable not only for village governments, but for the totality of the country's bureaucratic and political systems (KH District Head, 2018; KH DPMD Head, 2018; KH DPMD Official 4, 2018; KH TA 1,2, 2018; KeDes HuWa, 2018; KeDes NaKa, 2018; PendDes 2, 2018; Pontianak Governor, 2018; Yanto, 2018; Yuwono et al., 2018; Antara Kalbar, 2019;). The umbrella of legitimisation has played a similarly

powerful function in furthering this emergent agenda, encouraging actors at all levels of the bureaucratic hierarchy to align themselves with the framings and agendas of their 'superiors' and presenting the appearance of hierarchical order so as to maintain public legitimacy and further advance their agendas by bundling them with its symbolic power. Such dynamics maintain a cascading flow of power enabling the intimate exertion of central ministerial agendas at the village level.

The pivotal nexus of power has had significant impacts on villages, working to marginalise the various mechanisms of grassroots and horizontal governance and accountability centred in the text and vision of the Village Law and causing village governments to increasingly centre the agendas of their 'superiors' via a complex array of positive and negative incentives. As a result of these dynamics, village governments have been compelled to involve themselves in ever wider spheres of village life in line with bureaucratic logics, metrics and agendas.

6.3. Delineating the Law's Implementational Hegemony

This section draws upon insights generated through its examination of the operations of the various repertoires of domination working to maintain dynamics of hierarchical domination to delineate the hegemony associated with the process of the law's implementation. In this case, the actions of bureaucratic officials clearly play a key role in generating this hegemony, but many of its critical dynamics likely remain invisible to them. Indeed, in the context of an effects-based analysis of the law's implementation, intentions are not pivotally important. What is most relevant to the future of village forest governance is not what relevant actors may want, but the outcomes of what they do (Butler, 1990). In this case, analysis highlighted 5 key logics underlying and driving the trajectories of the law's implementational manifestations:

1. The maintenance and extension of hierarchical systems of power and the marginalisation of horizontal and grassroots systems of village governance and accountability.
2. A central focus on developmentalism and the attainment of developmental metrics such as those outlined in the Village Development Index.
3. Growing pressures on village governments and associated institutions to behave 'legally' in line with the subjective framings and priorities of a proliferating array of supervisory authorities.
4. Increasing trends of village-government-centrism that empower these institutions and encourage/facilitate their engagement with an increasing range of village activities and institutions.
5. Resultant trends to internally reform village governance structures and practices in line with bureaucratic logics through the operations of the legality gauntlet.

The transformations generated by the legality gauntlet are some of the most significant and concerning effects of the present implementational hegemony – transforming villages from within in ways that are amenable to the influence of higher bureaucratic agendas, enabling increasingly precise deployments of bureaucratic power into village spaces that inexorably grind away the resistance of their spaces to its logics. This is not to say that all village life has been tamed by such operations of power, but that the capacities of that power to do so and extent to which it is doing so on the ground have expanded by an order of magnitude since the law's adoption.

Gone are the days of the blatant, brutal and coarse displays of control that defined village life under the New Order (Vel et al., 2017a), replaced by a web of increasingly nuanced, targeted and socially normalised mechanisms of control which enable a marked increase in capacities for statist domination and social transformation. The process of the

Village Law's implementation has been far more than a simple maintenance of the status quo or even a restoration of bureaucratic authority lost through its adoption (Ribot et al, 2006; Bullinger & Haug, 2012; Sahide et al., 2016; Basnyat et al., 2018; Naylor et al., 2019). As was found by Warman (2016) in the sphere of Indonesian forestry, the drama and spectacle of explosive decentralisation events in village governance distract from a more covert trend of expanding bureaucratic capacities to control and monitor villages to levels of minute precision never before seen in the country's history.

By delineating the law's implementational hegemony, it becomes possible to hypothesise regarding the kinds of activities, reforms and governance strategies that are enabled, resisted or blocked through its operations (Butler et al., 2001). The findings of this analysis thus generate an analytical framework through which to interrogate and identify the power dynamics underlying mechanisms of village forest governance that have come to interact with its mechanisms.

6.4 Mapping the Power, Accountability and Liberational Dynamics of the Law's Implementation

As noted previously, Agrawal & Ribot's (1999) framework focuses on the ways in which decentralisations truly reallocate powers and accountabilities or simply shift responsibilities to lower rungs of a governance hierarchy. They differentiate between four key types of powers – the power to create rules and modify old ones, the power to make decisions about how particular resources or opportunities are used, the power to implement and ensure compliance to the new or altered rules and the power to adjudicate disputes that arise in the effort to create rules and ensure compliance – as well as accountability, which is itself a dynamic of power of constituents over their

'representatives'. Below is a summary of the ways in which these powers have been reallocated by the Village Law in practice:

(1.) Who has the power to create rules and modify old ones?

Villages governments, with the final say lying with village councils (BPD), but only for laws that do not contradict the regulations of districts, provinces and the central government, only with district approval and only of the sort that have been actively supported by village facilitators or outside parties to produce e.g. concerning fund auditing and accounting.

(2.) Who has the power to make decisions about how particular resources or opportunities are used?

Higher officials, via their common usage of the umbrella of legitimisation, set the terms and scope of village governmental actions. Village governments have power to pursue their own agendas, but only to the extent that they do not attract direct and forceful top-down oversight. Villagers themselves have been largely sidelined from these processes.

(3.) Who has the power to implement and ensure compliance to the new or altered rules?

Regarding activities of village governments, power lies overwhelmingly with higher officials. Internal compliance is principally ensured by village governments themselves. Village assemblies are weak and village councils tend either to be non-functional or functional only as a mechanism to keep village governmental activities in line with higher expectations.

(4.) Who has the power to adjudicate disputes that arise in the effort to create rules and ensure compliance?

Regarding inter-village issues, this role is principally played by district and sub-district officials and village facilitators. Regarding village internal issues, formal power lies overwhelmingly with village governments.

(5.) Where does accountability lie?

Overwhelmingly upward. Formalised bottom-up checks are essentially non-functioning and, as noted previously, horizonal checks by village councils relate overwhelmingly to the correct enactment of higher mandates by village officials.

Whilst a strict reading of the Village Law's text would imply a wide-reaching and transformative democratic decentralisation (Larson & Soto, 2008), its realisation on the ground has in fact effected the opposite – a deconcentration of power in which dynamics of hierarchical domination by higher officials over their subordinates remain firmly in place and their operations have been reaffirmed, entrenched and extended. Indeed, the reality of the law's implementation varies so significantly from its vision that it appears in many ways to be its polar opposite, with the latter envisioning a system of autonomous, heterogeneous villages and the former working to entrench top-down hierarchies and increasingly homogenised modes of community governance. The implementation of the Village Law therefore utterly fails to meet the criteria of a democratic decentralisation as articulated by researchers in this field – as processes that relegates appreciable powers to democratically accountable local authorities (e.g. Agrawal & Ribot, 1999; Ribot, 2004; Rihoy & Maguranyanga, 2007; Ribot et al., 2010; Ribot, 2016).

The results of this chapter's analysis of implementational hegemony highlight numerous additional continuums along which the law's dynamics undermine or preclude liberational trends. A key example is the proliferation of discursive mechanisms such as the umbrella of legitimisation that work to insulate village governments from public scrutiny and further align their behaviours and interests with those of higher officials. Indeed, increases in the power of village governments under the law are concerning in their own right because without the simultaneous emergence of effective mechanisms of grassroots accountability, villages draw back towards previous, patronal dynamics (Berenschot & Sambodho, 2017; White, 2017). The extension of bureaucratic logics into an ever-wider sphere of village activity via the operations of the legality gauntlet also present significant liberational challenges: forwarding conformity and restricting the spaces through which villagers can imagine and forward the new (Foucault, 1998). That is, bureaucracy has extended into the very spaces that the law's creators sought to elevate as the engines of a new social and political order in the country (Jakarta Academic 1, 2018; Jakarta Politician, 2018; Vel & Zakaria, 2017).

Nonetheless, officials at every level of the bureaucratic hierarchy continue to assert the freedoms provided to villages through the new law. This begs the question – if the law doesn't provide liberation on the terms of its original vision, then what kind of liberations does it entail? Certainly, development has the potential to produce liberations of many relevant forms for villagers across the country: from poverty, isolation, etc. Benefits of this sort have certainly been those trumpeted loudest by officials and politicians (Andayani, 2019; Julita & Asmara, 2019; Raharjo, 2019). They have also clearly resonated with local people given the widespread popularity of the new law in Indonesia (Hantoro, 2019), although its long-term effects and the longevity of this public backing of course remains to be seen.

Officials also claimed that the law could generate political empowerment to local people as well through the embracing of what this thesis would term the *transformative effects of the legality gauntlet* (Jakarta KemDes Official; KH DPMD Officials 1,3,4; KH TA 1, 2018) As articulated with particular clarity by a DPMD official,

> *Many people feel that they haven't been given freedom – only a lot of new rules. The Government has an answer. The village budget is comprised of several sources: the Village Fund Allocation (Alokasi Dana Desa or ADD) from the district budget, village funds from the national budget, transfers from the provinces and the earnings from their own taxes and BUMDes (village cooperatives). There are rules about the ADD, village funds, and district transfers, but internally generated revenue belongs to the village and can be used for whatever they want to do. In Bali for example, internal revenue for villages is often over 2 billion per year, so it even surpasses the Village Fund. That's the model. If you don't want to follow the rules, just increase your internal revenue. Manage the internal revenue well and get more internal revenue. If you can do that, you get freedom. Otherwise, follow the rules. That's how you get independent. Java and Bali are richer and more successful by selling souvenirs etc. so their villages have a lot of internal revenue and are free. They can do what they want. The BUMDes (village cooperative) is a priority because it helps increase internal revenue and that is how villages gain their independence*. (KH DPMD Official 3, 2018)

This radical re-envisioning of 'autonomy' and 'independence' not as rights granted under the Village Law, but rather as something earned through the successful adoption of sound fiscal approaches and profitable business strategies clearly flies in the face of the law's vision and enables even further discursive distancing from its more

radical implications for hierarchy, power and governance. Stepping back from this vision however, it becomes clear that they represent something even more critical – a profound circumcision of the possibilities of liberation through rural reform and via the spheres of politics and government more broadly.

In critiquing the Village Law's implementation, it is not my intention to disparage agendas of rural development or frame as irrelevant the very real benefits such programs can bring to the lives of local communities. Rather, I have sought to highlight what has been lost – the potential for increased autonomy, democratic governance, diversity in administrative practices, etc. – and that the choice between such reforms and development was never a necessary one. Efforts to block the former and focus on the latter, to pursue developmentalism through the medium of centralised planning, and to reconceptualise empowerment as a process of embodying a limited, normative conceptualisation of governance have been undertaken not because they are vital to the pursuit of rural transformation, but rather because they are a pre-requisite to the functioning of hierarchical power. The ways in which development can unfold under such an order are in turn subjected to a horizon of domination which, whilst presenting itself as necessary, remains but one way of governing among many – a choice. Both the findings of this and the next two chapters are to some degree a meditation on the price of this 'choice', and repeatedly pose the question of whether it remains a price which those subjected to its unfolding operations remain willing to pay.

6.5 Concluding Thoughts

This chapter explored the wide array of mechanisms through which the bureaucratic consensus and agenda outlined in the previous chapter have been disseminated to the village level. In examining the interactions of these mechanisms and local dynamics, it in turn reveals the workings of a new implementational hegemony

with operational logics that – whilst heavily influenced by bureaucratic actions– nonetheless transcend the authorship or control of any particular actor or assemblage. An analysis of these dynamics via Agrawal and Ribot's (1999) APA framework highlights the wide divergence between these implementational realities and the ideals underlying the law's creation and the numerous adverse effects of their operations on a broad range of liberational axes. Not only has democratic decentralisation failed to occur, but the findings of this chapter indicate the opposite – a significant increase in central bureaucratic capacities to enact transformation at the village level.

Many of the tactics and mechanisms outlined in previous sections may appear revolutionary and intrusive in their operations, but their actions are often in fact quite the opposite – subtle, routine and mundane. It must be remembered that the great radical intrusion into the sphere of Indonesian governance is the Village Law itself, and that the bureaucratic response and implementational hegemony are in large part a reactionary response that works to curb its effects and maintain to the greatest possible extent the carrying on of governance as usual. Indeed, the significance of many of the repertoires of domination examined in this chapter relates more to what they preclude than what they actively engender. At the same time, the successes of the bureaucracy in establishing a new agenda for the law and marginalising those dynamics that threaten their powers demonstrate the innovativeness and dynamism of their institutions and practices (Kemendesa, 2019). The operations of the legality gauntlet in turn present a major leap forward in the nuanced and transformative potential of bureaucratic mechanisms of domination, generating rapid changes throughout rural Indonesia (Foucault, 1984, pp. 15-16; Foucault, 1991).

To acknowledge the workings of this system does not require that one presume that the bureaucratic actors involved in the law's implementation have acted in bad faith.

Indeed, officials throughout the bureaucratic system expressed both a strong desire to improve the circumstances of villages and an awareness of and apparent support for the core values of the Village Law's vision (Jakarta KemDalam Official, 2018). The apportioning of agency within such hegemonic orders is complex and the processes of productive power often work to mask their effects and logics from even their key enactors (Foucault, 1998 p. 93). In pursuit of effects-centric outputs, this analysis of domination is not deployed in order to gain some kind of window on the soul of individuals within a wider system, but rather as one of many tools through which to trace the emergent hand of power. Nonetheless, the workings of these dynamics serve to maintain the power of hierarchically positioned authorities at the expense of alternative or grassroots modes of governance. As a result, officials cannot evade the degree to which they are complicit in and benefit from the driving dynamics of the present hegemony.

These framings present a distinct departure from present critiques of the Village Law. Whilst many critical writers – particularly those associated with the intra-communalist bloc – have rightly identified many ongoing issues with the law's structures, their critiques have principally focused on the law's role in empowering village heads rather than the ways in which it embeds their actions within broader systems of expanding bureaucratic power. If, as Scott (2009) argues, societies may be defined on a spectrum from less to more state-centered, then the clear outcome of the Village Law is that Indonesia has become a great deal more of a monolithic 'state' than it was before, and the longer the logics of the hegemony are allowed to operate uncontested, the more hegemonically 'state' it is likely to become. It is also more developmentalist, but developmentalist of a particular, centralised and bureaucratically administered character, and exerts greater pressures than before compelling village

governments and villages as a whole to conform to and internalise a particular set of driving logics. It isn't the village head therefore that looms large in village government, but the workings of a broader bureaucratic apparatus of domination, with the village government existing principally as the often-willing local locus and conduit of its expansionary operations.

Turning towards the topic of the Village Law's effects on forests and implications for the future of Indonesian forest governance, this chapter's analysis has furnished the thesis with a powerful, targeted lens through which to interrogate identified trends in terms of the law's real-life, implementational realities. These insights in turn elevate a set of significant analytical concerns far distant from those that would be anticipated of a project concerned with a typical process of political decentralisation. Instead of seeking to understand how villages react to more freedom and autonomy, the thesis shall instead examine how a new, expansionistic and totalising developmentalist bureaucratic order collides with the contentious and politically fraught world of the village forest.

SECTION 3

Empirical Analysis, Part 2

The Village Law and the Forest

Chapters 7 and 8

Chapter 7: Mechanisms of Hegemony: Forest Governance Horizons under the Village Law

Chapter 8: The Limits of Hegemony: Local Dynamics, Hegemonic Collisions and the Fates of Village Forests

Chapter 7.0: Mechanisms of Hegemony: Forest Governance Horizons Under the Village Law

7.1 Introduction

This chapter shifts the focus from delineating the hegemony underlying the Village Law's implementation to exploring the extent to which, and in what ways that implementation process has impacted the sphere of village forest governance. Multiple mechanisms of forest governance that have either been generated, halted or transformed via interactions with its logics and operations were identified in the thesis's four Kapuas Hulu study villages. These include mechanisms related to the workings of village administrative processes e.g. increases in funding potentially available for villages to conduct forest projects, to the capacities of villages to control forest spaces e.g. greater support and resources for land surveying and demarcation, and to the ability of villages to utilise various forest resources e.g. the new authority of village governments to establish village cooperatives (BUMDes) that manage the sale of community forest products.

The structure of this chapter to some degree mirrors the one preceding it, replacing repertoires of domination with forest governance mechanisms as the central units of examination. Section 7.2, *Analysis of Forest Governance Mechanisms*, explores each of these mechanisms, comparing and contrasting their manifestations in different village contexts via four key and interlinking lenses: firstly, the logics of the Village Law's implementational hegemony as defined in the previous chapter's conclusion; secondly, the concept of democratic community-based governance rooted in the thesis's conception of democratic decentralisation (see section 2.4.3.); thirdly, the thesis's twin

concepts of domination and liberation; and fourthly, how these various shifts in dynamics of discourse and practice have affected forests themselves as legal, conceptual and ecological spaces. Additionally, many sections introduce and explore particular themes relevant to the chapter's general analysis and which were deemed to be well illustrated by findings associated with their related mechanisms. In conducting this analysis, the chapter aims to address the question: to what extent have the logics driving the Village Law's implementation been replicated through its engagement with forests, and in what ways have its effects enabled, blocked or precluded the emergence of the kinds of grassroots forest governance that might be anticipated through a vision-mediated reading of its text, and with what implications for the future of village forest governance and forest spaces?

In applying the first lens, the chapter aims to delineate the extent to which the operations of forest governance mechanisms are defined by the law's key logics on the ground: e.g. reinforcement and extension of dominating hierarchies, centralised developmentalism, legality, village-government-centrism and institutional homogenisations via the operations of the legality gauntlet. Through its multiple detailed comparative analyses of forest governance mechanisms, this approach tests and provides thick ethnographic evidence for the explanatory power and validity of these logics. Just as the previous chapter delineated the law's implementational hegemony by exploring how ascendant re-framings at the national level were disseminated and manifested in practice on the ground, this chapter also aims to explore the specifics of how these logics colonise and operate in the forest sphere and the horizon of possibilities their operations manifest – what I term the *hegemony of the Village Law in the forest*. Examination pays particular attention to the various ways in which the law's logics interact with different legal forest types – in this case *hutan desa*, protection forest and customary forest – with

the goal, through the highlighting of differences and similarities, of defining the scope and contours of this specific hegemonic order.

The second lens in turn focuses attention on how the logics of the law's implementation enable the functioning of democratic community-based governance in village forest spaces. Drawing on the thesis's concepts of hierarchical domination and liberation, the lens enables exploration of the forms of governance underlying the various mechanisms explored, the ways in which, in terms of Agrawal & Ribot's typology (1999), they variously decentralise and deconcentrate powers and accountability, the extent to which their operations exhibit qualities such as the entrusting of considerable powers to authorities that are democratically accountable to their entire constituent populations, and the specific terms by which such qualities are (or fail to be) manifested. Such an examination allows the thesis to further highlight the degree to which the Village Law's implementational realities have deviated from the law's original vision of community autonomy, empowerment and diversity. It also enables deeper consideration of the future trajectory of village forest governance in the country with appreciable weight in the context of broader trends led both by the Indonesian government and international agencies, NGOs, institutions etc. seeking to encourage greater community inclusion, participation, ownership and leadership in forest governance (Lumban Gaol & Dahlia, 2017; World Bank, 2019).

The third lens compliments the second by enabling a consideration of the full multiplicity of liberational and dominating dynamics the law has produced within the entire fabric of village forest governing activity. Its application is aimed at enabling analysis to identify and productively engage trends that might otherwise be overlooked by the foci of the previous two lenses. Its value was evidenced in the previous chapter, where it facilitated meditations on the significance of shifts in livelihoods, access to

services, etc. which, whilst appearing at the margins of an analysis of governance structures, nonetheless hold profound implications for the future and trajectory of the law.

The final lens draws on the conceptualisations of forests articulated in the thesis's analytical framework (see section 2.2.3). As explained in that section, the thesis conceives of forest spaces both as tree covered spaces defined as forests by various ecological frameworks and as socially demarcated spaces conceived and governed as forests by state authorities, local communities, etc. In exploring the effects of the Village Law in these spaces, I therefore aim to highlight the ways in which it affects both of these profoundly interlinked spheres, delineating shifts in legal status, forest cover and resource abundance alongside shifts that are more difficult to measure such as conceptualisations of space, frameworks of forest engagement, etc. As with all other aspects of this thesis's analysis, this exploration has been conducted overwhelmingly via the qualitative means of interviews and participant observation, and as just one element of a sweeping exploration, has remained relatively cursory. Further study focused specifically on trends in forest cover, as well as shifts in the other dynamics highlighted in the chapter, will be needed in order to gain a more concrete sense of the ways in which the Village Law has affected changes in the country's forests. Nonetheless, the application of this lens provides a first step in this direction, illustrates a number of significant trends and interactions, and weaves these together with its other analyses in developing broader conceptions of the unfolding implications of the law in the village forest sphere.

In conducting this extensive analysis, and in a similar vein to the exploration of trends in popular, academic and official discourses surrounding the Village Law conducted in Chapter 5, this chapter also engages the relatively limited body of literature

that has been produced on the implications of the Village Law for forest governance in the service of three principal aims. Firstly, to highlight what I perceive to be the limitations of their assertions and findings in understanding the implications of the law for these spaces; secondly, to aid in the delineation of certain key discursive framings regarding how the Village Law is engaging and should engage forest spaces and the ways in which these are intimately linked with and constituted by the horizon of the Village Law's implementational hegemony; and finally, by putting them in dialogue with dynamics identified in Kapuas Hulu, to demonstrate the productive effects of these discourses in defining the broad, unfolding contours of the law's hegemony in the forest.

7.2 Analysis of Forest Governance Mechanisms

A wide array of mechanisms of forest governance were identified during fieldwork in Kapuas Hulu. With the aim of providing some semblance of a structure in analysing their various operations, I have sorted them between three broad headings. The first category (section 7.2.1) is termed *Mechanisms of Forest Administration* and refers to those shifts in formal village structures, powers and channels of access to resources, support, information etc. that are relevant or applicable to forest spaces. Because shifts in broad administrative capacities often played a critical underlying role in driving other evolutions in forest governance practices, these mechanisms are analysed first. The second category (section 7.2.2), *Mechanisms of Forest Control*, covers mechanisms related to the legal and physical control over and access to forest spaces by villages, including territorial mapping, the acquisition of land deeds and the patrolling of forest territory by community representatives. The final category (section 7.2.3), *Mechanisms of Forest Engagement*, covers those mechanisms that directly utilise or modify forest lands and resources. These include activities such as tree planting, forest clearance, dam construction and the gathering of materials for crafting programs.

7.2.1 Mechanisms of Forest Administration

7.2.1.1 Increased Funding (and the discourse of environmental sustainability)

Since the Village Law's adoption, an increasing number of journalistic and academic articles both at the national and international level have asserted the potential of village funds as a tool for pursuing various environmental aims. Amongst the more commonly highlighted of these potential usages include the financing of land and watershed restoration (Purwanto, 2014; Watts, Tacconi, Irawan & Wijaya, 2019; Purwanto & Zakaria, 2019), climate change mitigation and REDD+ (Wahyudi, 2017; Watts et al., 2019), activities relating to social forestry (Ghofar, 2017; KPH Pogogul, 2019) and ecotourism (Susyanti & Latianingsih, 2014; KPH Pogogul, 2019). Similar assertions were made by many interviewee officials, NGO members and academics at the district, province and national level (ForClime TA, 2018; Jakarta Politician, 2018; Jakarta NGO 1,2 2018; Jakarta Academic 1,2, 2018; Jakarta KemDes Official, 2018; KH DPMD Official 1, 2018; KH TA 1, 2018). When asked if the Village Fund could be used to support forest governance, an Office for Village and Community Empowerment (DPMD) official replied for example,

> *They very much can! The Village Fund and Village Law are very helpful for these cases. . . In my opinion, village governments should be able to make good programs to increase their ability to benefit from the natural resources of the forest.* (KH DPMD Official 1, 2018)

Similarly, a district-level social forestry facilitator for ForClime emphasised the potentials of the Village Fund to support their social forestry activities. Such usages are enabled under Ministry of Villages (Permendesa no.22/2016) and Ministry of Environment and Forestry Law (MEF P.83/2016) and "*could provide a vital funding source for its chronically underfunded programs*" (ForClime TA, 2018).

Whilst emphasising its positive potentials, articles and academic literature are quick to highlight the dangers and challenges associated with the present system. Several articles noted that there are no explicit regulations requiring villages to use their funding in ways that are environmentally sustainable and that the present focus on development could easily enable an increase in negative environmental effects (Naylor et al., 2019; Sutiyono et al., 2018). In the words of Naylor et al., (2019, p. 1204), "*In the absence of conditionality, villages are essentially given the responsibility for local economic development without having the instruments to ensure that the development process is sustainable*". Similarly, Watts et al., (2019) state that few villages are allocating funds to environmental programs and links this reality with a lack of incentives. Additionally, Sutiyono et al., (2018) assert that legal complicities lower village governmental confidence to pursue atypical funding strategies such as those associated with the environment and forestry.

These articles have proposed a number of solutions to these 'problems'. Sutiyono et al., (2018) for example has noted that districts usually have substantial environmental programs, guidelines and legislation and that integrating village agendas with these could enable more environmentally targeted village funding usage. In addition to supporting the legislating of increased district powers over funding usages, they also argue that, "*the synergy between district and village planning could also be improved by gradually giving the district governments discretion to distribute the Village Fund according to each village's condition, and in accordance with district sustainability goals*" (p. ii). Both they and Wahyudi, (2017) also advocate modifying the formulas associated with funding usage, either to "*accommodate a new sustainability variable in its formula*" (Sutiyono et al., 2018, p. iv), or to "*determine percentages of village funds to be utilised for conservation or forest/ environmental protection*" (Wahyudi, 2017, p. 8).

Such ‘solutions’ fly in the face of the ideals of village autonomy and bottom-up governance centred by the Village Law’s vision but appear consistent with dynamics of top-down domination and supervision that have defined its implementation. It is notable that just as was highlighted in the previous chapter, the management and spending of village funds has again become the topic through which efforts to erode the democratic elements of this decentralisation are articulated and justified.

Additionally, it is important to acknowledge that many of the pressures that these articles highlight as a threat to forests and which they advocate overcoming via new rules and regulations, are themselves generated and forwarded through the centrally planned, developmentalist logics of the Village Law’s implementational hegemony. Whist these works frame themselves as seeking to provide solutions to the unchecked passions of the multitude, they are actually attempting, through top-down, hierarchical means, to shape dynamics that are themselves the products of similar sorts of hierarchical domination. In disguising this reality, such articulations perpetuate a familiar dichotomy between sober, expert-planned environmentalism and environmentally destructive community actions which serves both to extinguish discussions of underlying socio-political dynamics and to completely colonise the sphere of debate with discourses associated with elite power – in this case, that of environmental experts and bureaucratic developmentalists.

Community voices are absent in these and other discussions regarding the law and forests. This reality is highlighted in articles such as Wahyudi’s (2017) report to the European Commission’s Support to Indonesia’s Climate Change Response Technical Assistance Component (SICCR-TAC) program on strategies for utilising village funds for REDD+, which has been completed without any input from villagers or village governments whatsoever (see Sutiyono et al., 2018 for a further example). It is also telling that the concepts of ‘sustainability’ and ‘conservation’ as applied by such works

tend to be developed without reference to the opinions or conceptualisations of villagers, thus ensuring that the discourses and agendas with which they are associated will operate as top-down impositions on village spaces rather than being locally or co-defined.

Similarly, such works consistently neglect one of the most significant challenges associated with using the Village Fund to address environmental issues: land access. Most forest land in Indonesia is under the administration of the MEF. This encompasses a majority of the forests customarily claimed and utilised by villages and located within their newly established legal village borders (see section: 7.2.2.1). In an article exploring why funds are rarely used for forest governance, Nugroho (2019) explains,

> *One reason is that most village governments do not include state forest areas in village planning. The village government assumes that the state forest area is not an area which belongs to the authority of the village government, even though it is de facto including the village administrative area*. (para. 3)

This uncertainty regarding land ownership is particularly impactful when linked with tightening demands of legality faced by village governments. As noted by the head of Sungai Sebilik's BPD (village council),

> *Everything we try to do in the forest is maybe against the law! We cannot use the Village Fund for anything there because we must account for it and if it is in the protection forest, then the lawfulness is unclear*. (KeBPD SuSe, 2018)

The decisions of Sungai Sebilik and Huma Wangi to avoid employing their funding for forest governance therefore is not merely a product of economic calculations and legislative ignorance. Similar dynamics were evidenced in Makai Nyamai, the only study village that has received formal *hutan desa* (village forest) status. The village head

asserted that legal uncertainties were one of the principal elements disincentivising him from further expenditures in these spaces:

> *We haven't used the Dana Desa (Village Fund) in the hutan desa because we have no guidance on how to use the Dana Desa there. There is no guidance from anywhere about this, so the PemDes hasn't used the Dana Desa for any developments in the forest. People still are getting forest products from the hutan desa and hunting, but we are nervous to use the Dana Desa there.* (KeDes MaNya, 2018)

These results clearly demonstrate that challenges with utilising village funding for the environment therefore go far beyond those highlighted in the majority of reports and articles tackling the subject. Financial incentivisation and shifts in village funding usage formulas for example will have little effect so long as the majority of village forest land lies outside the legal purview of tightly scrutinised village governments. This is a compelling challenge because whilst the MEF and central government have a number of programs aimed at addressing the legal exclusion of villages from forests – the most notable being social forestry, *adat* village status and the government's agrarian reform program – all involve complex and lengthy legal procedures and are chronically behind schedule (Nugraha, 2017; Radarsukabumi, 2018). Both Huma Wangi and Sungai Sebilik are involved in such processes but until they receive new land statuses there is little they can confidently do in their forests. The fact that Sungai Sebilik was willing to fund projects in the forest before abandoning them over legality concerns (see section 7.2.2.4), alongside the wide array of programs they envision following a change in its status, and the lengthy and difficult experiences of Makai Nyamai in obtaining *hutan desa* status challenge assertions that villages are unwilling to spend on forests and suggest that

legality may be as, if not more significant in shaping village funding practices in these spaces.

Neither is this a simple issue of legal demystification. Despite ambiguities, the MEF's authority does appear to take precedence over that of villages in forest spaces (Moeliono, Thuy, Bong, Wong, & Brockhaus, 2017; Purwanto & Zakaria, 2019) and village officials are justified in their assertions that many potential funding usages are illegal. Notable however, so too are many of the activities that utilise forests, such as the collection of forest materials for crafts presently promoted by village facilitators and district officials. Indeed, as shall be illustrated further in later sections, what appears to define those village forest engaging activities that have emerged or persisted under the Village Law is that they do not directly and traceably apply village funds to forest spaces. Rather than defining a consistent blanket effect, the legality gauntlet operates unevenly in line with the varying strands of accountability with which it intersects. It is tightest and most firmly linked to the central government – both formally and through the dynamics of the umbrella of legitimisation – in cases linked with the Village Fund – that most carefully scrutinised and monitored of Village Law instruments. In cases where it is not involved, villages still have considerable maneuvering room, and both village governments and district actors have capitalised on this space to develop and profit from the diverse array of forest utilising activities.

With NGOs discussing changing its rules, "*should the government wish to prioritise environmentally sustainable villages*" (Sutiyono et al., 2018, p. iv), and top district officials presenting it as a potentially withdrawable gift from the central government, the Village Fund is a fickle beast – fickle and dangerous – and it is little surprise that in the present legal context, few villages wish to apply it to their forests. The discourse of environmental sustainability operates as yet another mechanism

through which to justify further central control of village spaces and their funds. By treating the Village Law and the Village Fund as practically synonymous, much of the research has in turn missed the many significant ways in which the Village Law is intersecting with forests and enabling new forms of village forest governance. Change is happening, but it has rarely intersected with the Village Fund, and for more nuanced and more politically charged reasons than are generally presented, discussed or recognised.

7.2.1.2 New Village Institutions

Although villages possessed the power to establish formal village institutions before the Village Law's adoption (e.g. see Permendagri no.5/2007), the study villages had established few new bodies in the years prior to its adoption. Rather, villages appear to have depended on informal or customary institutions, as well as the various community groups such as women's and youth groups established during the Suharto period. In contrast, the years since the Village Law's adoption have been associated with a proliferation of formalised village institutions in all four study villages. The operations of these new institutions play a significant role in constituting, enabling and shaping a variety of forms of village forest governance.

A number of factors appear to be driving this new trend. Firstly, the 2014 Village Law grants villages the authority to create village cooperatives (BUMDes), legally defined and authorised under Permendesa no.4/2015 as "*a business entity in which all or most of its capital is owned by the village through direct participation derived from village wealth* " (Chapter 1, Article 1.2, p. 2). Village cooperatives are typically established with funding from the Village Fund and can be used to manage a large assortment of village economic ventures, with any profits returning to the coffers of the village government (Village Law 2014, Article 89). National and subnational focus on establishing and developing these institutions has increased rapidly in subsequent years,

with Jokowi framing their development as a top priority of village development in 2018 (Permendesa no.4, 2015; Utami, 2018).

Secondly, LKPP no.22/2015 and subsequent legislations encourage village governments to establish village activity implementing teams (Article 1.13, p. 5) tasked with supporting the execution of projects and the procurement of village goods and services and staffed with village officials and other relevant members of village communities (LKPP no.22/2015; LKPP no.12/2019, Article 11, pp. 10-11). Thirdly, as evidenced by activities on the ground, the years since the Village Law's adoption have witnessed a conspicuous general increase in bureaucratic support for and facilitation of the establishment and operations of village institutions – particularly those directly associated with project implementation and financial management. Finally, village governments themselves appear to have taken a greater interest in establishing institutions since the law's adoption. Presented with the heightened legal and developmental expectations of the higher bureaucracy, increased resources, new channels of support and an expanding array of activities with which they can become involved, there are simply a great deal more factors incentivising village governments to establish new formalised institutions.

All study villages except for Huma Wangi have founded village cooperatives (BUMDes). All four have also established both 'activity implementing teams' and 'Community Empowerment Bodies' (*Lembaga Pemberdayaan Masyarakat* or LPM) – community partners of village governments in pursuing village development agendas (Permendagri no.5/2007, Article 1.13, p. 2). These institutions are led by a village government appointee, serve a variety of functions and tend to be associated with mobilising *gotong royong* – community led self-help work. Additionally, Nanga Kantu's head has devised and created a new institution called Team 11 (Tim 11), "*a team of 11*

people who devised the plan for the village's development under Village Law" – comprised of the village head, members of the village government, the sub-village heads and the head of the village council (KeDes Naka, 2018). Sungai Sebilik in turn has established a 'Tourism Management Body' (*Kelompok Pengelola Pariwisata* or KPP) led by the village officer for welfare and services and made up of the village council (BPD) and 40 volunteer villagers that co-manage their new tourism project along with the village cooperative (BUMDes) (KeDes SuSe, 2018; Masy SuSe 6,7, 2018; PemDes SuSe 1, 2018).

As with village funding however, the ability of these new institutions to engage in forests is hamstrung by the legal complexities associated with these spaces. This is particularly clear in the cases of Huma Wangi and Sungai Sebilik, whose forests are classified as protection forests. Huma Wangi's official institutions are currently completely uninvolved in direct forest governance – a circumstance also markedly shaped by internal community politics. In Sungai Sebilik on the other hand, the village cooperative (BUMDes) and tourism management body have only been involved in governing forest land since the locality of the tourism project was excised from the protection forest sector by the district tourism department, though the department retains a certain control and oversight over their activities in the area (KH Tourism Official, 2018; KeDes SuSe, 2018).

Challenges in engaging forest spaces faced by institutions were also evidenced in Makai Nyamai, which has recently received an official *hutan desa* status. Lacking clear guidance on how to conduct operations in its forest (KeDes MaNya, 2018), the village government has tended to follow the leadership of ForClime, which they have authorised to manage a number of environmental sustainability related programs in their village. The village's activity implementing team for example was involved in ForClime's

program of constructing border markers between the village's *hutan desa* and neighbouring communities (KeDes MaNya, 2018) whilst their community empowerment body has been charged with running ForClime's forest patrols – a role that may eventually be transferred to their newly established '*hutan desa* management body' (KeLPM MaNya, 2018). More recently, a women's group and village-cooperative-managed crafting program similar to the one in Sungai Sebilik has been developed.

With clear ownership over its customary forests, Nanga Kantu faces none of the aforementioned legal challenges and the involvement of its village institutions in these spaces has been shaped more strongly by internal politics and *adat.* Both Team 11 and the village activity implementing team for example were directly involved with development activities in the forest of the sub-village of Kantu Hilir (KeDes NaKa, 2018). The village also appears to have faced few legal issues administering a clean water pipeline running through forest land via their village cooperative (KeDes NaKa, 2018).

These findings indicate that the legal forest status is one of the most significant factors influencing how they are engaged by official village institutions. These bodies have tended to rapidly increase their involvement with forests when their legal statuses are clarified. Institutions that do not require direct investment in forest spaces in turn have been more capable of engaging these spaces than those that do so in a more bureaucratically legible fashion. Control over these institutions however lies overwhelmingly with village governments and, in Sungai Sebilik and Makai Nyamai, village councils (BPD), which is an issue given that these bodies are dominated by officials that are principally beholden to top-down expectations. As a result, the expansion of institutions associated with their authority within forest spaces is itself a politically fraught circumstance, even when leaving aside issues of legal access, and has

not been universally welcomed by villagers. This is particularly the case when villagers have greater loyalties to sub-village rather than village governments, or otherwise feel limited senses of belonging to legally defined 'village' units. The conflicts resulting from such dynamics are explored further in later sections.

7.2.1.3 Bureaucratic Support and Facilitation

Given the often complex and restrictive legal statuses of village forests and the technical and logistical challenges associated with pursuing many bureaucratically sanctioned forest activities under the Village Law, the development and leveraging of connections with higher bureaucracy and other relevant non-governmental actors has grown increasingly pivotal to the actualising of new village-level forest governance strategies under the Village Law. At the same time, the law's implementation has been associated with a proliferation of facilitation mechanisms and channels for accessing higher support. Kapuas Hulu in turn has been a self-described conservation district since 2003 (Erdi, 2015), and with a territory that is over 70% designated as some form of forest status (Leonald & Rowland, 2016) and faced with an over-all 'left-behind' status under the Village Development Index, it has ample incentives to devise new strategies through which villages can enter and profit from forest spaces.

One of the most substantial new mechanisms of village support enabled through the Village Law is the village facilitation system, with its potential to catalyse transformations in forest governance being widely acknowledged by both officials and commentators at the district, province and national levels (Dinas Kehutanan 1,2, 2018; KeDinas Kehutanan, 2018; MEF Official, 2018), as well as by members of the Kapuas Hulu facilitation system itself (KH TA 1, 2018; PendDes 1, 2018). Nonetheless, facilitator knowledge and skill sets appear overwhelmingly targeted towards supporting the set of infrastructural, agricultural and business targets centred in the Village

Development Index, few of which relate directly to forests (PendDes 1,2, 2018; PendLok 3,4, 2018). Indeed, interviewed facilitators appeared uncertain of their role regarding forests (PendDes 1, 2018; PendLok 4, 2018), with one stating that it is, "*not my role*", to support Sungai Sebilik's efforts to pursue *hutan desa* status.

Additionally, the ability of facilitators to effectively support new approaches to village forest governance, and the capacities of the facilitation system more broadly, demonstrate significant geographical and topical variability. Village governments expressed particular frustrations with local facilitators (each responsible for 2 to 3 villages), many of whom came irregularly and often lacked key information (KeDes HuWa, 2018; KeDus NaKa 1,3,5, 2018). The local facilitators responsible for Nanga Kantu and Huma Wangi for example were so poorly informed that village officials preferred to bypass them and seek support directly from facilitators at the sub-district level, whilst Makai Nyamai turned to a district-level facilitator (KeDes MaNya, 2018), and visits from Sungai Sebilik's facilitator were so rare that another local facilitator had started helping them with their issues at his own expense (PendLok 4, 2018; SuSe 1, 2018).

Additionally, what access villages have to facilitators is limited overwhelmingly to members of the village government. Few villagers were aware of who the facilitators were or what they did, and those that were – particularly in the village of Huma Wangi – expressed frustration about this limited contact (KeDus NaKa 2, 2018; KeRT HuWa 2, 2018; Masy HuWa 24,25, 2018). As expressed by one villager,

> *I wish the village government would invite the village facilitator often and that he would meet the public and talk to them instead of just going to the [village] office. Some people may not like the village government and the village head but the*

> *facilitator is supposed to be neutral. If he always goes to the office, many people will never meet him and will never be informed about the rules.* (KeRT HuWa 2, 2018)

Interviewed facilitators linked these limitations with chronic underfunding, which undermined the provision of adequate facilitator training and made it impossible for facilitators to cover their working expenditures (PendLok 2,3,4, 2018). As explained by a district facilitator,

> *From the government side, there is no money. From our side, we have a responsibility but sometimes we cannot do it. That is why sometimes the capacity of the sub-district and local facilitators is low.* (KH TA 1, 2018)

Rapid and ongoing legal complexifications associated with the Village Law however appear to be an equally important factor (PendLok 3,4, 2018; KH TA 1, 2018), with one facilitator stating he'd had, "*10 days [of training] learning about policy and implementation. It was not enough. There are many regulations and I wish I could have continuous training. Now, I mostly learn through self-study*" (PendLok 3, 2018).

Perhaps the most meaningful example of change catalysed by the facilitation system has been its role in expediting connections between village governments and district departments, as well as other external bodies such as NGOs, businesses and technical experts. Such support was vital to the success of Sungai Sebilik's tourism project.

> *[The district-level facilitator] helped us with the initial stages of the project and then made a video of our work as promotional material. He then contacted the Tourism Department and showed them what we had been doing. Then the Dinas*

Pariwisata supported our project and we began collaborating directly. (KeDes SuSe, 2018)

A village official agreed that facilitation was critical, stating that, "*Previously there was no district-level facilitators and no village facilitation system and it wouldn't have been possible to do tourism here – the connections would be too hard to make*" (PemDes SuSe 1, 2018). With a district-level facilitator acting as coordinator, the village was able to engage not only the Department of Tourism, but the DPMD (office for community and village empowerment) and Department of Agriculture as well, and work with them in tandem to efficiently complete their project (KH TA 1, 2018; KeDes SuSe, 2018; PemDes SuSe 1, 2018).

Research identified a number of additional examples wherein the facilitation system helped to support and promote forest related programs including a tourism project in a village located between Nanga Kantu and Huma Wangi and the locally famous beekeeping project of Selaup near Sungai Sebilik. Such successes highlight some of the great potentials of the facilitation system. Whilst previously only villages with the resources or connections to attract NGOS or foreign investors could hope to undertake such projects, now there is theoretically a universally available support network that all communities can engage. Furthermore, as a government backed long-term program, it has the potential to provide the kind of enduring backing that projects such as tourism ventures often need.

Many of these examples of positive engagements by the facilitation system however appear to have been spearheaded by a single man – one of Kapuas Hulu's six district-level facilitators. Drawing on his extensive connections, he has worked tirelessly since the Village Law's adoption to promote alternative livelihoods throughout the

district. In his own words, *"[Villagers] cannot sell timber for profit or plant crops in the protection forest. If villagers cannot use forests however, that is a big damage to their livelihoods and to their village potential"* (KH TA 1, 2018).

The efforts of the district facilitator were acknowledged and lauded by local facilitators and village officials throughout the district (KeDes SuSe, 2018; MaNya, 2018; PemDes SuSe 1, 2018; PendDes 1, 2018). In the words of the head of Makai Nyamai, "*He is the most helpful and knowledgeable person – he is an expert and we depend on him*" (KeDes MaNya, 2018). However, his central role in driving forest-related village governance transformations throughout the district further highlights the weaknesses of the broader facilitation system within this sphere. Inevitably constrained by limits of time and energy, he cannot be everywhere at once. Given his widespread popularity and known effectiveness amongst village officials, some local facilitators had even begun encouraging villages to participate in the village competition directly on the basis that it would bring him to work in their communities. As articulated by one facilitator, "*If they join, they will get help – especially from [the district-level facilitator]. He is so active – an amazing man. He's a photographer, informer, everything*" (PendDes 1, 2018). Apart from competition villages and those few model communities elevated by the district government, most villages must look to alternative channels in fostering the contacts needed to pursue their agendas. As a result, the potentials of the village facilitation system are far from being realised in practice.

A second key mechanism is the Village Innovation Expo, a branch of the government's Village Innovation Program, which frames itself as the primary pool of knowledge and support for villages in the district with significant potential to enable networking and facilitate a wide selection of village governance activities. This event is attended compulsorily by village heads, secretaries and heads of finance and thus

represents another example of a village-government-centric bottleneck (KH TA 1, 2018). These officials are shown a menu of development and empowerment options from which to choose and are placed in contact with the departments and external actors that can support their actualisation. As explained by the district facilitator for basic social services,

> *We invite all department heads and university officials, NGOs and companies to come together to give manuals to villages such as how to make fish farming, micro-hydroelectricity, rice farming – all the information. The desa may not know about these things, but they can make a commitment at the [expo] that they want to make one, say how much they will spend, and at the BID (Village Innovation Exchange/Expo), they can ask the fish farming department about that plan.* (KH TA 1, 2018)

The expo is also a space to promote and advertise local village innovations. Indeed, the district facilitator for basic social services asserted that fostering inter-village engagements and knowledge sharing is one of the prime aims of the event. He explained that,

> *What we do is try and develop examples that people can look at and find inspiration. I want to make every kind of example so that people here can look around and say – 'this village did this, this village did that, what is there in my village? What examples should I take? Which will work here? What needs to be modified for this to work here?' This is the kind of innovation we need. This is the true spirit of the Dana Desa… every village can follow its own path and become prosperous in its own way, but this can only happen if villages can see examples.*

If they can see something working, then they can believe it is possible. If there are lots of examples, then they can find what is right for them. (KH TA 1, 2018)

Both Sungai Sebilik's tourism project, village cooperative (BUMDes)and Selaup's bee keeping program were given booths at a previous expo. "*It is hoped that their successes will attract others to emulate their examples, and that interested villages might even pay to receive trainings from their community members*" (KH TA 1, 2018; KeDes SuSe, 2018). Given the widespread awareness of Selaup's beekeeping project throughout the district and efforts of both Sungai Sebilik and Makai Nyamai to develop apiary projects of their own, the transformative potential of such advertising appears noteworthy. Nonetheless, Sungai Sebilik has not yet received any requests to provide support to other communities in developing tourism projects of their own (KeDes SuSe, 2018).

Finally, one of the most powerful mechanisms through which villages can access support made available under the Village Law is to pay for it directly using their village funds. Such usages of funding are made available to villages under the category of *pemberdayaan* – empowerment – one of the two major categories of funding usage alongside development highlighted in Village Fund prioritisation legislations (e.g. Permendesa no.11/2019 Chapter 1, Article 5, p. 8). Amongst the study villages, only Nanga Kantu has paid for training thus far, with its focus being on improving the quality of their annual budgets and reporting documents (KeDes NaKa, 2018). Nonetheless, officials and heads in Sungai Sebilik and Makai Nyamai both identified empowerment as a top priority for the future of their communities and asserted they would consider employing village funds to gain access to necessary support (KeDes MaNya, 2018; PemDes SuSe 1,2,3,4, 2018). In the words of a Sungai Sebilik official, "*One month ago, we got training about keluluts (stingless bees) from the NGO Sampan free of charge! In*

the future, it is possible that the PemDes will be able to organise and pay for more of this kind of training" (PemDes SuSe 1, 2018). As with the other channels identified in this section however, power to determine training expenditures lies with the village officials. This can generate tensions when – as in the case of Huma Wangi and Nanga Kantu – popular desires for certain kinds of training such as those related to agriculture differ from those prioritised by village governments.

One channel that has not improved substantially since the Village Law's adoption however is the one between villages and the MEF. Its representatives were not in attendance at the Village Innovation Expo and, as noted previously, the facilitation system has made little effort to engage and form links with them (Dinas Kehutanan 1, 2018; KH TA 1, 2018; KeDinas Kehutanan, 2018), with some local facilitators expressing doubt that such activity was even within their remit at all (PendDes 1, 2018; PendLok 4, 2018). This lack of engagement is striking when juxtaposed with major problems with the MEF and its forest designations expressed in Huma Wangi and Sungai Sebilik. In both communities, a majority of respondents identified forest legal status and access as top priority issues, yet their village facilitators hadn't made any effort to address these concerns, highlighting significant disconnects between villager desires and available facilitation.

Ongoing disconnects are also notable in light of the potential synergies between the mechanisms of the Village Law's implementation and the MEF's social forestry program. This program is rooted in the country's 1999 Forestry Law and has grown in scale substantially in recent years as a result of lobbying and legal reform (Antlöv et al., 2016a; Siscawati et al., 2017). Since his inauguration, Jokowi has placed special attention on this program, announcing plans to transfer 12.7 million ha of forest land – an area the size of Malawi – to village hands (Lumban Gaol & Dahlia, 2017) in line with a

broader agenda of rural land reform (National Strategy, 2016-2019). The similarities and alignments in the goals of both the Village Law and social forestry were noted by both the politician who proposed the Village Law and the head of the West Kalimantan Department of Forestry, who stated that, "*The goals of both laws – UU Desa and hutan social – are to promote empowerment of people – both socially, economically and in using the forest, but there are many struggles to achieve this goal, even though they have the same agenda*" (KeDinas Kehutanan, 2018).

Ongoing challenges with implementing social forestry reform (Satriastanti, 2017) could in turn be supported by drawing on the mechanisms of the Village Law such as the village facilitation system. As explained by the Department of Forestry head, "*The village facilitators can facilitate making the proposals or documents and maybe can talk to the district level. Maybe then, to provincial level*" (KeDinas Kehutanan, 2018). Additionally, engagement between the mechanisms of the Village Law and Forestry enable consequential deployments of village funds and administrative capacities in the pursuit of sustainable forest management and good governance (KH TA 1, 2018; KeDinas Kehutanan, 2018). Indeed, in addition to the discourse of environmentalism, the repertoires of domination associated with the law's implementation provide powerful levers that forestry bodies could draw upon to compel villages to engage with forests and social forest management in ways that align more closely with their mandates and agendas.

The greatest factor underlying this rift appears to be a hostility and suspicion of the Department of Forestry held by the district-level government agencies in Kapuas Hulu. This dynamic has emerged since the Forestry Department's office was moved from district to the provincial level in Pontianak in 2014 as part of a national forestry restructuring initiated by Law no.23/2014 about regional government. As explained by

the head of the Department of Forestry, "*The problem is that the district government doesn't want to know [about our department] because they perceive since the Department of Forestry was moved to the provincial level, they don't manage forests anymore*" (KeDinas Kehutanan, 2018). A divisional head in the department echoed this assessment, asserting that, "*When the power was moved, the kabupaten said, 'fine, you take the power away from us, but if it goes downhill then it is your fault*'" (Dinas Kehutanan 2, 2018).

The village facilitation system appears similarly distanced from the Department of Forestry (KeDinas Kehutanan, 2018), with a district facilitator explaining that,

> *The Department of Forestry held the meeting to inform village facilitators to prepare application forms to apply for [social forestry] status change . . . The [village facilitators] should be facilitating this process but they have a lot of work with the [villagers] and have to make reports every day. There is no time to facilitate [social forestry] programs. Other issues take priority.* (KH TA 1, 2018)

Such dynamics have significant implications, particularly in light of the ever-growing pressures on villages to behave legally that are exerted through the workings of the legality gauntlet. Pressed between tightening top-down scrutiny and substantial blockages in legal forest access, village governments are caught in something of a limbo. Without a clear escape from legal dilemma, village governments may be increasingly pressed to abandon many of their forest governing activities altogether, as happened in Sungai Sebilik (see section 7.2.2.4).

7.2.1.4 Village Regulations

Village regulations are laws adopted by village governments with legal authority throughout their village territories. Such regulations may concern multiple matters from

taxation to customary law so long as they do not contradict higher legislation (Law no.111/2014). Despite technically having the power to create them before its adoption (see Government Regulation no.72/2014), village regulations do not appear to have been a widespread feature of village life in Kapuas Hulu prior to the implementation of the Village Law (KH NGO 1, 2018; KH TA 1, 2018; KeDes HuWa, 2018; Naka, SuSe, MaNya, 2018). As explained by a ForClime consultant, previously "*there was nothing for them to make regulations about. The village was not empowered with funding and authority like it is now*" (KH NGO 1, 2018). Since 2014, increased demands for villages to operate legally, increasing demands for funding linked to the expansion of village governmental operations and agendas, and increased support from the village facilitation system have expanded the incentives and possibilities of villages to engage and deploy these instruments of village legalist authority (KH NGO 1, 2018).

Village regulations have powerful potential synergies with other village economic mechanisms enabled through the Village Law and field research revealed interest in their establishment in all study villages. The heads of Makai Nyamai, Sungai Sebilik and Huma Wangi all highlighted the importance of adopting village regulations to manage their forests, with the latter two asserting this would be a priority after they received official *hutan desa* status (KeDes HuWa, 2018; MaNya, SuSe, 2018). In the words of the Huma Wangi head,

> *If the status [of our forest changes to hutan desa], I will have to make new village regulations to manage the area otherwise it may be a problem. If we have regulations, we can manage the area well for the maximum benefit.* (KeDes HuWa, 2018)

Officials in Sungai Sebilik and Makai Nyamai also expressed interest in reinforcing their *adat* forest rules by codifying them as village regulations (BPD MaNya 1,2,3,4, 2018; BPD SuSe 1, 2018; KeAdDus SuSe, 2018; KeBPD MaNya, 2018; KeBPD SuSe, 2018; KeDes SuSe, 2018; KeDus MaNya 1,3, 2018; MaNya, 2018; Masy MaNya 8,9, 2018; Masy SuSe 5,7, 2018; PemDes MaNya 3, 2018; PemDes SuSe 1, 2018). The informal nature of *adat* law was seen as an issue by village governments, *adat* officials and some villagers in all four study villages. Respondents described many cases in which transgressors of forest *adat* regarding entry restrictions, taxes and harvesting limits refused to submit to punishments and the challenges faced by village governments in bringing these individuals to justice which some argued might be better overcome by legal codification (BPD SuSe 1,2, 2018; KeAdDus, 2018; KeDus SuSe 4, 2018; KeKPP SuSe, 2018; PemDes SuSe 1,5, 2018; SuSe, 2018). Some villagers similarly asserted that formalisation could clarify their own legal positions in forest spaces (Masy MaNya 8,9, 2018; Masy SuSe 5, 2018), with a Makai Nyamai respondent asserting that, "*People know the [adat] rules, but they are abstract, not concrete. If they were made into a village regulation, then everything would be clear and aligned with the law*" (Masy MaNya 8, 2018). Such processes could potentially open new avenues for villagers to defend their rights and limit the arbitrary deployment of power by village elites. A Sungai Sebilik official argued for example that, "*many community members gripe about the taxes, so I want the system to be even clearer and more transparent so that everyone is clear and happy*" (PemDes SuSe 5, 2018).

Despite this interest, none of this study's focus villages had actually succeeded thus far in converting their *adat* into law, and actual adoption of village laws remained limited. Only Sungai Sebilik had actually passed a law, and this one related specifically to the management of village funds. According to village officials, the main blockage to

doing so appeared to be poor support from village facilitators claiming to lack the information necessary to assist them (KeDes MaNya, SuSe, 2018 – See: section 7.2.1.3 on the village facilitation system). In the words of the Makai Nyamai village head, village facilitators are good in theory only. *"[They] cannot help me to make village regulations. . . I must make [regulations] according to the Village Law, so if they cannot help me, it is impossible to make them*" (KeDes MaNya, 2018). Facilitators asserted in turn that in order to help, they would need access to sample documents showing the correct formats for such laws and they had not yet received them. They do, however, have access to formats for village regulations related to other topics such as village finance (PendLok 3, 2018; PendLok 4, 2018).

This differentiation in access to key documentation and support again highlights the specific priorities of higher bureaucracy. Although district officials and facilitators emphasised the importance of village regulations as a way to strengthen *adat* governance (KH TA 1, 2018), there has clearly been little support for realising this aim on the ground. Results thus suggest that whilst some village legal mechanisms related to development have substantial scope for widespread future implementation, others such as those relating to forests are likely to remain limited and marginal.

Furthermore, whilst there are many incentives for villages to establish village regulations, other dynamics work to problematise such laws, generate resistance to their adoption or otherwise highlight their operations as fraught political objects in village spaces. The blocking of a proposal to establish a forest regulation proposed by the sub-village of Nanga Tenga by the Nanga Kantu village government for example highlights that power to enact such laws lies firmly with village governments (KeDus NaKa 1, 2018) – institutions which, as highlighted previously, often lack cogent accountability to their constituents. In light of such dynamics, attempts to incorporate customary law into

village regulations may in turn face opposition by villagers such as those in Huma Wangi, many of whom expressed suspicions of expansions of village governmental authority.

7.2.2 Mechanisms of Forest Control

7.2.2.1 Village Border Demarcation and Mapping

One of the most significant processes initiated by the adoption of the Village Law has been a nation-wide effort of village border demarcation and mapping. The formal impetus behind such a program is twofold: firstly, the weighted formula used to determine each village's allocation of village funding is partially based on its territorial area (PMK no.199/2017, Chapter 4, Article 11c, p. 11). Secondly, clear inter-village borders are needed as part of a broader agenda of demarcating villages as fundamental territorial units of national administration under the legal jurisdiction of village governments – territories for which they are held responsible and in which their laws and authority hold writ (Salim et al., 2017).

Village border demarcation is the responsibility of the Village Boundary Determination and Confirmation Team comprised of officials at the national, provincial, district and village level (Permendagri no.45/2016, Chapter IV, Articles 4-5, pp. 6-9) and is accomplished using various cartographic methods with reference to customary land claims (Permendagri no.45/2016, Chapter 10, Article 23, p. 16) and natural boundaries such as watersheds (Permendagri no.45/2016, Attachment A, III/a). These activities aim at generating a figure of the village's territorial extent and – at least in theory – a preliminary village map of its frontiers (Permendagri no.45/2016 Chapter V, Article 10, pp. 10-11). Mapping in turn involves a repeat of surveying efforts aimed at eliminating all overlaps and disputes with neighbouring villages and the production of an official village map cartographically aligned with concrete boundary posts erected at regular

intervals around the entirety of that village's borders (Permendagri no.45/2016 Chapter V, Article 14, p. 12).

Despite its importance to the allotment of funds, demarcation and mapping have received relatively limited direct support or funding from higher officials in the district. Instead, district officials have presented village governments with a deadline for completing necessary demarcations, threatening a 25% cut in district sourced village funding should they fail to do so (KH District Head, 2018; KH TA 1, 2018; KeDes MaNya, 2018). A district facilitator appeared to frame such realities as an intentional approach, stating that, "*We didn't support them. . . Now that [villages] have [village funds], they can pay for help. If they don't have a map, how can a [village] get the [Village Fund]? A good incentive*" (KH TA 1, 2018).

An NGO respondent conversely argued these circumstances were a result of profound institutional neglect:

> *In the mandate from the [Ministry of the Interior], who is responsible for these borders? The district head! He has a team to do this. . . Do they have funds? No, they don't, so how do they do it? They do it with the help of these NGOs – ForClime . . . CIFOR etc. That is how. The DPMD would not be able to do their job without their help. . . What is being done is not because of the DPMD – it is because these NGOs insist they do it.* (Pontianak NGO 2, 2018)

Despite these challenges, efforts at village demarcation have proved wildly successful. 278 villages in Kapuas Hulu (90%) had been demarcated in November 2018 and 30 had developed official village maps (KH DPMD Official 2, 2018). The trend of mapping and demarcation is one of the most extensive, remarkable and impactful outputs of the law's adoption and evidence of the significant capacities of the law's logics to

initiate massive transformations on the ground with minimal deployments of hard power or resources. Faced with the dense array of pressures and potentials of the law's hegemony, villages and NGOs found a way, spontaneously and *en masse*, to meet the expectations of central regulations.

All four of this study's focus villages have had their borders demarcated and produced official village maps. Their methods in doing so however varied widely based on their differing circumstances. In Makai Nyamai, mapping was supported by ForClime (KeDes MaNya, 2018). Huma Wangi and Nanga Kantu were mapped as part of a sub-district-wide program by a local NGO. Having been approved to conduct this work by sub-district officials in 2017, they held community meetings and focus group discussions in all 15 of its villages with the aim of clearly determining their frontiers and managing disputes between them (Kec Official 1, 2018; KeDes HuWa, NaKa, 2018; Pontianak NGO 1, 2018). Sungai Sebilik on the other hand paid to be mapped using their village funds. "*We got no help from an NGO like other villages in Kapuas Hulu. There were some people with GPS units and we and [a neighbouring village] paid for them to map everything*" (BPD SuSe 2, 2018).

The demarcations and mapping of forests as parts of village territories has significant implications for their socio-political conceptualisation and future governance. Whilst many forests such as the one located in Huma Wangi are associated with multiple overlapping claims by various sub-villages, village and tribes, the village demarcation process acknowledges only one – that of the village government to which it has been allocated. Similarly, the hard, watershed-related village borders determined through demarcation contrast notably with the often-vague frontiers in unpopulated backcountry regions of the Heart of Borneo such as those adjoined by Sungai Sebilik and Makai Nyamai (KeBPD SuSe, 2018; KeDes MaNya, 2018; KeDus MaNya 3, 2018). These new

types of borders, increasingly crisscrossing forest spaces, may prove some of the most far-reaching and enduring effects of the new law.

Demarcation does not automatically confer authority over forest governance to village governments since protected forests remain the legal preserve of the ministry irrespective of where such borders are drawn. Nonetheless, such realities can rapidly shift as illustrated by the case of Makai Nyamai which, with the exception of those areas that are part of the national park of Betung Kerihun, has gained *hutan desa* (village forest) status for the entirety of the forest territory located within its borders. By these means, borders established through the village demarcation process have become the hard borders of a governance regime that contrasts starkly with those operating in the forests allocated to neighbouring communities. With the Indonesian government actively seeking a substantial expansion in social forestry designations and both Sungai Sebilik and Huma Wangi actively seeking *hutan desa* status (KeDes HuWa, SuSe, 2018), it may be inferred that the implications of the construction of village borders through the village demarcation process is likely to become ever more striking in the future.

The establishment of clear frontiers has made it easier for village governments to police frontiers through activities such as patrolling. The head of Makai Nyamai's village forest patrol explained for example,

> *It is. . . useful for identifying when people have entered our land during the patrol. Let's say that those people come to our hutan desa and take things – the patrol team will know the boundaries because we have GPS that show them, so if we spot someone, we will know instantly that they are trespassing.* (KeLPM MaNya, 2018)

An international NGO similarly employed Huma Wangi's village map as evidence in asserting an oil palm company had violated their borders in a case that ultimately forced their withdrawal (KeDes HuWa, 2018; KeDus HuWa 1,3, 2018; PemDes HuWa 1, 2018). Having a map that showed their borders in the forest also helped galvanise the governments of Huma Wangi and Sungai Sebilik to take a more active role in the governance and defence of these territories irrespective of their exact legal authority to do so (BPD SuSe 1,2,3,4, 2018; KeAdDus HuWa, 2018; KeBPD SuSe, 2018; KeDes SuSe, 2018; KeDus SuSe 1,3,4, 2018; Masy SuSe 1,5, 2018; PemDes SuSe 1, 2018; RT SuSe 2, 2018), highlighting the increased sense of ownership developed through the production of such documents. Nonetheless, the extent to which village mapping actually strengthens a village's legal position in the absence of NGO support appears highly variable, as demonstrated by the repeated failure of the government of Nanga Kantu to halt land seizures by a palm oil company within its borders in recent years (KeDus NaKa 1,2, 2018; KeKPP NaKa, 2018; KeRT NaKa 2, 2018; Masy NaKa 1,2,28,29,30,31,35, 2018; PemDes NaKa 5, 2018).

Mapping has also been associated with negative impacts. Whilst previously, villagers in all four villages operated their own local methods of defining and maintaining relevant borders (KeAdDus HuWa, 2018; KeAdDus MaNya 1, 2018; KeDus HuWa 1, 2018; KeDus NaKa 3, 2018; KeLPM NaKa, 2018; KeRT HuWa 2, 2018; Masy Group NaKa, 2018; Masy HuWa 2,3,4, 2018; Masy NaKa 1,35, 2018; Masy MaNya 14,19,22, 2018; Masy SuSe 2,4,5, 2018; PemDes HuWa 1, 2018; PemDes MaNya 3, 2018), the demand for clear bureaucratically legible frontiers has overlain and pressurised these dynamics and increased border conflicts generated by such procedures. The village head of Makai Nyamai recounted,

> *People almost killed each other over the border. The issue couldn't be addressed by the villages and the issue had to be brought to the sub-district and finally the district. . . In the end, [ForClime agreed to] help map [the neighbouring village] as well.* (KeDes MaNya, 2018)

In Sungai Sebilik, "[*a neighbouring village] claimed a part of our forest*" (BPD SuSe 4, 2018). The newly established district conflict resolution team (DRK – Desk Resolusi Konflik) was called in to solve the issue, but it remained unresolved in November 2018.

Broadly then, the value of demarcation for villages is complex. The principal effect of this process, in addition to increasing territorial figures used to calculate village funding, has been the production of bureaucratically legible spaces. Such results most strongly benefit village governments, providing them with increased resources, a stronger notion of the territory in which they have authority and a clearer picture of the forest space with which they are associated and, under the right circumstances, they gain the right to legally govern. Indeed, the long-term political implications of mass creation of documents starkly illustrating village rights to forest spaces may prove substantial. At the present point however, the strongest outcome of the process experienced by most of the average villagers I interviewed was decidedly negative: the increased conflict and potential for property loss associated with hard border demarcation. Such traumas are the very real costs of trying to manifest villages as self-contained, territorially unambiguous political units on the ground.

7.2.2.2 Intra-Village Customary Forest Surveying

Many villages in Indonesia have customary forests (*hutan umum*) – i.e. forested areas that are not officially designated as forests by the MEF and have no official state status or protection. In Kapuas Hulu, such forests are governed directly through the customs of the villages or sub-villages within which they are located, and lack of formal

recognition often places them at risk from the land grabbing practiced by village elites and external companies (Li, 1999; Peluso, 2005; Colfer, 2008). This issue is demonstrated by the village of Nanga Kantu, where an oil palm company capitalised on confusions surrounding the ownership status of a valuable customary forest in the sub-village of Nanga Putih to seize it for themselves (KeAdDus NaKa 2, 2018; Masy NaKa 28,29,30,31,35, 2018; PemDes NaKa 5, 2018).

Previously there was no legal mechanism in Indonesia to formally recognise community ownership of customary lands and the only official titling option was to break them up into individually owned plots. This changed with the enactment of Permendagri no.10/2016. Adopted in line with recent positive shifts in official perceptions of common land holdings and with the aim of heading off issues of land grabbing and speculation, it provides a clear process through which villages can apply for and receive community titles which intersects with the mechanisms of the Village Law in several key ways. Firstly, it requires that the specific forest territories in question be mapped and demarcated (Permendagri no.10/2016, Chapter 3, Article 8.3, p. 10) – a process that can be paid for by village governments with their village funds (KH TA 1, 2018; Pontianak NGO 1, 2018). Secondly, on-the-ground demarcation typically involves painting communal forests borders with red paint which can in turn be paid for using village funds. Finally, the village facilitation system is positioned to facilitate authorisation processes and develop links between interested villages and relevant district bodies.

The importance of acquiring such a title was widely acknowledged in the Nanga Kantu sub-village of Kantu Tenga. As described by their sub-village head,

> *The villagers of our sub-village discussed together and decided that it was our priority to clearly mark the boundaries of our customary forest so that everyone knows it is ours and no one can try to claim it. We planned to use paint to colour the trees on the boundary of the customary forest to distinguish between [it] and other land. Doing this would be especially useful for the youth since it will make the area very clear to them and it will be easier for them to manage and protect the forest.* (KeDus NaKa 1, 2018)

Ultimately however, power to pursue communal title lies with village governments, which can be problematic when village governments place less emphasis on such issues than those centred by higher authorities. In Nanga Kantu, the sub-village head "*took the proposal to the village head, but it failed. The village government told me that the Village Fund is not for forests, only development*" (KeDus NaKa 1, 2018). Furthermore, few village facilitators indicated knowledge of or independently expressed concern with communal titles, and a district-level facilitator admitted ignorance of the processes (KH TA 1, 2018), indicating villages may struggle to access the support they need in pursuing such demarcation and titling programs.

7.2.2.3. Bureaucratic Support for Increased Territorial Control

The demarcation of village forests has formally allocated extensive tracts of legally protected forest land to villages, yet most of this territory remains formally under the control of the MEF. District and village officials have multiple incentives to seek the opening of these spaces to greater village control and engagement. In light of ongoing rifts between the government of Kapuas Hulu and the Department of Forestry, district bodies have tended to approach such agendas through means that either don't involve them or do so only tangentially.

Since a 2015 memorandum between the Ministries of Tourism and Environment and Forestry, (Prodjo, 2015) tourism departments have the authority to excise territories in any Indonesian protection forest as tourism enclaves which, despite remaining the legal property of the MEF, are deeded to and governed by villages (KH Tourism Official, 2018). As such, tourism provides a mechanism through which village administrations can extend their authority over forest lands they were previously excluded from. National, district and village officials have placed increasing emphasis on their designation. The Ministry of Tourism for example reported the establishment of 1,734 ecotourism areas across the country in 2018 and set itself a goal of 2000 for 2019, whilst the head of ecotourism for Kapuas Hulu identified a rapid increase in requests to develop tourism sites by villages since the Village Law's adoption (KH Tourism Official, 2018).

Despite this upswing in interest, the legal and technical requirements associated with village ecotourism are substantial and can only be met by villages through direct engagement with an array of district departments. The extent to which villages can effectively pursue such status changes is thus rooted in their ability to establish these connections – either independently or via the various mechanisms of support and facilitation associated with the Village Law. Makai Nyamai has had poor luck in this regard – repeatedly seeking needed support but always receiving, "*no response*" (KeLPM MaNya, 2018). Sungai Sebilik on the other hand provides a model example of success. They collaborated with the active village facilitator identified in section 7.2.1.3 to develop the necessary departmental connections with the DPMD, Department of Agriculture and Department of Tourism. These bodies then worked with the community to navigate the various hurdles needed to authorise the ecotourism project and receive a

deed to the 20 ha of forestland on which it is located (KH TA 1, 2018; KH Tourism Official, 2018; KeDes SuSe, 2018; PemDes SuSe 1, 2018).

After receiving their deed, the village government and its institutions has been able to actively expand into this new territory, instigating a wide range of governance and development activities. At the same time, the department of tourism still retains significant oversight over the area, and the village must consult with them if they want to alter its usage or management in the future (KH Tourism Official, 2018; KeDes SuSe, 2018; PemDes SuSe 1, 2018). As with *hutan desa* status, the establishment of tourism enclaves therefore operates less like a true liberational dynamic that opens spaces directly to village sovereignty and can be better conceptualised as producing a co-managed space ultimately dominated by higher authorities.

Villagers nonetheless universally lauded this designation and village officials framed it as a stepping-stone towards greater gains in the future. As explained by a sub-village head, having the deed to the tourism site is "*very helpful as evidence that [the forest] is ours! Now we have tourism in the forest, so it is clearly ours*" (KeDus SuSe 3, 2018).

These assertions allude to a second channel for gaining access to forests made more accessible through the mechanisms of the Village Law – the government's agrarian reform program. A considerable portion of Sungai Sebilik's farmland is included within the border of the protection forest – a common circumstance in Indonesia as a result of earlier surveying mythologies, poor border signage and inadvertent community encroachments. The central government's agrarian reform program aims to address such issues wherein "*land tenure both in forest areas and plantations has resulted in unclear*

status of village land, rampant agrarian conflicts, and ecological damage" (National Strategy 2016-2019, p. 12).

As with ecotourism, Sungai Sebilik has sought to access the agrarian reform process with the help of the village facilitation system, where the district facilitator for basic social services put them in contact with the Department of Agriculture during the tourism gazettement process. As explained by the village head, "*The Agriculture Department will collaborate with the Department of Forestry. They will help us identify the locations of our fields and rice paddy and then propose to the Department that we should get those areas back*" (KeDes SuSe, 2018). Noting that acquiring *hutan desa* status is far more challenging, he continued to assert,

> *I will try to get the whole forest back, but it is not the priority. It is important, but it must wait. The agriculture areas are critical because people's lives are badly affected because their land is in the protection forest*.

Similar desires for legal access appear to have been a compelling driver behind Huma Wangi's pursuit of an ecotourism designation as well. In the words of the village head, "*With the change of status, the tourism area can be improved and used*" (KeDes SuSe, 2018). A village official in turn noted that the community has already identified the connections needed to pursue the change, stating that,

> *If the village does the project, it can get coordination with the sub-district and district head. The sub-district head. . . supports the project. She said that we should not leave our protection forest 'sleeping and useless'. She wants to help us make profit from it*. (PemDes HuWa 1, 2018)

The change of legal status associated with ecotourism designation however has proved highly contentious in the community. Villagers in Huma Besar have stalled the

project, asserting that it will lead to the erosion of their *de facto adat* control of the area. The exact factors drawing higher officials and village governments in Sungai Sebilik, Huma Wangi and elsewhere to pursue ecotourism projects – legality, legibility and the associated ability of officials to securely govern, invest, and profit from forest territory – are therefore the same ones that have driven many villagers to oppose them. In this context, *de facto* community governance overlaid by the loose authority of the MEF was considered preferable to clear, legal recognition of rights allocated to village governments. Faced with less active scrutiny in their engagements with forests than village governments and often relatively free to pursue their agendas in these spaces, it is easy to understand why villagers in some communities might perceive the transfers of land title associated with ecotourism to be less a reclamation of territory and more like a conquest by the village government and district authorities.

The combative dynamics in Huma Wangi differ markedly from Sungai Sebilik, where villagers appeared to have few issues with the central role of their village government in negotiating, holding and allocating land rights in association with these reform programs (Masy SuSe 1,2,3,4,5,6,7, 2018). As such, in addition to connections with higher officials, the particular relationship between the village government and its constituents emerges as an equally pronounced factor in determining the success of land transfers. Conflict for example appears particularly common in cases where there is a strong sense of sub-village rather than village level allegiance – a dynamic that shall be explored in greater detail in the next chapter (see section 8.3).

7.2.2.4 Forest Patrolling and Formalised Monitoring:

One of the most direct and potentially impactful ways in which village governments can use their newly increased funds to strengthen their control over forests is to spend it on financing their own village forest patrols. Whilst villagers in all four

villages monitored their forest territories through various means before the Village Law's adoption, patrolling of the sort discussed in this section differs from such activities in a number of important ways. Patrolling typically involves paid teams reporting directly to their village governments and/or other official bodies. Secondly, patrols tend to survey far larger territories than those covered through traditional means. Finally, in villages with clearly demarcated borders and maps, patrols are able to adopt more systematic approaches to their surveying aimed at regulating activities throughout their now firmly defined territories.

Whilst the governments of all four study villages asserted the importance of actively monitoring their forest territories, the establishment of formalised patrols was only pursued by those with large forest territories – Makai Nyamai and Sungai Sebilik (KeBPD SuSe, 2018; KeDes MaNya, 2018; KeDes SuSe, 2018; KeLPM MaNya, 2018; PemDes HuWa 2,3, 2018). Whilst Makai Nyamai has received backing from ForClime in maintaining its patrol, Sungai Sebilik founded theirs using their Village Fund. Their success in doing so illustrates a critical shift under the Village Law – that not only villages associated with NGOs but any village that wishes can decide to establish a forest patrol via the Village Fund. The ultimate failure of Sungai Sebilik's program in turn illustrates the limitations of such potentials under the present logics of the Village Law's implementation.

Sungai Sebilik's administration first established its patrol to help with the demarcating and mapping of their borders required in order to receive village funds. Led by the BPD (village council), the patrol spoke with everyone they met in the forest who wasn't from their village, saying, "*This is [Sungai Sebilik's] forest. Don't do things here! You have to ask permission!*" (KeBPD SuSe, 2018). The patrol "*tried to check the whole of our land, but we didn't reach even ¼ of the total area*" (KeBPD SuSe, 2018).

Nonetheless, even this relatively rudimentary effort revealed extensive activity by 'outsiders' within their forest territory including logging, fishing and honey collection. They also found red paint on trees demarcating areas for logging. When these discoveries were followed by propositions from rubber and mining companies to use the forest for their programs, backed by maps that appeared to suggest the companies already had rights to the area, the village government was convinced that their forest was at risk of being seized (KeBPD SuSe, 2018; KeDes SuSe). Armed with GPS systems and a new, clearly defined border map, the village administration chose to continue funding its patrol with the aim of monitoring, controlling and taxing activity throughout the entirety to the vast forest territory now officially placed within their jurisdiction (BPD SuSe 3, 2018; KeBPD SuSe 2018; KeDus SuSe 4, 2018). These actions appear rooted to a longer history of village administrational involvement in forest monitoring, with taxation of various forest-related activities being one of the key sources of income for their government (BPD SuSe 1,2, 2018; KeBPD SuSe, 2018; KeDes SuSe, 2018; KeDus SuSe 3, 2018; Masy SuSe 5, 2018; PemDes SuSe 1, 2018). Additionally, they link to broader efforts to crack down on environmental misuse within their borders, with stricter fines having been adopted and levied for activities such as fish poisoning (KeBPD SuSe, 2018).

Whilst the Sungai Sebilik patrol ran for a number of years, several factors ultimately conspired to cause its cancellation. Firstly, it was prohibitively challenging and expensive. As explained by the head of the BPD (village council),

> *Now, we have no budget, so we cannot do it. That is the big problem – it is hard to reach all those far places! It is too big, and the journey is too expensive. . . It is too risky for the speedboat owner.* (KeBPD SuSe, 2018)

Secondly, the increasing pressures and scrutiny placed on village governments to behave 'legally' since the law's adoption ultimately made such pseudo-legal activities appear far too risky to be continued. The village's new head prioritised establishing connections with higher officials in order to develop his tourism project and the legal marginality of patrolling activities he felt could only hinder the achievement of these objectives (KeBPD SuSe, 2018; KeDes SuSe, 2018).

Despite its cancellation, most interviewees in the community agreed that patrolling remained vital to the future of their forest and would need to be restarted in the future (BPD SuSe 2,3,4, 2018; KeDus SuSe 1,2,3,4, 2018). The village council (BPD) has discussed additional, more cost-effective strategies such as using village funds to buy a drone, but this plan was also ultimately scrapped due to fears that such activity wasn't officially allowed. The new village head confirmed that patrols would be reactivated, but only once the forest's status was changed to *hutan social* and noted that he might then be able to fund its activities via MEF finances and external donations (KeDes SuSe, 2018). These realities illustrate broader dynamics in which village governments are both better equipped and legally stifled in seeking to govern forests. In the context of hostilities between the Department of Forestry and district authorities and chronic delays in processing social forestry applications, the logics of the Village Law's implementation thus work to squeeze village governments out of the forest – even in cases where their involvement appears vital to their preservation.

At the same time, it is also worth considering the social implications and power functions of operational forest patrols within the context of broader power dynamics of the Village Law's implementation. The expansion of village governmental supervisory and policing capacities in the context of top-down bureaucratic domination and in lieu of firm grassroots controls on their actions is of considerable concern. In both Sungai

Sebilik and Makai Nyamai, patrols were managed in a top-down fashion with little space for public discussion and engagement. As highlighted by the resistance of the sub-village of Huma Besar against the involvement of the Huma Wangi village government in their forest, the potential for conflict as a result of patrol operations is pronounced. So too is the potential for abuse of power, particularly should the actions of patrols become weaponised in service of bureaucratically ordained governance agendas. Broadly then, patrolling has substantial potential to support 'good forest governance' in line with local desires, but their utility is undermined by present structural and power dynamics, which threaten to turn their operations against the interests of those they might otherwise serve.

7.2.3 Mechanisms of Forest Engagement

7.2.3.1 Forest Management and Restoration

As highlighted in section 7.2.1.1, there has been considerable discussion of the potential to employ village funds to support a variety of environmentally restorative agendas (Susyanti & Latianingsih, 2014; Ghofar, 2017; Wahyudi, 2017; Djuwityastuti, 2018; Sutiyono et al., 2018; KPH Pogogul, 2019; Naylor et al., 2019; Nugroho, 2019; Purwanto & Zakaria 2019; Watts et al., 2019; Yusfita, 2019). Such possibilities were also acknowledged by officials at the Ministries of Forestry and the Interior, as well as in the West Kalimantan Forestry Department, Kapuas Hulu, DPMD and ForClime (Dinas Kehutanan 1,2, 2018; ForClime 1,2, 2018; 2018; ForClime TA, 2018; Jakarta Academic 2; Jakarta Academic 1; Jakarta KemDalam Official; KH DPMD Official 1; KeDinas Kehutanan, 2018; Kemenhutan Official, 2018; Pontianak NGO 1, 2018). A DPMD official noted for example that, "*Village funds are an opportunity for villages to improve in many areas such as development, empowerment, infrastructure and environment*" (KH DPMD Official 1, 2018), whilst a Department of Forestry official asserted that, "*Dana Desa is not just for infrastructure and development, but also for the environment.*

If they go together, the ecology and economy will be balanced" (Dinas Kehutanan 1, 2018).

Nonetheless, another Department of Forestry official claimed that whilst some *hutan desas* were experimenting with "*support[ing] rehabilitation activities in social forestry areas"* in West Kalimantan as a whole, in the case of *"Kapuas Hulu, the use of the Village Fund is limited to business development. . .*" (Dinas Kehutanan 1, 2018). Findings in Kapuas Hulu appear broadly to support these assertions. Whilst officials in Huma Wangi, Nanga Kantu and Makai Nyamai stated they had heard about and discussed a forest management or restoration program, none of them had decided to actually put one into practice (KeDes HuWa, NaKa, MaNya 2018; KeDus NaKa 1, MaNya 2, 2018). When asked whether they had or would consider such a project in the future, the head of Huma Wangi stated they had "*no plan – we just do plans based on guidelines of the Ministry of Villages*" (KeDes HuWa, 2018). Given the pronounced divergence in concerns from those forwarded by hegemonic discourses of developmentalism associated with the law's implementation, it is perhaps unsurprising that management and restoration projects have received little attention in the district. They also appear to have held little appeal for villagers, who tended to assert there was no need for active village governmental involvement with such activities (KeAdDus NaKa 1, 2018; KeDus NaKa 2, 2018; Masy NaKa, 2018; PemDes SuSe 3, 2018).

7.2.3.2 New Methods of Profiting from Forests

Drawing on the increased resources, new institutions and channels of support made available through the Village Law's implementation, study villages have devised several new strategies of deriving benefits from forests. Notably, almost all of these new practices are concerned in some way with generating financial profits from these spaces, as opposed to supporting subsistence – the other major contributor to most villagers'

livelihoods. This is unsurprising given the importance placed upon measurable economic growth and development by the operations and logics of the law's implementational hegemony, the framing of autonomy by district officials as something to be earned through financial independence (see section 5.2.1), and the interests in encouraging profitable activity in forests exhibited by district officials and facilitators (see: section 7.2.1.3).

Many of these new activities are linked in some regard to the village cooperative (BUMDes), one of the most significant new tools provided to communities under the Village Law. As highlighted previously (see section 7.2.1.2), the operations of cooperatives and other new bodies associated with the Village Law are controlled by village governments which are themselves responsible to higher authorities and legislations. Such dynamics work to bound the scope of such institutional operations and determine their profit allocation formulas with the aims of encouraging legibility, legal clarity and the production of beneficial outcomes that are shared by entire communities (Village Law 2014, Article 89). Engaging and benefiting from their mechanisms thus necessitates a furthering of the effects of the legality gauntlet and associated trends of village standardisation and village-government-centrism.

There were several examples of villages governments using the village cooperative (BUMDes) to open new channels of profit generation in forests. Once flowing, Nanga Kantu's government plans to charge communities Rp 10,000 ($0.67) per household per month for usage of its water pipeline, with profits serving to bolster their administrative income (KeDes NaKa, 2018). Women's groups in Makai Nyamai and Sungai Sebilik in turn plan to sell their crafts to their cooperative, which will expose them to a wider market (BUMDes SuSe 1, 2018). Finally, Sungai Sebilik's new tourism venture was developed with the explicit intention of generating profit for the community.

The head of the tourism management body explained that 25% of profits from the project will be allocated to the village government, 25% to the village cooperative (BUMDes) and 50% to members of the management body (PemDes SuSe 1, 2018). The village government also plans to use the tourism site as a location to sell various community products such as cakes, shirts and fish raised in a fishpond located in the tourism area, with plans to also develop a honey industry in the future (BUMDes SuSe 1, 2018; KeDes SuSe, 2018).

Many officials and villagers in Huma Wangi were eager to implement a similar tourism model, stressing the potentials for homestays, food stalls and guide work associated with tourism development (BPD HuWa 1, 2018; KeDus HuWa 1, 2018; Masy HuWa 15,26, 2018). A sub-village head also emphasised its potential conservation effects, stating,

> *I think the best way [to protect the forest] is to improve tourism because then people will conserve forests even if they don't care about them. If people are making money, they will keep them. I also think we should try and only take what we need from the forest.* (KeDus HuWa 1, 2018)

The Village Fund can also be spent to directly fund villager activities in the forest. Makai Nyamai for example has paid community members to gather wild plants and seeds from their *hutan desa* in order to grow natural dye plants for their crafting program (KeDes MaNya, 2018; Masy MaNya 1,8,10,11,12,16,17,18, 2018; PKK MaNya, 2018). The village government later decided to establish purpose-built natural dye gardens near their longhouses, paying villagers Rp 3000 ($0.20) per dye plant and an average of Rp 30,000 (USD $2.00) per person (KeDes MaNya, 2018). The village head also intends to use village funds to provide transport service to help villagers access needed forest

resources more easily (KeDes MaNya, 2018) – a rare example of a program that could also facilitate subsistence activities.

All of these forest-utilising ventures are new, and their long-term financial viability and community effects remain highly uncertain, particularly in a relatively low tourism-density district like Kapuas Hulu. Nonetheless, officials in all four villages appeared hopeful that they would serve as a means to increase village profits, provide employment opportunities and gain the kind of autonomy of action associated with internally generated, independent streams of income. The head of Nanga Kantu for example stated that their pipeline, "*will allow us to meet our targets [in the village's five-year development plan]*" (KeDes NaKa, 2018). Sungai Sebilik and Makai Nyamai's projects nonetheless both had widespread support from their communities (Masy MaNya 1,8,10,11,12,16,17,18, 2018; Masy SuSe 1,2,3,4,5,6,7, 2018). A sub-village head involved in their crafting group for example stated, "*It is very good and important because the cooperative will expose our local crafts. If each of us tried to do that alone, it would be very hard*" (KeDus MaNya 3, 2018).

Whilst villagers Sungai Sebilik, Makai Nyamai and Nanga Kantu appeared willing to accept the terms of village governmental control and top-down oversight associated with such village cooperative initiatives, many in Huma Wangi's sub-village of Huma Besar were not (KeDes HuWa, 2018; KeDus HuWa 1, 2018; Masy Group HuWa 1, 2018; Masy HuWa 24,25,26, 2018; PemDes HuWa 2,3, 2018). As explained by Huma Besar's sub-village head,

> *The biggest concern though is the sharing of the results of the tourism project. We would need to establish a cooperative to manage the tourism project using village funds, and for a cooperative the results must be shared between all three sub-*

> *villages. People [from Huma Besar] don't like that idea because they don't think the results should be shared. If the results will only benefit [Huma Besar], then I think they will support the project.* (KeDus HuWa 1, 2018)

Huma Besar villagers expressed suspicion that the allocation of benefits would principally benefit village elites (Masy Group HuWa 1, 2018). These arguments and actions, which will be explored further in the next chapter, illustrate the political and power-saturated nature of these new forest-profiting mechanisms and the degree to which village government-community relations shape whether they will be accepted and lauded or rejected and resisted.

It is too early to judge the impacts, if any, that these newly established programs will have on the extent and quality of village forests. The legality-linked pressures on village governments to avoid explicit engagement with forests, and instead support the production and export of crafts and other products assembled from forest supplies gathered illicitly by villagers however does little to encourage them to directly promote or ensure sustainability. Indeed, this disconnect between the forest-product using institutions overseen by village governments and the many practices of active forest engagement upon which they rely significantly limits the degree to which any efforts to compel village governments to behave 'sustainably' will actually affect how village forests are governed.

7.2.3.3 Developing Forest Spaces

As has already been explored, the vast majority of village funds in communities across Indonesia continue to be targeted at infrastructure (Sutiyono et al., 2018). As such, activities at the intersection of infrastructural development and forests are comparatively more likely to be affected than many other forest-engaging programs in the present implementational order and thus have some of the greatest potential to impact forests in

Indonesia. Multiple examples of such projects with direct effects on or implications for forests were identified in all four study villages. Perhaps the most widespread of these involve the construction of new roads to forest areas, including both small motorbike-friendly farmer roads (*jalan tani*) and in the case of Sungai Sebilik a large, car-viable road to their tourism site (KeAdDus NaKa 3, 2018; KeDes SuSe, 2018; KeDus HuWa 2, 2018; KeLPM NaKa, 2018; KeRT NaKa 1, 2018; Masy NaKa 2,12,13,23,31, 2018; PemDes MaNya 4, 2018; PemDes NaKa 1, 2018).

Additionally, Sungai Sebilik and Nanga Kantu have both cleared forest lands and devoted them to new purposes. In Sungai Sebilik, this has involved the construction of a new tourism complex complete with a large fishpond, stalls, a rope bridge, music stage and an event building, with future plans for a rest house, pool and flying fox (KeDes SuSe, 2018). Nanga Kantu – the only village with relatively unrestricted legal access to its forests – is clearing land in its sub-village of Kantu Hilir in order to construct a kindergarten and create space for new village administrative buildings (KeDes NaKa, 2018; KeDus NaKa 3, 2018; Masy NaKa 20,21,22,24,25, 2018). The village hopes to petition the sub-district government to locate their new hospital in this area and potentially even have the sub-district capital moved to their community (KeDes NaKa, 2018; KeDus NaKa 3, 2018; Masy NaKa 16,17,26,27, 2018). After reaching a negotiated agreement with a neighbouring village, the village is also in the process of constructing a water pipeline for their community, as mentioned earlier, linked to that community's hilltop forest (KeDes NaKa, 2018).

With their increased resources and bureaucratic facilitation for infrastructural development, village governments are clearly better positioned than before the Village Law to enact forest-related infrastructure programs and face appreciable pressures to do so under the present developmentalist hegemony. At the same time, patterns associated

with the practical actualisation of these projects highlight the operations of other significant power dynamics that shape where and how they are undertaken. Firstly, as highlighted in other sections, legality plays a clear and critical role. Village officials in Huma Wangi and Sungai Sebilik for example regularly expressed a desire to conduct new infrastructural developments in their forests but stated they did not dare to so long as they remained claimed by the MEF (KeBPD SuSe, 2018; KeDes SuSe, 2018; PemDes HuWa 1, 2018). Sungai Sebilik's tourism development was only accomplished via considerable efforts to navigate these realities, impress the district department and encourage them to legalise the project. Legal requirements however grant district officials a pivotal role in controlling and shaping such ventures that were not always welcomed by Sungai Sebilik villagers. As explained by a village official,

> *Actually, [the head of the district ecotourism office] and the people's concept of tourism is quite different. The Tourism Department wanted painted tyres on the bridge as well as wood. I think that is wrong. I think that since this is nature tourism, we should be following a natural style… [the head of ecotourism] insisted we have it.* (PemDes SuSe 1, 2018)

The second key factor is public support. In cases such as Huma Wangi, where road development and tourism were opposed by local people, the projects were halted. In the other cases, village governmental activities in forests all received support or at least were not critically opposed. Most interviewed villagers for example expressed strong support for the construction of farmer roads, asserting they made accessing the forest much easier and convenient. Similarly, the village head of Sungai Sebilik held a meeting to propose and garner public support for his tourism proposal, which received strong support from villagers (KeDes SuSe, 2018; Masy SuSe 1,2,3,4,5,6,7, 2018; PKK SuSe 1, 2018). When asked if there were any dissenters, the village head replied, "*No – people*

can also use the road to get to their groves and fields, so many people felt immediate benefits. Previously, there were only small dirt tracks to fields, but now most are improved and are good for motorbikes" (KeDes SuSe, 2018). Many villagers contributed to tourism construction and often did so for free, highlighting the community's dedication to the project's completion. Interviewees in the village regularly expressed pride in the result, stating that Sungai Sebilik had become a model for other villages to follow (KeDes NaKa, 2018; PemDes NaKa 1, 2018). Similarly, all of Nanga Kantu's development activities in forests have occurred in the sub-village of Kantu Hilir which, despite the opposition of some villagers who derive a large percentage of their livelihood from forests (Masy SuSe 20,21,22, 2018), remained largely supportive of the village government's actions in pursuit of development (KeDus NaKa 3, 2018; NaKa 15,16,19,24,25,26,27, 2018). None has occurred in the sub-village of Kantu Tenga which has firm forest rules and rejects such activities. These examples of grassroots influence counter notions that the Village Law's effects inevitably promote environmental degradation. The broader significance of such dynamics shall be explored further in the subsequent chapter.

The implications of these developments for forests remains unclear. Whilst many interviewee villagers asserted it was now easier to access forest spaces due to the construction of farmer roads and many also noted a decline in forest cover and availability of valued forest resources since they were young, none identified a substantial increase in rates of loss since the implementation of infrastructural improvements linked with the Village Law. In a discussion with Sungai Sebilik villagers for example, one official noted that the worst losses were in the '80s, whilst another asserted that there hadn't been any significant shifts in recent years: "*It has stayed the same. Even though the needs of people are increasing, people don't use it for fields much*

anymore, so some areas are rejuvenating" (Rt SuSe 1, 2018). If they have accelerated resource exploitation, such increases are likely to have been gradual – nothing like the profound amplification witnessed after the country's 1999 decentralisation. Substantial reduction in forest cover was only identifiably noted in Nanga Kantu and Sungai Sebilik, in areas where village governments had direct legal access to the territory and the power to implement development projects. That such processes have not occurred elsewhere appears to indicate that only the legal authority of the MEF – heightened through the tightening of legality associated with the Village Law's implementational hegemony – has prevented similar forest removals from occurring elsewhere. Such assertions are backed by comments from villagers in all four villages who emphasised a desire to expand their fields and infrastructural developments into their forest territories (BPD NaKa 2, 2018; BPD SuSe 1,2,3,4, 2018; KeAdDes HuWa, 2018; KeDes HuWa, 2018; KeDes SuSe, 2018; KeDus Naka 3, 2018; Masy NaKa 15,16,23,24,25,26,27, 2018; Masy MaNya 17,18,19,20, 2018; Masy SuSe 1, 2018; PemDes. HuWa 1, 2018).

Nonetheless, such a reading is too simplistic. Firstly, it ignores the role of the Village Law itself in generating the pressures to develop that threaten forests and to which the enduring authority of the MEF provides an apparently necessary solution. As noted in other studies, many of the Village Law's mechanisms actively incentivise villages to pursue developmental objectives at the expense of forests and the natural environment (Sutiyono et al., 2018; Naylor et al., 2019). Mirroring the dispute between discourse of development and environmentalism highlighted in section 7.2.1.1, such a clash of logics rooted in hierarchical domination serves fundamentally to mask the realities of present dynamics and preclude any direct discussion or pursuit of legally legitimated village autonomy in the forest governance sphere. Furthermore, such a narrative neglects the role of villagers themselves in conserving numerous forests against

loggers and agricultural expansion in cases where the MEF was absent or even backing the deforestation (KeBPD SuSe, 2018; KeDes SuSe, 2018). Just as many villagers asserted a desire to clear forests to make way for agriculture or infrastructural development, equal numbers highlighted the importance of maintaining forest land, with individuals expressing both a desire to clear certain areas and to preserve others.

The relationships of villagers to forests are complex and spatially and temporally variable – as shall be explored further the next chapter – but so too has been the governance practices of the MEF and other bureaucratic agencies throughout Indonesian history, as exemplified by efforts of Sungai Sebilik to protect their forest from rubber and mining companies that have not been blocked by the MEF and may even have covertly received permits from its agencies (KeBPD SuSe, 2018; KeDes SuSe, 2018). Officials argued that though the responsibility to protect the forest might technically lie with the Department of Environment and Forestry, their evident failure to do so had necessitated that the village perform the task themselves in order to prevent appropriation of their forest's resources by outsiders. As noted by the head of their BPD (village council), "*If that land is a protection forest, then why are two companies coming to the forest? I think the Dinas Kehutanan does not care about the forest. Now companies are coming and claiming it*" (KeBPD SuSe, 2018). It is therefore important to resist any temptation to paint villages as fundamentally environmentally destructive entities held back only by dominating powers of the very ministry that orchestrated much of country's deforestation during the New Order (Rossabi, 1998; Casson & Obidzinski, 2002; Brockhaus et al., 2012).

7.4 Conclusions:

The chapter's findings clearly illustrate the explanatory power of the logics of the Village Law's implementation identified previously, in exploring the emergence and

operations of associated village forest governance activities. Logics of developmentalism and profit-making for example were found to play a key role in bounding the kinds of forest activities village governments were willing to pursue. Facing pronounced pressures and incentives to perform according to these logics and backed by new programs of capacity building and facilitation aimed at enabling appurtenant activities, villages were unlikely to pursue agendas that were illegible to centrally determined metrics. These dynamics explain both the identified expansions of forest utilising businesses and infrastructural developments in forest spaces since the law's adoption, as well as the lack of programs concerned with subsistence or forest management and restoration.

Tightening dynamics of legality in turn were critical in driving where and how village governments applied their resources and powers in forest spaces. Concerns about remaining 'legal' were often more significant than pressures of developmentalism in determining where and how forest activities emerged, operated and evolved under the Village Law. This was particularly true when associated mechanisms or institutions utilised the Village Fund which, as highlighted in the previous chapter, is aligned with particularly closed systems of top-down scrutiny and control. Pressed between demands to be legal in the forest and inability to obtain legal status through various land reform programs, village governments have often found themselves pressed out of the forest, as illustrated by the case of Sungai Sebilik's forest patrol. Findings also demonstrated the politically constituted nature of legality, with higher officials supporting villages in developing forest utilising programs that could not be explicitly linked with forests via formal metrics and reports. Nonetheless, strict systems of annual proposals and accounting associated with the Village Fund actively discourage village governments

from pursuing innovations of their own in forest spaces – even those which ostensibly align with the aims of their superiors.

Similarly, forest governance under the Village Law has tended to necessitate extensions of the role and influence of village governments, compounding broader trends of village-government-centrism and village head-patronism. These bodies have been positioned both as the principal recipients and conduits of higher support and facilitation and as the principal recipient of the resources and powers necessary to implement the majority of Village Law associated forest governance mechanisms. Village mapping programs serve principally to render village spaces more legible and governable by village governmental instruments. Bureaucratic land-reallocation programs have tended to place ownership of new territories in the hands of village officials and many new forest governing institutions such as village cooperatives, tourism bodies and patrols are explicitly accountable to their authority. In the context of often weak bottom-up controls on village governments, such realities serve to privilege the voices of village officials, and to an even greater degree the agendas of higher authorities, in determining the trajectories of new forest governance strategies under the Village Law, inhibiting the mainstreaming of alternative, grassroots-centric and locally rooted conceptualisations and agendas of forest governance. Such dynamics help explain the discrepancies between widespread prioritisation of forest issues by villagers and limited attention to these matters by village governments. This can be a serious issue when the priorities of villagers diverge markedly from their governments, as in the case of Kantu Tenga sub-village's failure to convince the Nanga Kantu government to pursue a communal land title for their village forest.

In the context of ongoing legal complexifications and growing demands for operational legality since the Village Law's adoption, many of the forest governance

mechanisms examined in the chapter also necessitate the involvement of district or higher officials and serve to extend the influence of top-down hierarchical domination in the governance of forest spaces. Gaining access to land and operationalising village tourism programs, laws and other forest utilising programs for example usually require either support or legal backing from higher officials, who in turn gain significant influence in shaping their actualisation and leverage over communities seeking their favour. The extension of village governmental influence through these mechanisms serves to make these spaces more legible and controllable by the higher bureaucracy and has tended to result in a spatial densification of mechanisms of top down, hierarchical control and oversight in forest spaces where previously villagers had only to concern themselves with the limited and largely *de jure* authority of a distant MEF. These dynamics are effectively illustrated by the pivotal roles of the DPMD and Department of Tourism in authorising Sungai Sebilik's tourism program and their subsequent and ongoing influence over its development and future evolutions.

Whilst the previous chapter delineated these logics in ways that might suggest that they form a cohesive and self-reinforcing whole, the examples explored in this chapter present numerous instances in which they have conflicted, highlighting the historically contingent and fractious nature of this power assemblage. Concerns about legality for example have blocked villages from conducting many developmental and profit-generating forest programs that might otherwise elevate the positions of villages and Kapuas Hulu district in the eyes of the Village Development Index and other nationally relevant developmental metrics. Similarly, whilst the delineation of village territories and expansion of village governmental powers in turn might otherwise galvanise many village administrations to pursue more active and complex modes of forest governance, the operations of legality not only discourage them from doing so, but

often actively block or discourage such efforts from being operationalised and maintained. Village-government-centrism in turn can similarly limit progress on these agendas in cases where villagers are hostile to their village governments and resist expansions of their authority. Indeed, by incentivising village governments to centre the agendas of their superiors, the Village Law's logics appear often to further entrench such distrust, particularly in communities such as Huma Wangi and Nanga Kantu where villagers expressed particular disconnects from the decisions of their officials.

Finally, the increasing need of villages to solicit the backing of higher officials in actualising many of these mechanisms has demonstrated the obvious shortfalls in district capacities to meet these demands – including those associated with hostilities between district departments and the Department of Forestry. The result, as in many cases of bureaucracy-led developmental programs, has been a bureaucratic privileging of a few 'model' villages such as Sungai Sebilik and Selaup (KH TA 1, 2018), which have received considerable attention and support in developing a wide array of new forest governing and utilising strategies, and the marginalising of others such as Makai Nyamai. Such realities conspicuously limit the outscaling of all new forest governance mechanisms under the law. Despite efforts by the Kapuas Hulu district government related to its self-designation as a conservation district, village activities related to forest governance remain marginal and limited within the broader scope of Village Law-initiated socio-economic evolutions and transformations. Whilst an elaborate system of trainings, facilitations and reviews underlie, propel and validate the focus of village governments on the pursuit of particular forms of economic and infrastructural development, relatively scant resources have been deployed towards addressing issues of forest governance, with officials relying on their model villages and the leveraging of

knowledge-sharing forums to circumvent the shortfalls engendered by these underlying prioritisations.

Despite these frictions and internal contradictions, the broad dynamics and logics of the Village Law have persisted, and their replication in village forests represents an expansion of the power-projecting capacities into these spaces. These findings confirm the hypothesis that hegemony of the Village Law's implementation is being replicated through its engagement with the forest, colonising spaces with its driving logics wherever its associated governance mechanisms are able to operate and penetrate. Furthermore, their repeated application in exploring the operations of multiple forest governance mechanisms has highlighted the efficacy of these logics as an analytical lens for exploring change in village governance under the new law. Whilst current trajectories of change in the forest sphere might appear unexpected with reference to the law's text and vision, they are entirely in keeping with the horizon of its implementational hegemony.

In line with the results of the previous chapter, these realities evidence an effective preclusion of the emergence of democratic community-based resource governance through mechanisms associated with its implementation. Significantly, and in line with the findings of the previous chapter, this chapter's analysis illustrated little in the way of active effort to reform or overthrow these hegemonic logics in study villages or amongst higher officials, with both spheres appearing largely to treat them as a given. Literature on the Village Law's engagement with forests similarly takes for granted the suzerainty of bureaucratic authority over villages and concerns itself principally with how to encourage them to structure the law's operations in ways that encourage conservation and sustainability (Purwanto, 2014; Susyanti & Latianingsih 2014; Ghofar, 2017; Wahyudi, 2017; KPH Pogogul, 2019; Purwanto & Zakaria, 2019; Watts et al.,

2019). The extent to which questions of empowerment, autonomy and diversity have been sidelined in the present environmental debate highlights the solidification and normalisation of the hegemonic discursive formation with which the law is associated. Many of the logics perpetuated through its mechanisms may shift in response to changing circumstances – indeed may shift so radically as to be fundamentally contrary to those that preceded them – but so long as the mechanisms of domination explored in this and the previous chapter remain uncontested and entrenched so as to enable the allocation of demands and expectations from higher authorities into village spaces, such shifts shall nonetheless service and ingrain the same dynamics of hierarchical domination that has come to form its fundamental horizon. In the shadow of this triumph, debates have moved on; the law's original vision is far away, and the discourse of environmental sustainability has no interest in resuscitating them. It is with this immanent circumstance that any future efforts to progressively reform forest governance in Indonesia must be ready to contend.

Adopting a broader frame of liberation, a number of dynamics associated with Village Law mechanisms of forest governance were identified in the study villages with qualities that have the potential to be, to some degree, liberational. Increases in resources and powers associated with the Village Law, as well as new channels of learning and knowledge sharing, enable villages greatly expanded opportunities to trial and implement new strategies of governing and derive benefits from forests. These in turn have the potential to provide greater freedom from such oppressive broader dynamics as growing demands for cash, and – in the case of Nanga Kantu – degradation of secure water supplies, as well as provide many additional modern lifestyle benefits. Such realities must be taken seriously because, despite the various dominations linked with Village Law mechanisms, many have received widespread support from villagers who may feel

the trade-offs are to some degree worth it. Such perspectives were held most strongly however in cases where villagers were generally satisfied with the authority of their village government. In Huma Wangi, where villagers have a strong sub-village identity, many villagers expressed glaring hostility to this institution and were unwilling to risk its increased involvement regardless of the potential benefits. The liberational potentials of the Village Law come at a hefty price – the price of profound reform on the terms of the legality gauntlet – and it is a price that many villagers in a variety of circumstances will likely be unwilling to pay.

The implications of the Village Law for forests themselves remain ambiguous. No significant upswing in forest loss or degradation was noted in the study villages except in a few cases related to specific infrastructural developments. The fact that there haven't been any studies identifying substantial changes in forest cover since the law's adoption in Indonesia suggests this is a general trend and that the Village Law has in no way resulted in a repeat of the events of 1999. It might easily be inferred that such realities are the result of stronger top-down control over local communities than was witnessed during the 1999 decentralisation to the district level. An acknowledgement that it is central governmental pressures to develop that are a significant driving force pushing villages to clear forest land and devise new strategies of financially profiting from their usage effectively muddies this narrative and challenges assertions that forests are by default better managed, or at the very least co-managed, by centralised authorities. Top-down domination in this case appears in many ways to be an antidote to the products of its own operations. Indeed, village governments made multiple attempts to pursue more active and, in their opinion, sustainable governance only to be thwarted by the Village Law's own operating logics.

In the future, villages might be compelled after a fashion, to use their village resources to conserve forests or conduct various activities deemed sustainable by expert bodies, or they might be encouraged to clear forests in order to pursue centrally determined development goals – in either case, the outcomes will evidence the whims of higher actors and the realities of hierarchical domination as much if not more so than they do the dispositions and concerns of villages and villagers themselves. Ultimately, little can be directly evidenced regarding the potential of grassroots village government to effectively govern forest spaces by examining the behaviour of village institutions saturated by the expansive and penetrating influence of the law's implementational hegemony. This is itself an important finding since it leaves open the possibility of articulating and pursuing new agendas of environmentalism and local autonomy. Certainly, any efforts to promote sustainable governance under the Village Law will not be enriched through recourse to reductionist dichotomies between supposedly responsible, conservation-minded higher authorities and short-sighted, developmentalist local communities, and must instead engage seriously with the logics and operations of power that transcend this division to increasingly set the terms and horizons of possibility for both in engaging forest spaces.

Whilst this chapter's focus on the Village Law's logics make them appear seemingly omnipresent and inescapable, it is important to acknowledge that this is in considerable part a product of the scope of its analysis, which focuses on the particular ways in which the governance intersects with and is affected by its hegemony. Though it is notable that villagers have done little to directly contest the logics of the Village Law, they have nonetheless been successful in limiting their effects in some forest spaces, as evidenced by the successes of Huma Wangi and the sub-village of Nanga Kantu in blocking or diverting the forest agendas of their governments. These findings contest the

idea of an all-sweeping Village Law enacting itself upon a passive and submissive population. Rather, villagers appear willing to accept transformations in certain spheres and fashions and unwilling to do so in others. As highlighted in the previous chapter, village governments hold the difficult position of having to appease higher expectations without crossing the red lines of their communities and triggering their active and often effective resistance.

In light of these findings, it appears critical to take a step back from the operations of the Village Law and contextualise its effects within the broader scope of change in forest governance dynamics since its adoption. To what extent can the hegemonic logics of the Village Law's implementation account for key shifts, in what ways are other dynamics equally important and to what extent have these intersected, even tangentially, with its operations, and to what extent has the local retained its significance in determining grounded governance outcomes? These questions shall be the focus of the next and final substantive chapter of this thesis.

Chapter 8.0: The Limits of Hegemony: Local Dynamics, Hegemonic Collisions and the Fates of Village Forests

8.1 Introduction

Thus far, analysis of the Village Law has focused on the workings of its implementational hegemony – the diverse constellation of discursive articulations and systems of power that constitute its effective dynamics. The previous chapters demonstrate the explanatory power of this lens, highlighting how these logics bind and shape social engagements with the law's legal mechanisms, as well as the multitude of relatively consistent radiating effects they have within the bureaucratic hierarchy, villages and village forests. Furthermore, whilst previous chapters identified numerous examples of resistance to the law's hegemonic operations, they nonetheless highlighted little coherent resistance – either at the village level or at higher levels of the national hierarchy – to the substance of these dominant logics. Nonetheless, it is insufficient to conclude that these findings fully articulate relations between the Village Law's hegemony and the evolutionary trajectories of village forest spaces, or that such relations can be reliably read exclusively via a careful examination and delineation of the operations of these dominant logics.

Indeed, strict reference to the logics of the Village Law was rarely sufficient to account for the processes driving transformations in village forests, or even to fully explain the patterns by which its dynamics entered into and effected change in these spaces. Many externalities to the Village Law's hegemony played pronounced and sometimes critical roles in shaping the evolutions of governance systems in village forests. That other dynamics than those associated with this hegemony should be

significant in driving such unfolding trajectories is hardly surprising. Nonetheless, given this thesis's focus on the implications of the Village Law for forests, it is important to highlight the explanatory and predictive limitations of an analytics of law as hegemony, as well as those dynamics, conceptualisations and lines of enquiry relevant to those spaces which are excluded from view by such a focus.

Engaging and exploring these other dynamics requires the adoption of a different methodology from that of previous chapters. As shall be outlined below, this has involved a broader engagement with Laclau and Mouffe's theory of hegemony, as well as critiques of its framings and methods that go beyond them to focus attention on non-hegemonic tactics and social dynamics. Finally, the chapter adopts a novel structure, examining three distinct case studies of forest governance history since the enactment of the Village Law. Through these means, the chapter aims to gain some much-needed distance from the Village Law's hegemonic logics and so better contextualise their meaning and significance – deploying a broader frame of reference to explore the limits of its logics and the implications of the limits for the future of forests and people in a rapidly changing Indonesia. The chapter shall begin with a discussion of these new methods before proceeding through its case studies, each building on the insights of the last, before concluding with a summary of key findings and an exploration of their implications for the future of forests and those that depend on them under the Village Law.

8.2 Additional Theorisation

8.2.1 Laclau and Mouffe Revisited

Whilst the thesis has focused thus far on a single hegemony as its object of analysis, it is useful now to engage another of Laclau and Mouffe's central theses – that of multiple, overlapping and antagonistic hegemonic formations. In *Hegemony and*

Socialist Strategy (2014), they assert that the political sphere should be understood as one populated by a diverse array of rival discourses and hegemonies. The varying antagonisms between them in turn define the topography of social change. They explain that these hegemonies can only function by defining frontiers of that which lies beyond them (Laclau & Mouffe, 2014, pp. 129-130), but that these do not neatly and cleanly abut one another like the frontiers of countries. Instead, and in line with their framings of subjects as being constituted by a sea of multiple intersecting discursive formations, they assert that hegemonies overlap one another. Because no subject can be fully and conclusively entrapped within the logics of any one hegemonic formation and is always enmeshed and constituted within a broader array of discursive strands and logics, no element of a hegemony can conclusively enclose itself from external interference and antagonisms remain a perpetual feature of their operations (Laclau & Mouffe, 2014). As Laclau and Mouffe caution, "*No hegemonic logic can account for the totality of the social and constitute its social*" (Laclau & Mouffe, 2014, p. 128).

A conscious exploration of the antagonisms and engagements between the Village Law's dynamics and those of rival hegemonies enables the incorporation of additional indicative processes and variables into an analysis of the forces driving changes in villages and village forests since the adoption of the 2014 Village Law. By decentring the Village Law's hegemony, it also provides a better vantage point from which to explore the internal tensions and fragilities of its logics and power dynamics. Such an effort plays a particularly prominent role in the third case study, which examines the fallout from interactions between an expansionistic oil palm company – itself symbolic of a broader process of monoculture expansion and corporate land grabbing in Kalimantan – and the village of Nanga Kantu, the community forest of one of its sub-villages, and the entire apparatus of the Village Law's implementation.

8.2.2 Beyond Hegemony

Whilst a re-engagement with Laclau and Mouffe's theory of hegemony can bring us some way in conceptualising and engaging these broader dynamics, many important processes simply cannot be fully captured through the rubric of hegemonic articulation. Villagers may not engage or navigate the Village Law's implementation in ways that ultimately amount to a sustained effort to reform its hegemonic logics or the substance of its operations, but local agency does play a critical role in shaping how these dynamics enter communities, the spaces they effect, the local agendas they amplify and ultimately, the ways they are able to affect forests. Such findings align broadly with those of a growing body of literature on what has been loosely termed *post-hegemony* (Arditi, 2007; Lash, 2007; Beasley-Murray, 2010; Day, 2011; Kioupkiolis, 2018).

Researchers in this field argue that hegemony is insufficient to describe the dispersed and immanent nature of many social movements and the various means by which actors pursue social changes alongside, additional to, or without reference to hegemonic dynamics or state forms. The significant transformative potentials of such movements are highlighted by Arditi in his description of the Zapatista movement:

> *This network grew spontaneously, without central co-ordination or instructions from the Zapatista leadership. It developed virally and had no interest in seizing power or creating a counter-hegemonic project, yet it was politically effective on many fronts. The reports of repression and human rights abuse by the army forced the Mexican government to exercise restraint; the publicity given to the conditions of misery and oppression in which indigenous people lived gave voice and faces to anonymous communities and the lobbying of other governments put pressure on the Mexican government to negotiate a settlement with the Zapatistas*

> *… Turning the Zapatistas into a global phenomenon is an impressive record for loosely knit nodes in informal networks*. (Arditi, 2007, pp. 222-223)

Whilst the more extreme in this field reject the notion of hegemony outright, most continue to emphasise the critical importance of the concept, either framing hegemony and post-hegemony as two separate but co-existent dynamics (Arditi, 2007; Day, 2011) or as intermingling aspects of all social processes (Kioupkiolis, 2018). This thesis favours the latter conceptualisation and finds meaningful resonances between such framings and Scott's work on peasant resistance and the limits of tactics rooted in bureaucratic logics (Scott, 1985, 1998, 2009, 2012).

Much of Scott's work has aimed at highlighting the significance of social movements that are invisible or illegible to power, but which can nonetheless have cumulative and transformative effects. He asserts that peasants, beset from all sides by large and threatening forces, seek to – to borrow language from Laclau and Mouffe – leverage the shifting ground of their marginalised subject positions within dominating structures "*to their minimum disadvantage*" (Scott, quoting Hobsbawm, 1985, p. xv). In his 1985 book of the eponymous title, he explores how villagers deploy so-called *Weapons of the Weak* – tactics such as foot-dragging, arson, slander, desertion, etc. that minimise risk and exposure to power whilst shaping circumstances to their relative benefit. His research also highlights broader problems with hegemonic struggles, claiming for example that,

> *[When such movements] do succeed, it is a melancholy fact that the consequences are seldom what the peasants had in mind. Whatever else revolutions may achieve … they also typically bring into being a vaster and more dominant state*

> *apparatus that is capable of battering itself on its peasant subjects even more effectively than its predecessors.* (Scott, 1985, p. xvi)

These ideas align closely with those of post-hegemony writer Richard Day, who asserts that one must give *"up on the expectation of a non-dominating response from structures of domination*" (Day, 2011, p.108). The works of both authors suggest that becoming entangled within systems of equivalence and mutual legibility associated with hegemonic structures can be a dangerous act that leaves actors exposed to the often-volatile swings of power dynamics within such assemblages.

By the same token, Scott emphasises the efficacy and indeed preferability of what are here termed non-hegemonic struggles to so-called marginal people, as well as the advantages that can be gained from the very position of marginality. He explores how highland people in South East Asia have historically deployed a myriad of strategies aimed at ensuring they and spaces they depend on remain relatively autonomous from the control of state structures whilst still positioning themselves to benefit when possible from the advantages of such systems. Similar dynamics are observed by Dove, who argues they significantly shape the Kantu dual economy of subsistence and profit in West Kalimantan (Dove, 2011). Post-hegemonic and peasant studies literature thus provide a theorisation of social dynamics and struggles that operate to some degree beyond hegemonic formations and entanglements, as well as some notion of the logics which may drive such operations in this thesis's study villages. They also highlight some of the tactics by which non-hegemonic struggles can be waged. These insights and framings have played a particularly notable role in exploring the dynamics driving events in the first two case studies, with the first highlighting how the Village Law has become a tool in broader political struggles to control a community forest, and the second detailing how

two sub-villages have navigated its dynamics to generate totally separate transformations in their forests.

8.2.3 A case-study Approach

Previous chapters have sought to identify cross-cutting themes between study villages, grouping them into thematic sections – the discourses and dynamics of power that enabled bureaucratic reassertions of pre-eminence in Chapter 5, the repertoires by which they have asserted their domination on the ground in Chapter 6 and the various mechanisms of forest governance generated via the law and their underlying logics in Chapter 7 – and comparing and contrasting them in order to identify relevant dynamics and trends. This chapter adopts an opposing approach; it is structured into three separate case studies, each told as a single, integrated narrative. This method aims to generate a more wholistic account of the events driving evolutions of each particular forest governance system, including any additional information deemed necessary to contextualise that process, and thus decentre the Village Law's implementational hegemony as the principal object of its investigation.

8.3 Case 1 – Forest Struggles in Huma Wangi

As highlighted in the previous chapter, the plan of Huma Wangi's village government to develop a tourism program in its protection forest has faced considerable opposition from the largest of their 3 sub-villages, Huma Besar. This resistance has effectively halted the project in its tracks and has resulted in a prolonged stalemate without a clear solution. This case study explores the drivers of this dispute and the stratagems employed by the actors involved. In doing so, it troubles distinctions between village governments and other villagers, highlights the tactical functions of the Village Law within complex local struggles, explores how these functions shape the unfolding of

its logics in the community and muddies notions of whom the Village Law ultimately serves in villages.

8.3.1 A Blocked Project

By the time research for this thesis commenced in Huma Besar in February 2018, the village of Huma Wangi had already been locked in stalemate over its tourism plan for some time. The project was to be located in the large protection forest in the southwest of the village's territory and had received provisional backing from sub-district and district officials in line with their broader agenda of ecotourism expansion (KeDes HuWa, 2018). The forest is legally claimed by the Ministry of Environment and Forestry (MEF), though in practice – and in line with findings in other study villages such as Sungai Sebilik – the most significant effects of status change appear to be related to the village government's ability to implement development programs in the area, with subsistence activities remaining largely unaffected. In common with Sungai Sebilik, and as explored in the previous chapter, the government of Huma Besar hopes to leverage the establishment of the tourism area to support ongoing efforts to change the forest's status to *hutan desa*. A village official asserted the importance of this agenda in developmental terms, explaining "*protection forest can't be used, so what is the point of having it? With the change of status, the forest area can be improved and used*" (PemDes HuWa 1, 2018). On the ground however, the forest is subject to a tangle of overlapping political claims – particularly those of the sub-village of Huma Besar, which is located directly adjacent to the forest edge and controls all the easily accessible access routes to the area. This sub-village had consistently rejected the proposal, deploying a wide range of strategies to block implementational progress and push an alternative vision of its implementation.

During an introductory interview, the village head introduced the issue almost immediately, asserting he had received the backing from the sub-district head to enact the project, but without the sub-village's support they would be unable to proceed.

> *Not everyone agrees about what needs to be done. With my tourism project for example, most people agree this is a good idea, but it is necessary to widen the road in order to allow tourist access. People along the road don't want this because we will need to cut down trees near the road. The Village Fund can be used to improve the village, but not if people protest*. (KeDes HuWa, 2018)

Both he and other members of the village government emphasised an issue of land access, asserting that villagers refused to surrender any land for road development. They also linked the blockage with Huma Besar's refusal to share the profits of tourism with the other sub-villages. A village official explained that, "*the people in Huma Besar think that any plan that involves the whole village is something they don't want. If the plan only benefits Huma Besar, then they want it. That is why we are still stuck*" (PemDes HuWa 3, 2018). He also noted that villagers were suspect of the village government's intentions, stating, "*the people of Huma Besar misunderstood and thought we were trying to take the forest away from them and give it to the whole village*" (PemDes HuWa 3, 2018).

The village head expressed frustration at these circumstances, asserting,

> *I am the village head and so I am responsible for the happiness of all the people. I have to find a way that everyone can accept. Otherwise, the plan cannot be approved. It is not easy because even though people know laws, many are not ready for development. The power is in our hands now, but many don't want to embrace it. They want things to stay the same.* (KeDes HuWa, 2018)

He bemoaned that,

> *We have held meeting after meeting. Each time, we have explained everything, and actually almost everyone is informed, but the problem is that we have very low participation in our meetings. In both Bukit Tukau and Huma Besar, the average participation rate is just 30% ... the people don't want to engage and refuse to listen to what we have to say.* (KeDes HuWa, 2018)

He and his government argued that it was selfish for the sub-village to want all the benefits for themselves and that their refusal to engage the new mechanisms of the Village Law would limit the prospects of the whole community (KeDes HuWa, 2018; PemDes HuWa 1,2,3, 2018). One official asserted,

> *The Village Fund will be used to develop the tourism, so the benefit should be for all of us since the funding is allocated to the whole village. If Huma Besar only wants to keep all the benefit for themselves then no one will get any development, and no one will enjoy the benefits*. (PemDes HuWa 3, 2018)

These realities highlight the extent to which village officials – even in the context of their relative empowerment under the Village Law – nonetheless continue to depend considerably on the good will of their constituents in order to pursue their agendas. Faced with pronounced public opposition, the Village government's agendas foundered, resulting in an impasse.

8.3.2 A History of Resistance

Interviews with villagers in Huma Besar presented a more nuanced picture of these dynamics. In line with the assertions of officials, villagers both overwhelmingly supported tourism development whilst simultaneously rejecting village government ownership of the project and any notion of profit sharing. At a sub-village community

meeting for example, a large majority of attendees hotly asserted both that tourism should be theirs and that the benefits should only go to them (Masy Group HuWa 1, 2018). One villager reasoned for example, "*I support [tourism]. It will be good for all. The children will be able to go on holidays there and meet tourists. There will be new job vacancies and money will come into the dusun*" (Masy HuWa 24, 2018). Interviewees disagreed however about the drivers of their resistance. The villager continued by stating, "*I'm worried the income will only go to certain people. If it is controlled by the adat community here, then the benefit will be shared by us all*" (Masy HuWa 24, 2018). A landless villager similarly asserted, "*I am worried that if we give the forest to the village government, then we will lose control … that's why I don't want the [forest] managed by all three sub-villages under the Village Fund. Then, the results will be for all*" (Masy HuWa 22, 2018). He also indicated that community refusals to surrender land for a tourism road were motivated less by concerns over property than negotiation tactics. When asked if he was worried that the village government would simply pursue the plan without their consent, he replied, "*No, I'm not concerned. They want to build a road to the forest on people's land, but they won't agree unless they [the people] are happy with the plan*" (Masy HuWa 22, 2018).

Interviews revealed that these responses, actions and framings were linked with a long history of protectionism and resistance that has characterised Huma Besar's relationship to 'their forest' for decades. The community has strict rules for accessing the area, with all outsiders being barred except with community permission on a case-by-case basis. A village elder described the origins of these rules, explaining that,

> *40 years ago, there was a big destruction of forest in our area and people were making rotating fields right up to the edge of our forest – some even making fields inside it. At that time, we decided we need to protect the forest and made adat*

> *rules to save it from destruction. These are: first, no fields in the forest, second, don't cut big trees there and only use wood for personal use, third, no one can plant anything in the forest. We have applied these rules for thirty years and the forest has been preserved till today. A group of people from a logging company called PT came to the forest once for a survey. We reminded them to not do it again. At that time, I was sub-village head here and a few days later, a representative of their company came to my house. He wanted me to allow him to take wood from the forest and to make a deal with him. I told him the message of the whole society – the forest is ours and they cannot cut trees there. I used to work for the company, so they thought I would support them, but I saw that wherever they cut wood, they cause a lot of damage, so I told them to go away*. (Masy HuWa 8, 2018)

Interviewed villagers overwhelmingly supported both their claim to the forest and the enforcement of their exclusive rights to the area, emphasising its importance to their livelihoods – particularly those from poorer backgrounds (Masy HuWa 22,23,24,25,26, 2018). In the words of one villager,

> *Think of my situation – I have little land and the sub-village only gave me space for a house. For me, the forest is critical. I need it for house repairs, food and other materials. Without it, I would struggle. I go there often.* (Masy HuWa 22, 2018)

In line with their elders, many rooted such claims in their strong *adat* of forest preservation and good governance (KeRT HuWa 2, 2018; Masy HuWa 22,23,24,25,26, 2018). One villager explained, "*Since old days, our ancestors in all this region did*

rotational farming in the forest, but in Huma Besar we didn't allow this in the protection area and so that is why we have it." He went on to assert that,

> *We cannot allow companies to take the trees of the forest because it is against our adat. We maintain adat here and appreciate our parents and ancestors. Our ancestors kept the hill protected for hundreds of years and so the current generation must do the same.* (Masy HuWa 2, 2018)

In addition to threats from companies, villagers also identified unsustainable forest usage practices of neighbouring communities as important factors driving the decision to pursue enclosure, singling out those of Bukit Tukau, the community's small neighbouring sub-village. In the words of a neighbourhood head, "*previously, Bukit Tukau had their own forest, but now it is gone. We have kept ours*" (KeRT HuWa 2, 2018).

Villagers also highlighted the constant threats to their forest from outsiders and the challenges associated with defending it (KeAdDus HuWa, 2018; KeRT HuWa 2, 2018; Masy HuWa 1,2,3,4, 2018), with one villager describing it as a "*constant issue*" (Masy HuWa 2, 2018). A neighbourhood head explained,

> *We already have to fight to protect the forest from outsiders. People from other sub-villages and villages aren't allowed to take wood or other things from the forest without our permission, but sometimes they enter the forest to steal. Then we have to remind them of the rules – even people from the other sub-villages in our village, like Bukit Tukau*. (KeRT HuWa 2, 2018)

The sub-village's *adat* head highlighted similar challenges, stating, "*People here know to watch for outsiders and will inform us if they see anyone. This is a kind of community*

watch. If people see anything, we receive a report and go to catch them" (KeAdDus HuWa, 2018). He proceeded to assert,

> *There are many valuable resources in our forests and people are always coming here. Outsiders pan for gold in our river Suhaid and even used a big machine to look. We reminded them that this was against our adat laws and that they must leave, but when they refused, we followed our adat and burned it.* (KeAdDus HuWa, 2018)

Predictably, Huma Besar has also reacted forcefully to the MEF's claim to the forest, which was first firmly staked on the ground in the early 1990s (KeAdDus HuWa, 2018). The sub-village head who first led his community to close the forest was still leading the sub-village at the time and reacted strongly to this assertion of dominance:

> *[He] was very angry about this and led a campaign saying that it is not a protection forest but an adat forest. He reminded the district that we have managed the forest for decades and that it is our ancestral land. It was the sub-district head against the district*. (PemDes HuWa 2, 2018)

Since then, villagers in the sub-village have remained adamant that the forest is theirs and that the legal status must be changed to reflect this. As a result, the sub-village has strongly supported recent efforts by the village government and a local NGO to obtain a re-designation of the forest to *hutan desa* status whilst, as with tourism development, firmly insisting that any such developments should affirm and entrench their sub-village's ultimate authority over the area. Given the importance of this space, it is unsurprising that both of these initiatives have become highly politicised in the community as potentially useful but highly risky ventures.

8.3.3 Competing Agendas, Competing Narratives

Later conversations with the village head appeared to confirm many of the villagers' worst suspicions. He affirmed that both the tourism project and the transfer to *hutan desa* status would indeed solidify village governmental control over the forest and argued that villagers would have to accept such shifts if they wanted to benefit from the resources and support associated with the Village Law.

> *It is called a village cooperative, not a sub-village cooperative! The Village Law, not the sub-Village Law. The people of dusun Huma Besar still don't understand that. The fact is that whatever [the villagers of the sub-village of Huma Besar] say, the protection forest is owned by the village, not the sub-village. They argue that it is theirs, but they only feel this because it has been passed to them by their ancestors – they have no certificate. We have the support of the sub-district head to build this tourism project in the protection forest and our village government will have legal ownership of it. This is part of the process of getting a legal certificate for the whole forest, which will secure our village's ownership rights. This certificate will make clear that the land belongs to the village, not the sub-village*. (KeDes HuWa, 2018)

These assertions clearly support the fears of the sub-village and demonstrate the multiple ways in which the legalistic and village-government-centric dynamics of the Village Law privilege village governments in engaging both its mechanisms and the higher bureaucracy, facilitating the enactment of their political agendas within their borders.

The village head subsequently maintained that he would need to create village regulations for the tourism area and the *hutan desa* once they were designated in order to control and ensure their sustainable management (KeDes HuWa, 2018). These assertions

justify villager concerns that status change might undermine their *adat* and the security of their access to the forest. In the words of one villager, "*With adat, I know the rules, but I don't know the rules of the Dana Desa (Village Fund). If the village government owns the forest, I don't know what they will do …*" (Masy HuWa 22, 2018). In justifying the importance of imposing new rules, the village head and other officials went so far as to contend that it had only been through the imposition of protection forest status by the MEF that the forest had been preserved at all (KeAdDes HuWa, 2018; KeDes HuWa, 2018; PemDes HuWa 1, 2018). This notion was hotly contested by villagers (KeAdDus HuWa, 2018; Masy HuWa 1,4, 2018; PemDes HuWa 1,2, 2018), with one official claiming, "*We preserve the environment because of adat – the Village Law is not important for this*" (PemDes HuWa 1, 2018). Such claims are also disputed by the fact that villages were already defending the area before the 1990s and their practices in the forest appear to have been little affected by protection forest status. In the words of one villager, "*We still enter there. I don't think it had a big impact*" (Masy HuWa 1, 2018). Another claimed, "*I don't really know what the difference is between hutan adat (customary forest) and protection forest in practice*" (PemDes HuWa 2, 2018). Villagers in turn expressed their own anxieties over the fate of the forest under village governmental rule. One villager for example stated,

> *The protection forest is owned by the government. We want it to be owned by the people. If we don't own it, we don't know what the government will do with it. Sometimes they let companies use forests for oil palm or logging. If our adat community owns the forest, then it is protected by our adat rules*. (Masy HuWa 12, 2018)

A heated exchange at a village meeting that I coordinated powerfully illustrated many of the core arguments associated with these two sides in the debate. A poor, landless villager took the floor to argue that,

> *We want to own our forest and manage it through our adat. That is why we want the status of the forest changed. If the tourism development is made by the desa with the Dana Desa, then it is no longer only under adat. Then, what was the point? There will be other rules and other people benefiting. That is why we do not support it*. (Masy HuWa 22, 2018)

A village official retorted,

> *Actually, he is confused. Many people here lack understanding … the Village Fund is managed by the village not the sub-village, so if we want support for this project it has to go through the village... sub-village (Huma Besar) does not have the resources to develop the forest themselves, so if we refuse then no one will get the benefit. People here are being very stubborn, but we have to lower our pride if we want to get these benefits for our community.* (PemDes. HuWa 1, 2018)

The villager replied,

> *Right now, the protection forest belongs to the government. If the forest is run by the Village Fund, then I think it will still belong to the government. The most important thing is that the forest belongs to the sub-village and should be run through our adat. If the government wants to develop tourism here, they should give their trust to us to manage it – not the village*. (Masy HuWa 22, 2018)

Far from being a clear-cut issue of misunderstandings and easy win-wins as framed by village officials, it is obvious that the agendas of the village government and Huma Besar villagers were at striking divergence. Furthermore, such findings

demonstrate that both sides are keenly aware of the dynamics of the Village Law's implementational hegemony and the implications of involving its associated mechanisms in forest spaces. Despite the official's assertions that villagers 'lack understanding', their disagreement didn't really centre on the nature of the law or its associated mechanisms but rather on whether – in light of the reality of their operations – it would be a good idea to involve them in their forest space. For members of the village government, the advantages appear to significantly outweigh the costs. After all, tourism development will provide income to the village government, financially benefit their constituents, and allow for the expansion of their administrative authority into a space over which they presently have very little influence.

From many villagers' perspectives on the other hand, greater village governmental involvement and, through the invocation of the mechanisms of the Village Law, greater involvement by the totality of the apparatus of bureaucratic hierarchy associated with its implementation, directly threatens their sovereignty in the forest and seems like a first step towards a potential loss of control over the space in its entirety. The enticements of economic growth associated with tourism are simply not worth jeopardising their relationship with a territory that is vital to many of their livelihoods. Together, these various findings illustrate the tactical sense behind the villagers' decision to block engagement with the tourism project altogether. If anything, it demonstrates that villagers may not have gone far enough in their resistance, since even the widely supported pursuit of social forestry status is being leveraged by the village government as a means to assert control.

8.3.4 Other claims, muddied narratives

Thus far, the impasse between the Huma Wangi village government and Huma Besar reads as a classic David and Goliath struggle between an embattled customary

community and a coalition of village elites and higher officials in a similar vein to those outlined in previous chapters. This clean narrative however is considerably muddied through an exploration of local power dynamics, and particularly those which define Huma Wangi's relationship with the other communities that comprise their village. Villagers in all three communities agreed that Huma Besar was not only by far the largest sub-village in the community, but also the most powerful and politically connected of the three. A village elder in Bukit Tukau explained, "*The previous sub-district head … was from Huma Besar, and now … another Huma Besar person is head*" (Masy HuWa 31, 2018). A villager in Huma Wangi reinforced this perspective, asserting that, "*Huma Besar is bigger than the rest combined so I think the people of the other sub-villages are scared to run [for office]. They know they cannot win*". When asked how the village head – a Bukit Tukau villager – had managed to get elected, he replied that, "*The votes from Huma Besar were split and so he won. That isn't usual. Dusun Huma Besar is the strongest here*" (Masy HuWa 7, 2018).

On these terms, the sub-village's decision to exclude all neighbours from the forest can be framed as an exertion of their relative power and privilege to secure valued resources at the expense of weaker neighbours. This was certainly the framing presented by many in Bukit Tukau, who claimed to have suffered severely as a result of their exclusion from the area. A village elder recalled,

> *In the past, people from Bukit Tukau, Balai Kecil and Huma Besar all used to use the forest together. We would go there to collect wood, rattan, bamboo, damar, fish, and to hunt. Now, if we go there, there is a problem. Huma Besar has closed the forest and the other sub-villages cannot use it anymore*. (Masy HuWa 31, 2018)

When asked why they did this, he asserted that,

> *They want to control the forest. They conquered it and now they rule it. They claim the forest came to them from their ancestors and that is why they deserve to rule it. They refuse to share it with the other sub-villages and have claimed all its products as their own.*

He went on to claim that, "*The people of Bukit Tukau are afraid of them, so we said nothing when Huma Besar blocked us from using the forest*" (Masy HuWa 31, 2018). The village head recalled the economic hardships of his community after the enclosure stating, "*It was a bigger problem before, but now we can get the wood delivered straight here from Semitau. It is more expensive, but it is easier*" (KeDes HuWa, 2018).

Bukit Tukau villagers in turn articulated a counter claim to the forest rooted in tribal history and *adat* whose legitimacy was, up to a point, also acknowledged by elders in Huma Besar. At some point in the past – "… *maybe 80, 90 years ago*" according to an interviewee in a nearby village (KeDus SebLel, 2018) – " … *the three tribes of the sub-district, the Suhaid, Kantu and Seberuang, waged a war for control of territory in the region*" (KeAdDus NaKa 2, 2018; KeDus SebLel, 2018; Masy NaKa 14, 2018; PemDes HuWa 2, 2018 Pontianak NGO 1, 2018). As a result of this conflict, the Suhaid tribe to which all three sub-villages in Huma Wangi belong seized large tracts of territory. In the words of a village official, "*The Suhaid tribe conquered all this land in battle with the Seberuang, including the forest, and so it belongs to us all*" (PemDes HuWa 2, 2018). On these terms, Bukit Tukau villagers including the village head argued that the decision of Huma Besar to close its forest was a violation of tribal *adat.* The village head asserted,

> *Yes, it's true. The forest belongs to [all Suhaid people]. It isn't [only] Huma Besar's but they have claimed it as their own … People from the other dusuns are scared of them and keep quiet, so now that is just how things are.* (KeDes HuWa, 2018)

On these terms, the Village Law, with its requirements that programs etc. are managed by the village government, has presented an opportunity for a marginalised community such as Bukit Tukau to assert itself against what they frame as their wrongful exclusion from their tribal rights (KeDes HuWa, 2018). The village head explicitly linked his actions with this struggle, explaining that,

> *If the change [in forest status] happens, it will need the stamp of the Temanggung [tribal head]. Huma Besar thinks they will get the forest for themselves, but the Temanggung will never stamp it unless ownership goes to the whole village. He knows that the forest is the territory of Suku Suhaid, not of Huma Besar. We won the forest in battle with the Seberuang and it belongs to us all. Huma Besar just thinks it is theirs because it is located in their sub-village.* (KeDes HuWa, 2018)

In many ways, the mechanisms of the Village Law incentivise a rapprochement between Huma Besar and the rest of its community, as is evidenced by the diverse coalition of supporters that the village head has assembled behind the project, including not only members of the village's other sub-villages, but a number of business elites in Huma Besar as well. Interviewees in Bukit Tukau and Balai Kecil for example strongly backed the program and supported the village government's position that benefits should be shared (KeRT HuWa 1, 2018; Masy HuWa 15,16,17, 2018), arguing that,

> *Of course, [benefits] should go to the whole village. That way all will be able to feel the development. We are all one village, and all contribute money to the*

> *village government, so of course a village government project should benefit all of us*. (Masy HuWa 15, 2018)

If the village government cannot pursue its tourism project without the support of Huma Besar villagers, then they equally would have been unlikely to have attempted the project in the first place without this widespread public support.

The dynamics of this multivariant political sparing were further complicated and to some degree upended during a brief break from field work, when an election brought a new village head from Huma Besar to power in the village. Having previously served as Huma Besar's sub-village head, the new leader stated that solving the dispute would be a key goal of his administration explaining that,

> *Many people here think I will just be a duplicate of [the previous head], but I won't be. I will of course continue his good programs and try to improve them further, but I am also not afraid to abandon the bad ones. The tourism plan needs further discussion and is not stable. Many people are still not happy with it*. (KeDus HuWa 1, 2018)

This statement highlights that unlike his Bukit Tukau-hailing predecessor, the new head aims to align himself much more with the concerns of villagers in Huma Besar in developing the village's tourism strategy. This was further illustrated when he explained,

> *If the results will only benefit Huma Besar, then I think they will support the project. The tourism issue is still a very complicated problem. One solution is that the cost of establishment could be paid for… [through a government or third-party grant] rather than the Village Fund. If we use [a grant], then the project can be run by Huma Besar and will just benefit them*. (KeDus HuWa 1, 2018)

Essentially, and despite occupying the same role as his predecessor, the social position and interests of the new head differ substantially from the old one, and these have driven him to avoid engagement with the Village Law by seeking funding from alternative sources to the Village Fund, and thus guaranteeing that his sub-village maintains control over the tourism project and the forest. These comments make clear that the election represents a seismic shift in village politics which may lead to increased alignment between the agendas of the village government and its largest sub-village. In the long-run, such realities in turn may result in greater marginalisation of the interests of the sub-villages of the community.

8.3.5 Key Lessons

Several important lessons can be drawn from this case study. Firstly, that despite the fragility of downward accountability mechanisms associated with the Village Law, the power of village governments to impose their authority is still significantly dependent on and shaped by public perceptions and support. This may be particularly true regarding village forests, many of which are associated with a variety of strict *adat* laws and regulations. Secondly, even though villagers may not directly contest the logics of the Village Law, they can nonetheless deploy an array of tactics to set limits on the spaces it is allowed to penetrate, thus preserving spheres outside its effective influence. The tactics of Huma Besar villagers have been both confident and effective – the weapons not so much of the weak but, within the confines of their immediate struggle, of the strong. Nonetheless, and importantly, this strength has come in part through a framing of themselves as weak – particularly in comparison to their village government. Thirdly, the exact function of the Village Law as a driver of change within a particular village context is more ambiguous than a clean narrative of expanding village governmental domination would suggest. Rather, the Village Law's implementational

hegemony serves as a tactical tool; a tool bundled in broader momentums and expansionistic tendencies of its own, but a tool nonetheless, and one that can be applied selectively by those positioned to shape the nature of its deployments in service of a broad range of agendas beyond those of its core logics.

Fourthly, villages with strong senses of village identity may tend to be more open to greater village governmental involvement in forest governance than those with stronger loyalty to tribe or to their individual sub-villages, with such openness enabling greater penetration of forest governance practices associated with higher bureaucratic expectations. Such dynamics are exacerbated by the village-government-centric logics of the Village Law and the requirement that village projects must involve and benefit entire villages. Such realities are further illustrated through comparison with strongly unified villages such as Sungai Sebilik and Makai Nyamai, which have been far more active and successful in using Village Law mechanisms as channels to utilise forest spaces. Finally, village governments are themselves critical spheres of contestation, and though they tend to forward the interests of higher officials under the Village Law, their internal complexities, local allegiances and strategic concerns can be far more complex. With diverse interests that transcend the top-down concerns of their superiors, two village heads have adopted two utterly differing approaches to tourism development rooted in agendas that transcend the logics associated with the Village Law. The question of 'whose village government' thus continues to loom large when analysing what is and is not done in a particular community and village forest under the Village Law.

8.4 Case 2 – Kantu Tenga and Kantu Hilir: A Tale of Two Sub-Villages

In addition to internal disunity, the previous case also demonstrates the importance of *adat* as a variable that limits and shapes how the mechanisms and logics of the Village Law engage with forests. Given their ongoing need for at least tacit consent

from villagers in order to pursue their programs, village governments appear to have had greater success in spheres with limited *adat* regulation, or with regulations that are well integrated or aligned with village governmental agendas. Such realities are vividly illustrated by the case of Nanga Kantu, where significant variance in *adat* governance systems and social framings of forest spaces in its two largest sub-villages have resulted in radically differing interactions with the Village Law. The case also explores the efficacy of more subtle tactics in resisting the expansion of the hegemony of the Village Law in forests.

8.4.1 Forest Governance in Kantu Hilir

Kantu Hilir community forest is located directly adjacent to its main settlement, with the village office of Nanga Kantu being located no more than 15-metres from its borders. It is open for usage by people in the sub-village, as well as those of the other two sub-villages of Nanga Kantu so long as they ask permission (KeAdDus NaKa, 2018; KeDus NaKa 3, 2018; Masy NaKa 22, 2018; PemDes NaKa 1, 2018). The people of Kantu Hilir have a long history of expanding their village into the forest, selling its timber to neighbouring sub-villages and clearing land inside it so that new families and immigrants can have space to build houses (KeAdDus NaKa 1, 2018; KeDus NaKa 3, 2018; Masy NaKa 15,21, 22,23,24,25,27, 2018; PemDes NaKa 1,2, 2018). One villager explained that, "*The PemDes has allocated this forest as the place where new people will build their houses. Newcomers must pay to settle in the forest, but people from Kantu Hilir can move into the forest for free*" (Masy NaKa 15, 2018). The village also has a tradition of providing newcomer households with timber from the forest to build their residences (KeDus NaKa 3, 2018; Masy NaKa 22,23,24,25, 2018; PemDes NaKa 1,2, 2018).

By generously welcoming outsiders, the sub-village head stated that the community has attracted considerable immigration in recent years (KeDus NaKa 3, 2018; also: Masy 15,16,17,18,19,24,25,27, 2018; PemDes NaKa 2, 2018). He even asserted that, "*I made an announcement to all the desas in our local area – 'please come here – you can have wood and space for your houses! We will treat you well'!*" (KeDus NaKa 3, 2018). Both he and other villagers welcomed this trend, asserting that whilst the loss of trees would make accessing timber more expensive (BPD NaKa 2, 2018; KeDus NaKa 3, 2018; Masy NaKa 20,21,22,24,25, 2018; PemDes NaKa 1, 2018), development was "*the most important thing*" (Masy NaKa 24, 2018; also: BPD NaKa 2, 2018; KeDus Naka 3, 2018; Masy NaKa 15,16,23,25,26,27, 2018). In the words of one villager, "*The forest is useful, but less important than village development. Development must always be the top priority. Besides, the good wood is already gone, and the forest is right next to our residences*" (Masy NaKa 25, 2018). Villagers hoped that through such efforts, the village would grow, become the largest sub-village in the village and attract a greater range of shops and public services (KeDus NaKa 3, 2018; Masy NaKa 15,16, 2018). In the words of one villager, "*The economy will go up, there will be markets held here, there will be new shophouses and a better life for all people here*" (Masy NaKa 15, 2018).

As a result of these practices, the sub-village's forest has gradually shrunk (BPD NaKa 1, 2018; KeDus NaKa 3, 2018; Masy NaKa 15,16,18,23,24,25, 2018; PemDes NaKa 1,2, 2018), with a villager stating that nearly half the present area of the village had been forest until relatively recently. He explained,

> *The community wanted to open land and the village government listened. Half of our sub-village used to be forest, including the land of the school and the village office. We started clearing land in 2002 through gotong royong (mutual*

cooperation) and by 2005, we had opened up a lot of land and so we could start building. Before then, the village government didn't have their own office – they met in the polyclinic. Now our population is even bigger, and we need more space, so we are clearing land again – the area of the kindergarten was cleared recently and people will be able to build new houses there. (Masy NaKa 15, 2018)

The sub-village head in turn argued,

In the future there will probably be no more forest because of this, but I am satisfied because I helped people to all have houses and space for their homes. I want to help my dusun become developed and successful. (KeDus NaKa 3, 2018)

8.4.2 Forest Governance in Kantu Tenga

The settlement of Kantu Tenga on the other hand is located approximately half a kilometre from its forest, which is connected with that of Kantu Hilir to the north to form a single continuous band of woodland. Unlike in Kantu Hilir, no one is allowed to build houses in Kantu Tenga's forest, which is reserved purely for collecting valuable resources and logs for new houses (KeBPD NaKa, 2018; KeDus NaKa 1, 2018; KeLPM NaKa, 2018; Masy NaKa 10, 2018; Masy NaKa 11, 2018; PemDes NaKa 3, 2018). As explained by an official from the sub-village, "*We have a rule in our sub-village that you can only use one tree for a new house*" (PemDes NaKa 3, 2018). Villagers also regularly emphasised the importance of forest preservation to ensure good supplies of wood and other valued products in the future (KeAdDus NaKa 3, 2018; KeDus NaKa 3, 2018; KeLPM NaKa, 2018; Masy Group NaKa, 2018; PemDes NaKa 3, 2018). In the words of the sub-village *adat* head, "*People only take the wood that they need. The reason is that people want to protect the wood and all other uses of the forest*" (KeAdDus NaKa 3, 2018). In contrast to Kantu Hilir's relatively open system of forest access, Kantu Tenga

has been gradually tightening restrictions on the usage of its forest in recent years and decided to close it to all forms of outside usage in 2008 (KeAdDus NaKa 3, 2018; KeDus NaKa 1, 2018; KeKPP NaKa, 2018; KeLPM NaKa, 2018).

This move was justified based on what villagers described as an unacceptable level of usage by villagers from the neighbouring Kantu Hilir (KeAdDus NaKa 3, 2018; KeDus NaKa 1, 2018; KeKPP NaKa, 2018; Masy NaKa 1,2,8, 2018). When asked if this shift had any relation to oil palm expansion in their neighbouring sub-villages, the sub-village head declared,

> *Yes, there is a direct connection. When the oil palm company came, the people of Kantu Hilir and Nanga Putih gave their customary forest land to them. Now they have lost most of their hutan umum and because of this their people started coming to our forest to take wood*. (KeDus NaKa 1, 2018)

Another villager asserted, "*The new rules are very good. Kantu Hilir has their own forest, so they can use their own. They don't need to come to ours*" (KeLPM NaKa, 2018). The villagers stated that the closure has benefitted their forest (KeAdDus NaKa 3, 2018; KeKPP NaKa, 2018; KeLPM NaKa, 2018; Masy Group NaKa, 2018; Masy NaKa 8, 2018; PemDes NaKa 3, 2018), attesting for example that, "*The area of our forest used to be going down, but now it is stable*" (PemDes NaKa 3, 2018). In many ways, this chain of events appears to mirror those which unfolded in Huma Wangi, though on a much more recent time scale.

8.4.3 Evolutions under the Village Law

In the years since the Village Law's adoption, a majority of Kantu Hilir villagers have predictably reacted with enthusiasm to the possibilities of using the Village Fund to further their development goals in the forest (BPD NaKa 1, 2018; KeDus NaKa 3, 2018;

Masy NaKa 15,16,23,24,25,27, 2018). The village government has responded eagerly to this widespread public backing, using village funds to clear land and construct its new kindergarten (KeAdDus NaKa 1, 2018; KeBPD NaKa, 2018; KeDes NaKa, 2018; KeDus Naka 3, 2018). The sub-village head stated, "*I told [the village head] to build [the kindergarten] in our customary forest – we will provide the space*" (KeDus NaKa 3, 2018). The village government plans to continue such efforts, with they and sub-village elites discussing a strategy of land clearing aimed both at considerably expanding the village's size and infrastructure and at convincing the sub-district government to locate a planned new hospital in the community (PemDes NaKa 2, 2018). On a tour of the proposed development area, the sub-village head explained,

> *As you can see, this is the path to rubber groves that we have built with money from the village annual budget. Eventually, this will be made into a concrete road. This is where we want to put the hospital. I already proposed this to the village head, and he agreed to support us to develop everything here.* (KeDus NaKa 3, 2018)

A villager from Nanga Kantu recently became a high-level sub-district official and had conspired with the village government to persuade the sub-district government and many of its associated services moved to Kantu Hilir (KeDus NaKa 3, 2018; Masy NaKa 15,16,24,25, 2018). Although there had been little progress on this plan since his sudden and untimely death, both the village government and many Kantu Hilir villagers had not yet given up hope that in showing appreciable displays of local capacity it might still catalyse this move, further cementing their resolve to continue developmental expansion in the future (BPD NaKa 2, 2018; KeDus Naka 3, 2018; Masy NaKa 15,16,23,24,25,26,27, 2018). The sub-village head gave voice to this mindset when he argued,

> *Of course, if they offer [to move the sub-village office] here, we will want to accept. I hope [it] will move here because this will bring more development to our sub-village and we will become very prosperous. We have so much space here – ten hectares of community forest that we can develop for houses, offices, and other buildings. We can double or triple the size of the dusun with plenty of room. Right now, Kantu Tenga is bigger than us but soon we will be the biggest because everyone is moving here. My dream is that our sub-village will become very populous, rich and developed and become the most successful community in the sub-district.* (KeDus NaKa 3, 2018)

Despite this broad consensus, the actions of the village government have nonetheless received critique from certain villagers. Many complained of a lack of transparency and that the village government and sub-village VIPs only discussed plans with one another and often went behind the back of ordinary villagers (Masy NaKa 20,21,22, 2018). One villager explained for example, "*The community cleared [a forest area] for houses. It wasn't for the kindergarten. We were going to sell the land for housing ... Then, suddenly, the kindergarten was there. The village government did not consult with the people*" (Masy NaKa 22, 2018). When asked if they'd been consulted about this development, another replied,

> *No, we were never asked. There was no meeting. The village government just decided and did it … it should have been decided in a meeting where all the community could say yes or no. The village government did not do that, so they made a mistake.* (Masy NaKa 20, 2018)

Such assertions are themselves linked with the broader complaints regarding the marginalisation of villagers from decision-making in the village as highlighted in

previous chapters. Nonetheless, most villagers continued to support the village government's actions, even whist arguing that the system through which actions were decided and taken needed to be improved in line with their local *adat* (Masy NaKa 20,21,22, 2018). The villager for example continued to assert that, "*If there had been a meeting, then maybe I would not complain. What I don't like is that they built it without asking*" (Masy NaKa 20, 2018).

In Kantu Tenga on the other hand, the biggest debate since the adoption of the Village Law has concerned the possibility of using village funds to pursue a communal land title and formal land demarcation process for their forest (KeAdDus NaKa 3, 2018; KeDus NaKa 1,3, 2018; KeKPP NaKa, 2018; Masy NaKa 1,2, 2018; PemDes NaKa 3, 2018). This proposal has been rejected by the village government as "*not a priority*" (KeAdDus NaKa 3, 2018; KeDus NaKa 1, 2018; KeKPP NaKa, 2018; Masy NaKa 1, 2018), and unlike in Kantu Hilir, there has been limited discussion of the possibility that the village government would pursue developmental activities in the forest, nor indeed any other programs which might extend the broader Village Law hegemony into their forest.

To some degree, it could be argued that this relative lack of village governmental attention and pressure is linked with geography – Kantu Hilir's forest is near to its settlement and the offices of the village government, whilst that of Kantu Tenga is comparatively more remote. This was the argument made by a village official, who explained,

> *The village government does not suggest that land should be cleared in the forest of Kantu Tenga. Why is the land clearing carried out in Kantu Hilir's customary forest? Because the forest is close to the people's settlements in Kantu Hilir –*

close to the village centre. Like it or not, the forest there is going to be cleared, and will be used as the center of village development. (PemDes NaKa 3, 2018)

It is important however not to dismiss the political dimensions of these spatial trends. In clarifying that it valued the continued preservation of its forest, Kantu Tenga made that space a more fraught and complex target of village governmental agendas than its neighbour. Such circumstances, when coupled with Kantu Hilir's general openness and enthusiasm for village governmental projects, have encouraged the village government – without any direct or active resistance from Kantu Tenga – to focus its expansionistic tendencies elsewhere, thus reinforcing the ongoing separation of the *adat* governance of this forest from the penetrative effects of the Village Law's hegemony.

8.4.4 Key Lessons

This case thus highlights several important findings. Firstly, that variations in local forest governance systems continue to play a major role in shaping the spatial distributions of the effects of the Village Law and that such diversity can be extreme even within the context of a single village. Indeed, rather than necessarily representing a substantial break with past dynamics, the effects of the Village Law may oftentimes serve merely to amplify pre-existing community governance features, such as the developmentalism of Kantu Hilir and the forest protectionism of Kantu Tenga. Secondly, that broad claims about the interactions between the Village Law and local governance must be tempered by an acknowledgement of this diversity, challenging assertions that claim, if given greater freedom, villages will inevitably do X, and reasserting the importance of the local in producing apparently generalisable trends. Finally, in line with Scott and post-hegemonic literatures, that resistance to the expansions of the dynamics of legal hegemony need not always exhibit itself in the kind of dramatic confrontations illustrated in the previous case study, and that more subtle acts of avoidance, such as the

rendering of one's territory less accessible or legible to power than that of a neighbour, can also be effective in shaping and limiting the Village Law's reach and impacts.

8.5 Case 3 – The Dismantling of Nanga Putih

8.5.1 Agrobusiness and the Village Law

A final and potent illustration of the limits of the explanatory power of a focus on the Village Law's hegemonic dynamics is provided by the case of the struggle between the Nanga Kantu sub-village of Nanga Putih and an oil palm company – a struggle that took a tragic turn in the years since the Village Law's adoption. It is beyond the scope of this thesis to engage the expansive body of literature on the power dynamics of oil palm expansion in Indonesia. Nonetheless, examining the specific interactions between this community and the oil palm company PT Anugrah Makmur Sejati, a subsidiary of Sinar Mas, serves to illustrate the ways in which the Village Law's mechanisms encounter and engage with other consequential dynamics of change in the country, and thus to better grapple with its implications within the broader socio-political context in which it is embedded. This company entered the region in 2009 and reached a deal with individual villagers in the community to develop oil palm in Nanga Putih (KeAdDus NaKa 2, 2018; KeDes NaKa, 2018). The sub-village head of Nanga Tenga explained,

> *The company promised them many things – roads, schools, anything that they need. Then they came to the sub-village head, their adat head and even the Temanggung [head of the Kantu tribe] and convinced all of them to support the plan. They all agreed and were given money*. (KeDus NaKa 1, 2018)

The sub-village's *adat* head corroborated this account stating,

> *In 2009, the company approached the village and was rejected. Then, in 2010, the company approached me about finding a solution. I saw that our sub-village had*

no roads or good quality paths. I was hired by the company to open the land and they promised that by doing this, the sub-village will get good roads and the company will provide people with job vacancies. I succeeded in convincing the sub-village … (KeAdDus NaKa 2, 2018)

Whilst the original deal outlined to villagers appeared highly advantageous, practically all interviewees in the community spoke of deceptions, breaches of contracts, land seizures and unfair working conditions (KeAdDus NaKa 2, 2018; KeBPD Naka, 2018; KeDes NaKa, 2018; KeDus NaKa 1,3, 2018; Masy Group NaKa 2, 2018; Masy NaKa 28,29,30,31,32,34,35, 2018; PemDes NaKa 2, 2018). The village treasurer recounted for example,

I gave 13 ha, so I got two of plasma [private land planted with oil palm by the company]. They kept the best land and gave me the worst. Now I have a deficit of Rp 199,000,000 ($12, 990 USD)! I thought, how has this happened? How can I suddenly have all this debt? The company said that because they opened my plasma land for oil palm and they will be managing it, I have to pay for everything they do there. I already gave them my land! What about my 11 ha? The best land went to them and now I am left with bad soil and debt. They sent people to my house with a form saying I owe the debt. I told them I won't pay! I said this is wrong – the deal was that I sell land and in exchange they help me with my plasma, not that I must pay for everything myself and lose all my property. They have people in the village that they pay to force people to obey them and they sent those people to my house every day. 5 or 6 times they came and threatened me. They said if I didn't accept the debt, then they would take everything – the plasma and the [11 ha] – I would get nothing. I had seen other people who had their land stolen this way. The company just forged their signatures and claimed they had

sold their property. Those people had no way to respond or say this is not true. They just lost their land with no compensation. (PemDes NaKa 5, 2018)

The village head of Nanga Kantu in turn asserted, "*The biggest problem [with oil palm] is the salary – it is too low! This is the main problem in our village! People gave land to the company but there is no profit*" (KeDes NaKa, 2018). Villagers also highlighted the environmental costs of oil palm, placing particular emphasis on the harm done to their river and water supply (KeAdDus NaKa 2; KeDus NaKa 2, 2018; Masy NaKa 34, 2018; PemDes NaKa 2,3,4,5, 2018).

In response to these violations, villagers in the community and neighbouring sub-villages of other villages have mobilised regularly to protest their mistreatment. One village official recalled that they had protested three times (PemDes NaKa 4, 2018), whilst another explained that, *"[The protests were] about issues with plasma. [They were] held in either 2015 or 2016*" (PemDes NaKa 3, 2018). Villagers decried internal disunity in facing this challenge, stating that the company bought off key members of their community and always played villagers against one another (Masy Group 2, 2018; PemDes NaKa 5, 2018). A group of Nanga Putih villagers highlighted challenges with resistance by describing events related to the largest demonstration in 2017:

There was a joint demonstration held by sub-villages Nanga Putih [and three others]. This happened in August 2017. All of us complained – we all went to the rally. It happened outside the sub-district office in Sejiram. The company knew we were going. Suddenly, before the rally, we received Rp 300,000 in our accounts (roughly $20.00) Usually, every two months we receive Rp 150,000, but suddenly it was doubled. We just found the extra money when we went to Bank Kalbar.

They were trying to buy us off. After the protest, the amount went back to normal. (Masy Group 2, 2018)

Such accounts will be recognisable to anyone acquainted with the dynamics of agrobusiness expansion on Borneo. What is of interest here is an illustration of the ways in which such familiar procedures of injustice interact with those new structures and supposed empowerment of village governments under the 2014 Village Law. Firstly, it is important to note the failure of the sub-village assembly to facilitate community deliberations and political unity. Interviewed villagers agreed that the decision to sell to the company should have been made collectively at a sub-village meeting (Masy Group 2, 2018; PemDes NaKa 5, 2018). Nonetheless, this failed to materialise, perhaps in part due to the village government's consistent disempowerment of this space as a meaningful sphere of political engagement. The village treasurer stated, "*We should have had a village meeting about this – to discuss how to fight these kinds of things – but our dusun lacks unity and togetherness. The company can always control us*" (PemDes NaKa 5, 2018). This of course occurred before the Village Law, but when villagers attempted over several years to use the space to mobilise for their protest demonstrations, the community was already far too divided to reach meaningful conclusions (Masy Group 2, 2018). As one noted, "*It is useless. The plasma farmers and labourers want action, but the foremen fight against it because they are insiders. They block everything and inform the company about what we are discussing. They didn't join our protest*" (Masy NaKa 30, 2018).

Secondly, it is important to highlight the complete incapacity of the village officials and higher officials to respond supportively to the unfolding crisis. When asked whether the village government could help with the problem, the sub-village head of Kantu Hilir replied, "*No. We have reported our problems to the village head, sub-district*

government, and even the police but no one can help us. The village government has no power to affect the company. There is no way out" (PemDes NaKa 3, 2018). This assertion was corroborated by members of a local NGO, who asserted that the local police and sub-district government had been bought off by the company, which had agreed to build them a new church in exchange for their support (Pontianak NGO 1, 2018). Another village official recounted, "*The village head was invited by the oil palm company to discuss the problems. The result was that things improved for one month. Then there was another problem*" (PemDes NaKa 3, 2018). A third stated, "*The village government once proposed to the wood company and oil palm company to supply us with clean water since they had polluted our river, but there was no response*" (PemDes NaKa 4, 2018). The village treasurer vented despairingly,

> *I don't know what to do! I tried to talk about this with the other members of the village government, but they don't help. I think no one knows how. [The village head] went to talk sometimes with the company, but he hasn't been able to make them change. They are too strong. That's why he wants help from higher levels of government. The sad thing is there is no unity here.* (PemDes NaKa 5, 2018)

Thwarted in his efforts, the village head stated he was considering making a village regulation to attempt to address some of the community's concerns, explaining,

> *We are currently in discussion with the BPD (village council) and all the village government, religious leaders and others about a village regulation solution for the oil palm problem. We plan to introduce something in 2018 but it hasn't yet happened. We are still discussing.* (KeDes Naka, 2018)

Finally, the village facilitation system appears totally unequipped to engage such political dynamics. The district-level facilitator for social services for example stated

there was little he could do to help the community get their land back. The most he could suggest in such predicaments is technical support in cases where communities had negotiated with companies to develop new economic opportunities within the plantation. He explained,

> *If a village is in an oil palm area, there is a lot we can do to provide empowerment. For example, we can improve the skills of people to do other activities to generate income and improve their lives such as cow farming. We can teach people to use oil palm leaves for cow feed. There is always something… If [villagers] have ranches, they can get more money. I discuss with oil palm companies about social responsibility and tell them to help people with cow farming or help them to build buildings for oil palm leaves. The money from corporate social responsibility can help people. Empowerment comes in other forms – side income. Also, people can be empowered to collect mushrooms that grow on oil palm fruits. People can learn to grow these and sell them! There are many options, but villages need ideas. They need guidance about how to realise their potential. That is the point of the Village Innovation Expo.* (KH TA 1, 2018)

This comment articulates a critical implication of the discourse of developmentalism driving the Village Law's implementation – the utter displacement of any real focus on political empowerment in favour of what are essentially other conceptualisations of development. Both this and the other examples of political failure highlighted above demonstrate how, by constituting a system of power with little concern for empowering communities to defend their own interests and instead placing them prostrate to higher agendas which are themselves framed as apolitical, the entire apparatus of the law's implementation has rendered itself utterly incapable of responding to a real, external challenge of political power. One might assert that such circumstances

are expectable – a mere element of a far larger problem of corruption within the Indonesian state apparatus – but such assertions are challenged, if not completely uprooted, by the intense and relentless scrutiny that has been applied to the identification and halting of corruption and mismanagement associated with the Village Fund. Here we find the limits of oversight, of legality and of authority, rendered irrelevant in the face of an expansionism driven by dynamics utterly alien to those of the meticulous constructions of the Village Law.

8.5.2 The Fall of a Village Forest

The implications of the translation of these dynamics into the forest are predictable. Nonetheless, it is important to carefully outline the exact dynamics of this particular narrative so as to both emphasise its contingencies and to actively and explicitly delineate the full extent of its impacts. Since time immemorial, Nanga Putih has maintained a small – approximately 0.13 square kilometres – area of communal forest. The villagers have a long history of actively defending this forest from seizure and as a result of these efforts, won formalised recognition of their communal title in the 1980s – the only sub-village in Nanga Kantu to have done so (KeAdDus NaKa 2, 2018; Masy NaKa 35, 2018). A village elder explained,

> *A long time ago, a wood company came here and took trees in the communal forest, but only the sub-village leaders knew this was happening. This was a problem because the trees were being taken, but only the leaders were benefiting in the sub-village because they were being paid by the company. When people found out, they were angry with the leaders and finally the village head released a letter stating that the forest belonged to all villagers of the sub-village and was their communal forest. Unfortunately, sometime later, the same village head claimed the forest for himself and acted like it was his own property. The villagers*

> *complained about this to the sub-district and the sub-district head then recognised their rights to the forest.* (KeAdDus NaKa 2, 2018)

When the oil palm company arrived in the village, the community refused to sell their communal forest, and continued to do so for many years afterwards. However, interviews with villagers indicate that for much of this period, the company had demonstrated little direct interest in the area, which was thus spared the effects of the land grabs unfolding around it (Masy Group NaKa 2, 2018). Ultimately, in early 2017, the company set its sights on the forest as a location to establish new housing for their workers and began implementing a strategy to seize it. As explained by the elder that led the fight for recognition in the 1980s,

> *The old sub-village head of Nanga Putih sold his personal land to the oil palm company but included part of the customary forest in the sale. Once again, the customary forest had become a problem! Once again, I tried to solve the issue. I said to him, 'Hey! That's not your land! That is the customary forest of the people of Nanga Putih!' He said that it had already happened, so he could do nothing. I went and informed the community of what he had done, and everyone wanted to hold a meeting.* (Masy NaKa 35, 2018)

A former member of the BPD (village council) recalled that,

> *Only part of the customary forest had been sold, so the community wanted to discuss what would happen to the rest. Everyone was panicked and even before the meeting started, the idea of selling the land was passing all through the gathering.* (Masy NaKa 31, 2018)

When asked if the panic was caused by the fact that the old sub-village head had sold communal land, he replied,

> *Yes – that was the main reason. If the sub-village head could just sell the land without permission, then what would stop someone else doing the same? The company wanted to have the customary forest, so we could not stop them. Because the land was divided up, at least everyone got money. Otherwise, they might have got nothing*. (Masy NaKa 31, 2018)

The village treasurer corroborated this sentiment asserting that, "*When I was threatened [to sell my own land], I realised there is no way out. If they want your land, they can just take it*" (PemDes NaKa 5, 2018). The elder explained, "*At the meeting, some wanted to divide up the forest into personal land and some disagreed. There was a debate and finally each household was given 0.26 ha*" (Masy NaKa 35, 2018). Subsequently, the company set to work completing its buy-up. "*The company went from house to house, but first to their influencers. The influencers sold first and then helped the company to get the others to sell. It happened very quickly*" (PemDes NaKa 5, 2018). By that evening, all but four households had sold their land.

After the land seizure, the company offered villagers some time to take as much wood as they liked before they fully cleared the area in mid-2018 (KeAdDus NaKa 2, 2018; Masy Group NaKa 2, 2018). Villagers stated they were doing their best to capitalise on this narrow time window – in one villager's words, "*The chainsaw operators are working all day from dawn till night*" (Masy Group NaKa 2, 2018). Nonetheless, villagers made few reservations in highlighting the disastrous implications of the loss for their community (BPD NaKa 1, 2018; KeAdDus NaKa 2, 2018; Masy Group NaKa 2, 2018; Masy NaKa 29,30,31,33,34,35, 2018; PemDes NaKa 4,5, 2018). The village treasurer explained,

> *Wood is expensive. We had rattan, damar and many other helpful things in our customary forest. I would go there often with my friends to collect things. Now we have nothing. The oil palm company has taken the forest and I am very sad about it. I could see the forest from my house.* (PemDes NaKa 5, 2018)

Another agreed, "*It will be a very big problem. Wood is very expensive! How will we build houses?*" (Masy NaKa 30, 2018). When asked to express his feelings, the elder that led the original resistance to land seizure exclaimed, "*I am not happy! I spent many years protecting this community forest to benefit our people! My question is how will the next generation live? Where will they get wood?*" (Masy NaKa 35, 2018). A leading sub-district teacher from the community added,

> *Of course, less forest means less wood. It is now hard for people in Nanga Putih to find wood. The oil palm company keeps claiming more and more land. I tell you, there will be another issue with land rights here if they keep doing what they are doing.* (Masy NaKa 34, 2018)

Evident in this entire account is the sheer speed of the community's surrender to the company's depredations. After so many years of effective resistance, this collapse might appear surprising, but it grows increasingly coherent in the context of years of unaddressed injustices, political failure and abandonment by higher officials. The sense of hopelessness in the community was palpable, as was the fear for the future and what it might hold in store. In concluding his interview, the sub-village *adat* head implored,

> *You can see the situation here is very bad. I did not want to tell you this at the village office, but now that you have come here you can see how the company has treated us. We need your help. I hope you can inform the government about what*

has happened here so that something can be done about our situation. (KeAdDus NaKa 2, 2018)

In this, an era of 'village empowerment' in which decentralised governance is meant to empower villagers to address their own concerns and chart their own destinies, villagers facing one of the greatest threats to their livelihoods in recent years – the loss of their communal forest – were as helpless as ever to defend some of their most precious assets and rights against the predation of an oil palm company (Prabowo et al., 2017), allowing it to continue expanding its reach and control unopposed.

8.6 Conclusions

Through a shift in analytical focus from the hegemony of the Village Law to the governance histories of village forests, this chapter has identified and explored a number of significant dynamics with substantial implications for the future of villages and village forests under the Village Law. These findings effectively challenge presumptions that a delineation of the Village Law's hegemony can serve as a directly predictive guide to what shall occur in a particular village forest and highlight the importance of an attentiveness to the often-subtle operations of non-hegemonic tactics and responses in seeking to understand the particular configurations of effects that hegemonic logics functionally manifest on the ground. Whilst its dominant logics have remained substantially unchallenged, the ways in which the Village Law's hegemony has generated change at the local level was found in all three cases to depend in large part on the workings of a particular constellation of local political identities, agendas and tactics. Since direct contestation would likely draw increased scrutiny and controls, both villagers and village officials alike have avoided such approaches, come to frame the law's logics and operations as a given and have reconstituted their various agendas and methods accordingly. In these ways, the Village Law not only looms over all events in

villages but has also been bounded and normalised within them as a powerful and directable tool of the local political scene and thus a critical object to be fought over. Villagers have gained substantial agency in shaping the effective forms and geographical scope of the law's mechanisms in their communities, evidencing the efficacy of the kinds of weapons of the weak detailed in Scott's work in contexts of seemingly profound domination.

The first two cases illustrate and explore the logics and political interactions underlying efforts by villagers to both deploy and resist the deployment of the logics of the Village Law within their forest spaces. In both, the history of forest governance since the Village Law's adoption has been defined by a continuation, warping and amplification of pre-existing dynamics. One particularly striking political driver in both communities has been the shift in the political status of sub-villages as a result of the village-government-centrism of the Village Law's hegemony. Whilst in some villages such as Sungai Sebilik, sub-villages play a relatively limited role in villager identities and politics, both Huma Wangi and Nanga Kantu have strong sub-village identities, and the shift in power dynamics has galvanised these communities to variously struggle for control over village institutions or work to distance themselves in various ways from village governmental control.

Inter-sub-village rivalries and suspicions of the village government for example have been heightened in Huma Wangi as village officials, elites and people from the community's two smaller sub-villages have been galvanised by an eclectic assortment of past grievances and new possibilities of developing, profiting and accessing resources to pursue a common agenda of change in the village's forest. The sub-village of Huma Besar in turn has continued its efforts to maintain tight control of the forest and has deployed a variety of tactics to ensure that any programs that are conducted in the area

maintain or reinforce this position. As with the Zapatistas, their actions succeeded in defining the terms of village governmental action in the forest without needing to gain control over its formal structures of administration (Arditi, 2007). The mechanisms of the Village Law may provide incentives and pressures which guide the trajectory of these contestations, as well as power to those which control access to its mechanisms, but the broader trajectory of the struggle is guided by dynamics that go beyond its logics. Outcomes will depend on which village elites control the village government, how they navigate their complex subject positions, as well as the agendas and tactical responses of villagers.

Similar dynamics are evident in the twin sub-villages of Kantu Tenga and Kantu Hilir, with the very different political circumstances and *adat* forest governance systems of each leading them to pursue opposite tactical responses to the Village Law. Whilst Kantu Hilir has drawn its developmental mechanisms to the forest in the pursuit of economic prosperity, Kantu Tenga has closed its forest even more tightly, and sought to engage the Village Law's mechanisms only to the extent that they can provide security against external land-grabs. As a result, two very different faces of the Village Law are presented in each community and have manifested thusly as a result of interactions with political dynamics that preceded them.

In line with the assertions of Laclau and Mouffe (2014), these results suggest that any examination of trends in village governance in Indonesian villages must be understood as a dialogue between the Village Law and other, often pre-existing local dynamics. This may appear obvious but is important to state, lest this thesis's conclusions come to concerningly align with those assumptions undergirding analyses that seek to define causal links between forest dynamics and the contents of legal texts, having merely substituted a conceptualisation of law as document with one of law as

hegemony. As such, this chapter may be framed both as an appeal for caution as well as a call to action on behalf of individual case studies, and their ongoing critical importance to any examination of the effects of decentralisation, or of any other law, upon socio-environmental systems.

At the same time however, it is critical to reaffirm the significance and transformative power of the Village Law's implementational hegemony, even when accounting for the role of local contingencies and circumstances. This hegemony has been effective to the extent that it has succeeded in drawing a broad range of subjects, spheres and dynamics into the overarching embrace of its discursive formation, and it is precisely this efficacy that has allowed it to generate change at a vast, penetrative and encompassing scale within Indonesia. A variety of factors may shape how the Village Law's mechanisms manifested within local spaces, but such dynamics themselves now operate within the magnetic and effective orbit of its expansionistic dynamics. Actors may struggle over how and where to direct the law's operations, but they have not challenged their substance, nor the ways in which its operations work to colonise, constrain and transform the spheres they succeed in penetrating in terms of their structured, developmental, hierarchical, legalistic and village-government-centric logics. The stakes are high therefore in contestations associated with the introduction of Village Law mechanisms to village forests, particularly in cases where local governance systems operate at different scales from that of the village unit or where *adat* systems of governance are divergent from higher laws and agendas. Once the gates have opened, there appear limited opportunities for villagers to shut them again in ways that do not directly contest the core logics of the law itself – a step which villagers appear understandably reluctant to take. These realities underline again the central role of the

Village Fund in legitimating the perpetration of bureaucratic hierarchical domination and justifying its ongoing extension into an ever-proliferating array of spheres.

The final case of Nanga Putih explores the complete failure of the systems, programs and mechanisms associated with the Village Law to support the interests of villagers in the face of a corporate land grab. This process by which the lands and forests of the sub-village have been systematically seized was in no way notably affected by the adoption of the Village Law and the entire apparatus of its implementation was helpless to confront this expansionism. Rather than revealing the fragility of the law's hegemony, this case instead highlights how incidental the political empowerment of villagers is to its guiding logics. Whilst village and higher officials may have a concern with such matters, they are not necessary to the operations of the system of power, security and coercion within which they are entangled. So long as villages can continue to meet their developmental targets, operate 'legally' and follow the directions of their superiors, the predations of the company do not threaten the unfolding progress of the law's implementation. Indeed, the mechanisms of the Village Law such as village-government-centrism and corresponding marginalisation of sub-village governance appear to have increased community vulnerability to such land grabbing strategies. This encounter of two great hegemonic dynamics has thus unfolded without any significant antagonisms or ruptures – they are both compatible – and between them, the livelihoods of villagers and a forest they depend on are crushed out of existence.

Chapter 9.0: Conclusions

> *The politics of demand is by necessity limited in scope: it can change the content of structures of domination and exploitation, but it cannot change their form… every demand, in anticipating a response, perpetuates these structures, which exist precisely in the anticipation of demands. This leads to a positive feedback loop, in which the ever-increasing depth of the apparatus of discipline and control create ever new sites of antagonism, which produce new demands, thereby increasing the quantity and density of discipline and control.*
>
> Richard Day, 2011, p. 107

In late 2013, Indonesia's House of Representatives passed the Law of the Republic of Indonesia no.6/2014 about Villages. This thesis is about what happened next. Framing decentralisation as an ongoing process, I have drawn on post-structurally rooted conceptions of power, hegemony, domination and liberation in order to explore the unfolding realities of its implementation process. Commencing with national level political and discursive processes, I then examined the dynamics of their dissemination and interpellation at the village level, the extent to which the emergent logics underlying these interactions have been replicated in the forest, and the implications of these shifts for village forests and forest governance. This conclusion commences by systematically summarising the principal findings of its four empirical chapters (section 9.1). It then proceeds to highlight and explore some of the most significant lessons derived from these investigations (section 9.2) and delineate possible avenues for future research (section 9.3). I then present a set of recommendations for how we might respond to the particular constellation of socio-political logics and effects with which the Village Law's

implementation has become entangled (9.4), before closing with some brief concluding remarks (section 9.5).

9.1 Summary of Chapter Findings

9.1.1 Chapter 5: Visions and Re-Visions: Clashing Agendas in Creating and Implementing the 2014 Village Law

This chapter detailed the process through which the Village Law was created, highlighting the critical role of a diverse activist coalition which, through a mixture of activist pressure and circumstance, gained access to and substantially hijacked the policy-making process. Amongst the many goals pursued by this bloc, the chapter emphasised two concerns which, through a reading of the law's text informed by discourses surrounding the law at the time of its creation and recollections of its formation process supplied by key involved individuals, appeared to hold the most substantial and prominent roles: empowerment of villages within the national governance structure through increases in village governmental authority and resources, and village democratisation through the restructuring of internal village governance processes. Alongside these key concerns, it also identified two additional, critical goals: to encourage village governmental diversity by providing space or the recognition of *adat* governance practices, and to enable village development via increased village funding, political empowerment and bureaucratic support. Critically, such development was envisioned to be community-led via the new mechanisms of democratic governance detailed in the law. Together, I conceive of this collection of agendas as the law's original vision – a baseline from which to chart and explore meaningful deviations in the period since its adoption.

With a focus on events at the national level, the chapter then shifts attention to the ways in which discourses, legal structures and power dynamics have evolved in the years

since the law's adoption with the aim of delineating and explaining, in broad strokes, the emerging logics of its implementational hegemony. The chapter highlights how the goals of the law's vision have been substantially marginalised by a new discourse of developmentalism aimed at achieving rural economic and infrastructural progress via the pursuit of centrally determined targets such as those included in the Village Development Index. This discourse has attained near uncontested pre-eminence in public discourse and official statements, and its logics are clearly evidenced in subsequent implementing regulations, which return substantial authority to oversee and control villages to the higher bureaucracy. An examination of power dynamics surrounding the law identifies critical mechanisms underlying this discursive shift: the dispersal of the activist coalition that created the law and the ascendance of the national bureaucracy as the uncontested overseers of the law's implementation. Having opposed its adoption, central ministries set about implementing the Village Law on terms that would preserve both their hierarchical domination and ability to pursue their various mandates in village spaces. The chapter therefore frames the ascendance of the discourse of development in terms of its utility to government ministries and departments in maintaining their positions of power and authority. It also highlights how, despite contestations between the Ministries of Finance, Interior, Villages, and district-level authorities, all have aligned in pursuing the maintenance of hierarchical authority, with ministries collaborating with and granting powers to districts in order to maintain their mutual dominance over villages.

9.1.2 Chapter 6: Disseminating Domination: Producing the Law's Hegemony in Villages

This chapter explores the mechanisms through which the hegemonic discursive logics identified in the previous chapter have been disseminated to the village level.

Despite dominating its implementation process, the legal authority of higher officials is nonetheless substantially curbed under the Village Law. A number of key repertories of domination are implicated in enabling any weakening of hierarchical domination to be overcome in practice. Concerns regarding the risks of corrupt usage of the Village Fund were applied to justify a substantial proliferation of top-down mechanisms of village supervision – a justification made particularly potent in the context of a strong anti-corruption culture operating in the country at the time. In conjunction with rapid proliferations of legal requirements developed to ensure upwardly accountable village administration, and whose complexities place village governments in a state of legal tenuousness, higher officials have leveraged these expanded oversight mechanisms to wield disproportionate influence over the full scope of the village administrative sphere. Such realities are a symptom of the effectiveness of the discourse of development in replacing the Village Law's vision and legitimating a regime of requirements and controls on village activity that are the anathema of community empowerment, diversity and grassroots governance.

Top-down domination has been further reinforced through the lack of substantive effort to support internal village democratic systems, leaving village officials primarily accountable upwards. It has been normalised via perpetuation of various pre-existing, hierarchy-affirming norms – a process often willingly backed by village officials since it limits bottom-up scrutiny of their activities. Normalisation has also been achieved via the discourse of development, which directs attention towards the pursuit of various centrally determined development targets which, given their critical role in justifying the present approach to the law's implementation, have become a fixation of the entire bureaucratic structure.

An analysis of these various repertoires evidences a set of sometimes fractious logics which are mutually forwarded and manifested on the ground – hierarchical governance, developmentalism, legality, village-government-centrism and the reforming of ever wider spheres of village life in line with bureaucratic administrative logics. These logics provide an outline of what I term the law's implementational hegemony. The chapter concludes by emphasising that democratic decentralisation of any sort, including that of the law's vision, is precluded by the horizon of this hegemony. Indeed, drawing on the thesis's reformulation of the typology developed by Agrawal & Ribot (1999), it cannot even meaningfully be termed a decentralisation, but rather a village-level deconcentration of responsibilities and upward accountabilities.

9.1.3 Chapter 7: Mechanisms of Hegemony: Forest Governance Horizons Under the Village Law

This chapter examines a wide range of forest governance mechanisms identified in the thesis's study villages and which had either emerged or evolved as a result of interactions with the law's hegemony. These included formal village structures, powers and channels of access to resources, support, information etc. – what I term mechanisms of forest administration – as well as mechanisms related to the controlling of forest spaces and the direct engagement of forest resources. The chapter explores the extent to which these mechanisms replicated the logics of the law's deeper hegemony – and in doing so tested the explanatory power of these logics – as well as the degree to which they supported, limited or precluded the emergence of democratic community-based governance and the implications of their operations for forest spaces themselves – both in terms of their discursive constitution and, more roughly, their ecological qualities and extent.

Examination revealed that the dynamics driving the identified mechanisms broadly align with those of the wider hegemony of the law's implementation. Developmentalist logics have pushed villages to pursue development and economic profit from forest spaces whenever possible. Increased top-down scrutiny in turn has pressed village governance instead to restrict and abolish practices that do not align with higher agendas or expectations of legality. Research identified little direct resistance to the law's hegemonic logics, highlighting the extent of their present, normalised ascendency. As in the case of village governance more generally, democratic community-based governance was largely precluded, and whilst some limited liberational potentials were observed, these are overwhelmingly enjoyed by village officials and elites. For example, the effects of village mapping processes mandated by Village Law implementation regulations produced new forest spaces with the potential to be governed by village governments, but also generated new tensions both between villages and within communities where expansions of village authority were perceived as a threat to sub-village forest governance systems.

The effects of the law on forest cover and quality are shown to be complex, with examples of villages seeking to use Village Law mechanisms to more effectively defend forest territories from loggers as well as actively clear forest lands for development. The chapter however emphasises the limitations of present debates regarding whether village funds should be diverted to preserve the environment, illustrating how they neglect the ways in which the Village Law hegemony's own hierarchical logics generate many of the pressures that appear to justify further exertions of top-down control in the name of sustainability. For example, pressures to utilise forests in the service of development – e.g. via tourism, collecting resources for crafts, land clearance, etc. – are directly linked with and promoted by the logics of the Village Law itself. The chapter also highlights

how such discussions evidence the degree of central control over village activities and the disempowerment of village voices under an ostensive decentralisation. The chapter concludes by asserting that little can be ascertained regarding the potentials of grassroots village government to effectively govern forest spaces by examining the behaviour of village institutions operating under the totalising influence of the law's implementational hegemony.

9.1.4 Chapter 8: The Limits of Hegemony: Local Dynamics, Hegemonic Collisions and the Fates of Village Forests

In contrast to the preceding chapters, this chapter comprises four detailed case studies of village forests aimed at contextualising the significance of the operations and effects of the Village Law's hegemony amongst the wider array of dynamics that have driven change in these spaces since the law's 2014 adoption. In doing so, the chapter aims to gain a clearer perspective regarding the explanatory power and limitations of the lens of the law's hegemonic logics as an explanatory tool for understanding present and future trends in village forest governance. Each case study was explored with the aid of the thesis's framings of power, discourse and hegemony, as well as literature on post-hegemony, which highlights social dynamics that go beyond and to some degree defy hegemonic colonisations and incorporations.

The chapter illustrates how the Village Law's mechanisms engage in dialogue with local dynamics to shape the topography of its grounded realities, thus affirming the ongoing significance of local dynamics as drivers of change in village forests and forest governance. The first case study explored how various community interest groups seeking to control and profit from a village forest have variously sought to control or exclude Village Law mechanisms and village governments themselves in strategically pursuing their aims. The second and third cases demonstrate that sub-village support

and/or opposition to development projects strongly influence where village governments decide to locate them, highlighting the enduring importance of differences in local forest governance systems in shaping the law's grounded effects. All three cases illustrate the ongoing importance of the relationship between sub-villages and villages as a critical dynamic influencing the penetrative potential of the Village Law's logics, with greater divergences between these two levels tending to limit grounded adoption of its various associated mechanisms. They also however indicate the speed with which logics of the Village Law colonised the forest spaces into which they were allowed to enter, highlighting the consequential limits of local agency in shaping the terms of their operations.

Finally, the chapter's fourth case study demonstrated the wider implications of the side-lining of empowerment in the Village Law's implementation by exploring the ways in which its structures failed to support a sub-village facing the depredations and forest-grabbing activities of an oil palm company, and instead worked to undermine many sub-village level decision-making processes that might have enabled effective resistance. Despite being driven by logics alien to those of the Village Law, such land-grabbing activities were ultimately of little concern to the bureaucratic agencies charged with its implementation since they in no way clashed with its core operations.

9.2 Discussion of Key Lessons

A number of key outputs and lessons can be drawn from these findings with relevance to future academic and political engagement with the Village Law, to the field of decentralisation research and to critical legal, political, ecological and cultural analyses more broadly.

9.2.1 Decentralisations and their Effects

The thesis's findings are a clear reminder that decentralisation policies often serve very different agendas in practice to those articulated by policy makers. It highlights the fundamental divergences between the original vision of the law's creators and the realities of its implementation, where core agendas of empowerment, democracy and diversity have been sidelined in a profound re-articulation centring on planned rural developmentalism. The result of these shifts has not only been to preclude the emergence of legitimately decentralised and autonomous forms of community governance, but to proliferate mechanisms of oversight and control that have actually increased the power of the central government over villages – a recentralisation through decentralisation which echoes those identified in a number of other studies (Ribot et al., 2006; Bullinger & Haug, 2012; Sahide et al., 2016; Basnyat et al., 2018; Fatem et al., 2018).

These findings underline the assertions of Poteete & Ribot (2011) regarding the importance of approaching decentralisations as evolving processes of conflict, competition and redefinition rather than as discrete legislative events. They also echo authors such as Lund et al., (2018) in highlighting the profound limitations of any research aimed at quantitatively assessing the linkages between decentralisation and various socio-environmental effects which fails to attend to the grounded realities of that decentralisation in practice. A study on changes in forest cover since the adoption of the Village Law, for example, might easily have treated its results as another piece of evidence regarding the effects of decentralisation on forests without realising the degree to which its operations have limited the emergence of autonomous local government and functioned primarily as a deconcentration of responsibilities in practice.

9.2.2 The Dynamism of Domination

The thesis's results highlight both the resilience and innovative capacities of bureaucratic structures of hierarchical domination, as well as the sheer speed with which their discursive reactions can override hard-won legislative victories and propel implementation processes in radical new directions. The rapidity of the dispersal of the activist coalition that so doggedly, creatively and effectively pressed for its adoption highlights the critical importance of maintaining such movements after the period of 'victory'. The blow dealt to the bureaucratic structures charged with governing village affairs at the district and national level as a result of the law's adoption however remained sizeable and should be neither minimised nor overlooked. It made it impossible for them to continue their business as usual and forced their apparatuses and associated discourses to undergo substantial evolutions if they were to maintain power, authority and capacity to pursue their mandates. In seeking to do so, they unleashed an array of new forces with compounding momentums of their own. Rather than responding with mere reactionism, the law has galvanised the bureaucracy. Drawing on the tenets of the Village Law, they have developed and fuelled new, potent repertoires of domination over villages. The results of the Village Law therefore may not be those which its creators intended, but they have nonetheless proved substantial and represent a true critical juncture in the history of Indonesian government and village life.

It is important to emphasise the lack of political reaction that the major shifts in logics driving the law's implementation have elicited either from the actors that fought for the law or from Indonesian civil society more widely. I argue that this has occurred in part because the key tenets of the Village Law's vision were never explicitly dropped. Rather, they were sidelined in official statements, minimised in public discourse and lowered in the priorities of implementational bodies to the extent that they have been

rendered substantially irrelevant in the grand scheme of the law's on-the-ground operations. Additionally, the election of the Jokowi government already demonstrated a clear national appetite for developmentalism (Hamdani, 2018; Hanung, 2018; Muhammad, 2018; Reily, 2018; Warburton, 2018; Sato, 2019). It is thus unsurprising that the electorate was also receptive to embracing a development-centric re-conception of the law's agenda. This support has continued, as evidenced by the overwhelming backing for the policy in the country's 2019 election (Andayani, 2019; Hantoro, 2019; Julita & Asmara, 2019; Maharani, 2019; Raharjo, 2019), and such strong, long-term backing has given the bureaucracy few reasons to backtrack or change course.

Once development had been established as the law's primary goal, many choices that ran entirely counter to any realisation of the law's vision in turn could suddenly be framed as entirely normal, practical and justified. Village funding usage 'needed' to be regulated to avoid corruption – a critical discourse in the country at large (Dick & Mulholland, 2016) – so a massive proliferation of mechanisms of checking and control were required, regardless of what these might mean for village autonomy. Village administration processes 'had' to be clear and legible to central authorities in order to maintain funding flows and ensure efficient pursuit of development goals, so a substantial complexification of legal requirements was necessary, regardless of the barriers such legal densities presented to villagers wishing to monitor or guide village governmental activities, and the new structures of top-down control their associated knowledge bottlenecks were enabled. In a world saturated by neoliberal logics of sound financial management and good governance (Fletcher, 2010), the ease with which controls were justified in relation to the Village Fund appears unsurprising. It is however a reminder of the risks associated with including a funding element in a program aimed at enabling community autonomy. Without control of their own funds, village

governments would have remained at the mercy of higher authorities. By providing it to them directly, the Village Law opened a channel for an intensification of bureaucratic control over village activities that would have required considerable political resolve to block – resolve which has, at least in Kapuas Hulu, been demonstrably lacking. Whilst the Village Fund has been framed in public discourse as the most significant element of the new law, it proved a pivotal Achilles' heel for its agendas of autonomy and grassroots governance.

Assertions such as those made by the politician that proposed the law that, "*the only actual power of the bureaucracy is actually the ignorance of the villagers*", and that all that is needed to realise the Village Law's vision is an effective social movement of education, political courage and inter-community connections (Purwanto, 2014; Anggriani, 2016; Jakarta Politician, 2018; NGO Head 1,2, 2018; Rodiyah, 2018) in my opinion underestimate the versatility and coercive force of these mechanisms that have been assembled to dominate village spaces in the years since its adoption. They also fail to acknowledge the degree to which, through the ongoing marginalisation of their causes, elevation of a popular discourse of developmentalism, and expansion of new, intensive mechanisms of control and regulation in village spaces, the ground upon which the victory of the Village Law's adoption was won has been steadily eroded and transcended. With environmental organisations confidently discussing new controls on village funds in line with their various agendas (e.g. Wahyudi, 2017), it is clear that those that believe in the cause of the Village Law's original vision no longer have circumstances on their side, and it will take a great deal of effort and political ingenuity to recover the momentum that has been lost.

To return to a central question posed in the thesis's introduction, such findings highlight the significant challenges associated with seeking authentically decentralised,

locally accountable governance delivered via centrally administered structural reforms and top-down provisions of funding. With so many repertories of domination at their disposal, the Indonesian bureaucracy was able to reconstitute and tighten its control over villages with relative ease, even whilst implementing the Village Law's ostensive decentralisation reforms. To expect outcomes to be otherwise is to neglect the socially embedded nature of the dynamics underlying the previous system. Whilst the collapse of the country's Suharto dictatorship in 1999 was associated with a real breakdown in the ability of dominating structures to maintain their functionalities, nothing of the sort has occurred since the adoption of the 2014 Village Law. In lieu of substantial effort to upend the operations of top-down bureaucratic power at every level at which they operate upon villages, their perpetuation – at the very minimum – was always a likely outcome.

One of the most important lessons of this thesis therefore is the insufficiency of the sphere of policymaking in isolation, as a horizon through which to pursue the cause of legitimately decentralised governance. I would argue that a critical limitation of an appreciable body of decentralisation research and interventions appears to be their fixation on generating changes through legislation processes and bureaucratic implementation initiatives which are very poorly positioned to realise them on the ground, and indeed have substantial incentives to ensure they function otherwise. Indeed, the only truly sustained and effective efforts to limit and govern the pervasive expansion of Village Law logics my research identified on the ground had been taken by villagers deploying tactics of low-intensity political opposition, foot-dragging and avoidance. Such reactions were particularly evident in villages with strong sub-village identities and highlighted the enduring transformative power of organised resistances in strategically shaping the on-the-ground configurations of the Village Law's effects in practice. The

long-term sustainability of such spaces and methods of resistance in face of the relentless expansionism of the law's dominant logics, such as village-government-centrism, however, remains uncertain.

9.2.3 Forest Governance

The thesis's outputs confirmed the hypothesis that major shifts in systems of village governance and access to key resources in Indonesia would have important knock-on effects in forests as well. The Village Law's implementational logics have saturated every mechanism of forest governance with which they intersected, thus replicating, manifesting and entrenching their operational horizon within these spaces. As a result, democratic community-based governance has been precluded just as surely in village forests penetrated by its mechanisms as it has been in the sphere of village government more broadly.

This is a significant finding. Whilst many social forestry designations such as *hutan desa* maintain firm top-down control by central authorities (Akiefnawati et al., 2010; Siscawati et al., 2017), efforts to promote more radical alternatives such as *hutan hak* (private forest), which transfer forest ownership directly to communities (Siscawati et al 2017; Dinas Kehutanan 2, 2018; MEF Official, 2018) must now contend with a reality in which village governments themselves are already tightly overseen by structures of top-down domination capable of expanding into and reconstituting any spaces in which they gain access. Without substantial reforms to the present dynamics of the Village Law's implementational hegemony, it is difficult to envision any transfer of powers to village officials in other spheres, such as forest or fisheries governance, that did not ultimately serve to further entrench dynamics of hierarchical subjection and control.

Indeed, the thesis demonstrates how successes of villagers in maintaining *de facto* control over their forests have often been a result of efforts to block formal recognition and limit the involvement of their village governments in forest administration. It is therefore unsurprising that, particularly in communities such as Huma Besar with stronger sub-village than village loyalties, tensions between these two levels of governance have been exacerbated since the law's adoption. On the other hand, the erosion of grassroots governance systems resulting from the ongoing expansion of village governmental institutions may result in increased community vulnerability to land grabbing by agrobusiness and other external actors, as evidenced by the confusion and lack of effective resistance in Nanga Putih during the final seizure of its forest after years of effective resistance. Future programs of forest policy reform and activism, as well as research on the dynamics and effects of village forest governance in Indonesia, cannot fail to acknowledge and engage the implications of these new and unfolding realities.

As highlighted previously, the thesis identified few major negative effects of the Village Law's mechanisms on forest cover or quality – certainly nothing of a similar magnitude to the major losses in forest cover witnessed during the country's 1999 decentralisation. This is important to acknowledge given the substantial losses associated with this previous political reorganisation. Nonetheless, it is necessary to emphasise the significance of the ways in which the varying logics of the Village Law's implementational hegemony undermine the abilities of villages to develop and pursue effective and environmentally sustainable approaches to forest governance via these mechanisms. Village governments are pressurised both by district officials and the law's developmental logics to find new ways to profit from or pursue various development metrics in forest spaces. Under such conditions, outcomes such as the clearances of

forest land in Nanga Kantu in order to build a kindergarten and other community buildings identified and promoted via the Village Development Index are hardly surprising. At the same time, villages face far greater legal scrutiny. The interlinkages of logics of developmentalism and legality produces such unusual circumstances as those associated with Sungai Sebilik's craft-making program. Despite being actively encouraged by district officials, this program is dependent on resources that villagers gather from their village forest, an activity of questionable legality given its official protected status. In order to navigate this bind, the village government has avoided managing the acquisition of these resources directly so as to maintain a degree of separation and legal deniability.

In spite of such perverse incentives, the thesis still identified many examples of villages and sub-villages concerned with preserving and effectively governing their forests. Once again however, the ability of village governments to deploy their new resources, legal mechanisms and institutions to defend and administer their forest lands was effectively undermined by increased pressures to behave 'legally'. A strong example of such dynamics was the cessation of Sungai Sebilik's forest monitoring program as a result of growing concerns about its legality. Such circumstances are hardly conducive to the kinds of 'good resource governance' as conceived in most mainstream academic frameworks. As noted previously, they also demonstrate the absurdity of assertions that villages are failing to use village funds in ways that conserve, restore or sustainably manage forests resources – the logics of its implementational hegemony practically preclude such actions from occurring. Perhaps it is not villages, but rather these hegemonic logics themselves that should be facing such intense reformist scrutiny.

At the same time, it is important to recognise and highlight the forest-related benefits to villagers that have been generated, even inadvertently, as a result of the

Village Law's adoption. Expansions in village resources and village governmental powers for example have enabled communities to trial and develop a wide array of new community-based forest governing activities in the years since the Village Law's enactment. Many of these activities would have been difficult or impossible for villages to undertake prior to the law's adoption and have either already generated concrete benefits to communities or have real potential to do so in the future. Improvements in forest-accessing infrastructures such as roads were reported to have made substantial positive impacts on the quality of life for people living in all four study villages. Similarly, the surge in efforts to implement new forest-products utilising communal businesses may provide villages with much needed new sources of income, as indeed may tourism, although it is of course a famously fickle industry. All these efforts not only do not conflict with the logics of the Village Law's hegemony but are actually supported via their operations. The Village Development Index for example has placed greater pressure on higher officials to take a more active and supportive role in fostering village developmental success stories within their territories. Villages have also benefitted from the proliferation of new channels of learning, knowledge sharing and political connection-making such as the Village Innovation Expo and the village facilitation system that has occurred since the law's adoption.

Additionally, the clear territorial delineation associated with the establishment of village maps has generated a new sense ownership of forest territories for villagers. Whilst previously territorial rights appear to have been engaged in more customary terms, such formal demarcation suggests the possibility of more formalised, legally recognised, state-sanctioned sovereignty. As evidenced by the efforts of Sungai Sebilik to explore, police and eventually gain formal title to its newly demarcated forest lands, the creation of these maps may have significant political implications in the future, and

might even form a centrepiece of a new Indonesian land rights movement. Such positives, at least from the perspective of many villages, are worth dwelling upon. In conjunction with the many negatives and missed opportunities highlighted by this thesis, they can serve as valuable touchstones for any efforts to reform the Law and its relationship with forests going forward.

9.2.4 Contingency and the Limiting of Possibility

Whilst the developmental outcomes of the Village Law since its adoption have received substantial coverage and nation-wide popular support in Indonesia (Andayani, 2019; Hantoro, 2019; Julita & Asmara, 2019; Maharani, 2019; Raharjo, 2019), this thesis has highlighted the many costs generated both by the displacement of the agendas of its original vision and via the logics and amplifications of its implementational hegemony. The development of village democratic systems has been neglected, whilst trends of village-government-centrism have reversed gains made by villagers since 1999 in developing alternative networks of political power and resource access, to some degree restoring the old order of patron village heads (Berenschot & Sambodho, 2017; White, 2017). Such trends have done little to empower villagers to face critical political challenges and, in the case of Nanga Putih and the oil palm company PT Anugrah Makmur Sejati, actually served to undermine the pre-existing spaces and tactics of resistance. The complete lack of response from the entire bureaucratic structure of facilitation and support during the land grab in this sub-village's territory highlights the sheer degree to which the present system has failed to constitute itself on terms that actually address the internally determined concerns of village people. Development programs and agendas are still primarily set by higher officials, maintaining the system of 'villages as developmental subjects' that was so heavily critiqued prior to the Village Law's adoption (Antlöv et al., 2016a; Vel et al., 2017a; Jakarta Academic 1, 2018;

Jakarta Politician, 2018; KH TA 1, 2018). The ability of communities to chart their own paths has been heavily truncated in the face of legal complexities and proliferated structures of top-down control, as evidenced by the stymieing of many village efforts to innovate in governing their forest spaces using the mechanisms of the Village Law. The interactions of the Village Law's various logics have also erected numerous hurdles to effective village forest governance, with villagers and village governments being forced to practice complex and legally risky circumventions and contortions in order to make their various projects operable.

These costs might appear acceptable for many villagers given the sheer increase in funds and development programs now directed towards their communities. The question I would pose is, compared to what? Why has it been necessary to accept so many limitations of the possibility of liberated, democratic, diverse and community-led governance in order to access resources and possibilities that were themselves already guaranteed in the original text of the Village Law? The benefits of the Law for forest-utilising communities highlighted in the previous section, whilst laudable, could certainly have been envisioned in the context of a more community-led approach to the Law's implementation. Why should we have to settle for these gains and accept such a wide array of unnecessary negatives and truncated horizons?

As has been emphasised throughout this thesis, there was nothing inevitable about the paths taken by the Village Law's implementation process. They remain, as asserted in Chapter 6 (see section 6.4), a choice. Its guiding discourses, logics, knowledges, practices and mechanisms of control have been assembled diffusely but purposefully, in defence of a specific order of power – that of hierarchical bureaucratic domination. Their triumph has been in presenting a truncated form of the law as all that could be expected of it in practice, to limit the field of the possible in the political sphere,

and thus to protect this system of authority at the expense of villagers and the radical potentials of communities actively pursuing their self-determined needs. The Village Law itself appeared impossible before it was passed (Vel et al., 2017a and 2017b). We need not accept the terms, nor the costs incurred by the Village Law's present hegemony as the horizon of possibility for its implementation. There is everything to fight for and much to be won! How, precisely? That is the topic of sections 9.3 and 9.4.

9.2.5 Analytical Innovations

The thesis has developed a number of analytical tools and re-conceptualisations that have proved invaluable to its analyses and the production of its illuminating results. These innovations and the broader approach of my thesis have wider applicability not only within the field of forest decentralisation research, but also more broadly within fields such as land use and resource governance and political ecology. Firstly, the thesis's dual model of productive and actor power provides a powerful, non-essentialist framework through which to explore the linkages between the agency and actions of actors and the production and reproduction of more extended discursive structures of meaning, subjecthood, practice and possibility. It enables the thesis to straddle the divide identified by Li, (2007) between research analysing general governmental logics and the witch's brew of dynamics associated with their implementation in practice, emphasising their mutual co-production and providing an eclectic, ethnographic and grounded approach to the delineation of both. The framework's versatility grants it considerable capacity for reapplication in other cases exploring the drivers of social change.

Second, the thesis's novel concept of legal hegemony, rooted in the work of Laclau & Mouffe, enabled encapsulation within a single analytical object the complex assemblage of discursive logics and power dynamics that manifest the legislation in practice. Critically, I assert that dominant legal meanings are themselves entangled with

such hegemonies via relationships of mutual reconstitution, contesting the idea of authoritative, transcendental textual reading and focusing attention instead on processes by which formations of meaning, power and practice coalesce around and (re)embody the content of reforms over time. Dominant logics of the Village Law were identified via a genealogical method of comparing conceptualisations associated with the law's vision with those driving present implementational practice. Having done so however, the lens of hegemony enabled me to move beyond such explorations of the ways in which the Village Law's enactment process has deviated from the agenda of its creators and instead to engage its operations in their full positivity. The logics of the Village Law's implementational hegemony are insufficiently conceptualised as failed or errant versions of its original vision – they are something else entirely, and that something is vibrant, versatile, and relentless.

Taking this hegemony seriously on its own terms has allowed for targeted explorations of the Village Law's implications for villages, forests, and village forest governance, particularly in conjunction with post-hegemonic methods such as those deployed in Chapter 8 which serve to contextualise hegemonic formations in relation to the broader array of social and discursive dynamics in which they are enmeshed. In a similar vein to Mutune & Lund's application of Agrawal & Ribot's 1999 APA (*actors, powers, accountability*) framework (2016), it enables more nuanced examinations of linkages between decentralisation policies and their effects than methods that simply compare the content of legal texts with shifts in various socio-environmental metrics. Its sensitivity to the productive qualities of power in generating and reinforcing discourses, worldviews, spaces, practices and subjects, in turn grants the concept of legal hegemony an explanatory power in examining the linkages between legislation and social change.

The thesis's reconceptualisation of Agrawal & Ribot's distinctions between true decentralisation and deconcentration (1999) and the conceptions of democratic decentralisation commonly deployed in forest decentralisation research (e.g. Larson et al., 2007; Ribot et al., 2010; Mutune & Lund, 2016; Ribot, 2016) as specific power formations constituted in part by dynamics of liberation and hierarchical domination has also been invaluable to this thesis's analysis. Such framings allowed these illuminating categories to be applied fruitfully to the entire social fabric entangled with the Village Law's implementational hegemony, making it possible to explore the specific and evolving mechanisms by which legitimate local autonomies are manifested, limited, blocked or precluded in practice and the productive power effects linking these mechanisms. Instead of directly categorising the Village Law as a decentralisation – democratic or otherwise – or deconcentration, these framings ask in what ways it is all three, on what terms, and with what effects. Such an approach enables more targeted examination of causal links between specific formations of domination and liberation and shifts in access, governance, practice, and forest cover and quality.

These findings effectively challenge presumptions that a delineation of the Village Law's hegemony can serve as a directly predictive guide to what shall occur in a particular village forest and highlight the importance of an attentiveness to the often-subtle operations of non-hegemonic tactics and responses in seeking to understand the particular configurations of effects that hegemonic logics functionally manifest on the ground. Paired with legal hegemony, such lenses could be meaningfully applied to an extensive field of decentralisation processes and legal reforms in the interest of more effectively linking their operations with trends in specific socio-environmental metrics. They are also useful tools for critical political analysis, enabling detailed and nuanced exploration of the myriad and often diffused mechanisms by which reforms actually

operate, the horizons of possibility they generate and the array of exclusions and subjections they produce, thus providing a detailed map of how such powerful assemblages might be tactically contested, reformed or overthrown. As such, it is my assertion that this thesis's analytical frameworks have utility not just for critical researchers, but for activists as well – an idea explored in greater detail in section 9.3.

Finally, the thesis makes innovative usage of positionality. By highlighting my own positionality both as a person from Borneo concerned about the future of governance on the island and as a trans person who, through the analysis of the operations of the Village Law, sought to explore the possibilities of legal reform as a mechanism through which to pursue liberation from a variety of hostile (and in many cases increasingly threatening) social, legal and political challenges to my future, I upped my personal stakes in the research. This forced me not only to generate a set of results and insights amenable to practical political action, but also to emphasize the interdisciplinary significance of my findings. By implicating myself with, rather than set myself apart from the operations of the Village Law, I was able to draw out those more generalisable implications of the course of its adoption for other spheres of social action and to delineate channels through which to foster meaningful inter-movement solidarities – an effort which receives even more explicit attention and engagement in section 9.4. I would hope for example that the findings of this thesis might be of usage in the fields of queer theory and queer activism, despite its ostensibly radically disparate subject matter. To summarise, this thesis highlights the many benefits of an approach that places the researcher inside, rather than outside of the political sphere subject to academic inquiry.

Both together and separately, this thesis's various analytical innovations hold substantial utility as a method for exploring a broad range of reforms, processes and trends – not only those centred by decentralisation research, but also within the wide-

ranging fields of political ecology and critical legal scholarship. They also underscore the assertions of Lund et al., (2018) regarding the value and importance of approaches that draw on all four major branches of decentralisation research. Its lenses explore both the power dynamics and democratic potentials of decentralisation reform in order to contextualise what the decentralisation does in practice, and then applies its insights as a lens through which to understand the Village Law's effects. Having demonstrated the explanatory power of such approaches, I hope my thesis will provide inspiration for other researchers seeking to transcend boundaries between analytical branches and develop hybrid, interdisciplinary methods, research and examination.

9.3 Scope and Implications for Future Research

This thesis's cross-cutting analytical approach examined and drew together a wide array of dynamics, issues and processes. In doing so, it highlights radical shifts in Indonesian governance that have been largely neglected in scholarship on its implementation. Nonetheless, such an approach necessitated that many of the important lines of enquiry it unearthed be left relatively unexplored. Village mapping is an example of a mechanism that is radically reshaping governance, spatial conceptualisations and social practices on the ground, and interrogating these varying effects could provide the data for several doctoral theses' worth of research. Much the same could be said of the interactions between the law and gender, class, etc. – topics that are only briefly engaged by this thesis. It is my hope that, in highlighting these varying topics, they will be able to receive the further academic attention they warrant in the future. Such research would benefit from the application of a diverse spectrum of methods and framings. Further examination of the effects of the Village Law's mechanisms on forest cover and quality for example would benefit from the usage of both qualitative and quantitative methods and provide an opportunity to test and nuance this thesis's assertions regarding the

operations and impacts of various causal mechanisms in these spaces. Additionally, the thesis has illustrated the many insights that can be gained by examining the contact points between the Village Law and other discourses, processes and hegemonic assemblages such as forestry law and social forestry, agrarian reform, monoculture expansion and international trends of new developmentalism. Research exploring other such 'contact points' is likely to prove equally fruitful in generating valuable insights going forward.

It will also be important to explore the grounded operations of the Village Law in different locations around the country and thus develop more well-rounded understandings of the spatial variability and diversity of locally specific interactions associated with the law's implementation. It is vital that such research be driven in large part by Indonesian researchers with a range of positionalities that will bring to such work insights of which I as a foreigner with a positionality of my own, could not conceive. Finally, it will be useful to continue to conduct wide-ranging analyses similar to the one deployed by this thesis in the future in order to capture the ever-evolving realities of the Village Law's implementation going forward. This thesis highlighted just how radically the meanings and grounded realities of a reform process can shift within the relatively brief time-frame of four years. These operations will undoubtably continue to shift in new and unexpected ways in the future, and interact with other hegemonic assemblages and transformative dynamics to generate significant productive effects. Whilst more narrowly focused studies can provide substantial and valuable insights into the workings of such processes, this thesis highlights the important role of more expansive analyses in highlighting otherwise invisible interactions between seemingly disparate dynamics. It certainly need not be the last analysis of its kind aimed at exploring the unfolding realities of the Village Law. My hope therefore is that this thesis provides a useful

jumping off point for a broader research agenda aimed at delineating and exploring the plethora of dynamics and effects generated by the adoption of the Village Law in a variety of places, at a range of scales, via a range of methods and through a plurality of lenses developed and applied by an assortment of different people.

As highlighted in section 9.2.4, I also feel there is considerable scope to apply and further develop the analytical methods deployed in this thesis – particularly its conceptions of legal hegemony and methods of exploring dynamics of domination and liberation in the context of its operations – to a wider spectrum of cases around the world. Approaches drawing from these conceptions have the potential to further understandings of the causal linkages between specific power configurations and socio-environmental trends. Given that I was able to conduct such an examination with the support of just two assistants over the course of a year indicates that the time-frames for replicating such work, particularly with a larger team, need not be particularly daunting. I also hope my analytical methods will see usage both in decentralisation research and in other academic fields as mechanisms through which to explore how law works in practice, contextualise the specific roles of law as a driver of social change and develop more effective strategies through which to embody in practice the kinds of changes we wish to see in the world.

9.4 Recommendations: What is to be done with the Village Law?

Having spent much of this thesis describing the ways the Village Law has hindered true grassroots bottom-up democracy as was originally envisioned, the time has come in light of these findings, to explore possible strategies by which we might, for a variety of reasons, meaningfully work to change or modify the realities of the law's implementation. As has been highlighted repeatedly throughout this analysis, the Village Law isn't just a policy – it is a functional material reality that has been disseminated and

manifested on the ground through complex interactions of governmental logics and pre-existing social and political dynamics. The findings of this thesis aim not only to highlight how the Village Law's implementation works, but also the processes by which the hegemony driving these operations has coalesced in practice. These findings provide an insight into how legal manifestation and operationalisation works, and thus delineate the plethora of channels through which to effectively contest it – to conceive of and to fight to manifest something else. Having taken stock of the lessons learned on this front, this section aims to sketch, with broad and tentative strokes, the outline of politics appropriate to the task of contesting a legal hegemony.

As discussed previously, Scott's book *Seeing Like a State* (1998) discusses the logics and practices that – at least in the case of many modern administrative systems – form the horizon of bureaucratic and governmental rule. I would contend however that one of the effects of the sheer totalising extent of the state-administrative model within the social sphere – even now in our increasingly globalised world – is to force even those that would seek to critique its operations to develop their arguments and alternatives by themselves adopting the eyes of the state. How, if the researcher were the bureaucracy, would they behave differently? What reforms, if they were the government, would they propose? Such 'seeing like a state', even in the name of criticising it, serves to profoundly truncate the potential for opposition and the possibilities of enacting alternatives. The playing field becomes set, and since it has been set by terms of the pre-existing order, it places resistance firmly on the back foot.

Such realities have been amply demonstrated by this case. A reformist agenda sought to push into law and practice substantial transformations to the modes of national governance, yet this strategy has failed ultimately to manifest their vision in practice. The pre-existing order responded to this disruption on the terms of its own hierarchical,

dominating, administrative necessities, and with no ongoing politics of grounded resistance and contestation to back up the legislative victory, the vision dissipated in practice. We find ourselves therefore at the limits of law making and policy reform as vehicles of liberational transformation.

I am not the state. I am not the bureaucracy. I am not the government. Neither are most of those who find themselves subjected to the Village Law's implementational logics. Neither indeed, in their totality, are the very administrators, officials and lawmakers tasked with crafting, managing and enforcing its operations. As highlighted by Laclau & Mouffe, no positioning within a discursive formation can fully encapsulate a subject – something always eludes it, and so there is always room for manoeuvre (Laclau & Mouffe 2001, p. 128). Beyond limits of the formal positionings that work to lock us within the boundaries of particular, totalising hegemonic formations lie vast seas of agency. This is fortunate because, as this thesis highlights, the horizons of law and bureaucratically guided reform are profoundly insufficient on their own to manifest the kind of liberating transformations such as those conceived in the Village Law's vision in practice – they must be exceeded. Such conclusions align with those of Butler when they assert,

> *It is important to point out that various forms of gender regulation and social hierarchy and exclusion work through domains of power that are not reducible to law. This is one way to insist that the claims of a radical social movement must exceed those of legal reforms, even if those legal reforms are sometimes useful for that movement*. (Butler in Heckert & Cleminson, 2011, p. 96)

Fortunately, one does not need to look far for insight into the kinds of politics suited to a struggle with hegemony. The leftist theory of hegemony has, from its very

origins, been a theory of how to contest, reform or overthrow the power of unjust hegemonic formations. Laclau and Mouffe for example advocate the development of social movements that constitute counterhegemonies by targeting of the full array of particular elements, subjects, positions, etc. that constitute and maintain particular orders within the social fabric and rearticulating them on the terms of a new social imaginary (Butler et al., 2000, p. 306). Applying this logic to the Village Law, it is clear that such a cause would need to have wider aims than targeting specific legalistic reforms such as the rollback of increased legal restrictions placed on village powers through its various implementing regulations, an expansion of efforts to support democratic community empowerment, or a retraining of village facilitators to better serve the needs of villagers. It must seek to reorder the full range of mechanisms, practices and assemblages of meaning that allow structures of hierarchical bureaucratic domination to maintain their hold, through both formal and informal means, over village spaces. It would also necessitate the development of strong counter-narratives to the presently dominant discourse of centralised developmentalism and the development of approaches to the provision of village resources that are less readily exposed to co-option – both by local officials and central authorities – than the present model of village funding.

In exploring the possibilities of a holistic political struggle that goes beyond the legal sphere, Spade (2011) draws heavily on the Miami Workers Centre's *Four Pillars of Social Justice* infrastructure framework (Miami Workers Center, 2004; Mananzala & Spade, 2008). This model usefully contextualises strategies of legislative reform as just one amongst several necessary channels in the pursuit of substantive social change and helps illuminate the general scope of the kinds of movements necessary to reform the Village Law's hegemony. Other pillars besides policy include that of consciousness, which involves the shifting of public opinion and popular discourses, the pillar of

service, which aims at developing new and more appropriate networks of supply and access through which to meet the needs of subjected individuals, and finally the pillar of power, which comprises efforts to establish autonomous and alternative power bases via the establishment or reconstitution of organisations and social networks and the development of leadership skills and capacities necessary to contest dominant social structures and envision and pursue alternatives (Ibid).

I concur with Spade that it is only through the production of an expansive social movement, engaged productively on all four of these fronts, as well as others which might arise as significant within the local context, that would be capable of countering and reconstituting the equally extensive and heavily entrenched field of dynamics which maintains the contours of the Village Law's present hegemonic order and "*pierce the entire material density of the multifarious institutions, rituals and practices through which a discursive formation is structured*" (Laclau & Mouffe 2001, p. 95). Given that such movements must seek to operate constituently, and at every level of the social sphere, embracing a counter-hegemonic struggle to some degree opposes the governance model underlying so many decentralisations, including the Village Law, in which centralised authorities 'grant' powers to those below them. This is a positive – as we have seen, the insufficiencies of this model in generating radical and enduring changes are very real. Rather than being about asking for and receiving power, the experience of those subjected to particular dominant formations and seeking, through the means of counter-hegemony, to transform them, must to some degree be one of seizing it (Day, 2011).

What precisely then is it that such a movement should fight for in response to the immanent realities of the Village Law's hegemony? On this front I am less unequivocal. At the very least, my positionality renders me unsuitable as the determiner of a new,

transformative village agenda. It is my contention that such a cause, or set of causes, must to a substantial degree be produced by and in line with the concerns of those subjected by the logics of the Village Law themselves. Nor do such productions possess any clear, transcendental or inevitable reference points which I, as a researcher, can elucidate. As explained by Laclau and Mouffe, a limitation of the Gramscian conception of hegemony is that,

> *[It] supposes the division of the social space into two camps and presents the hegemonic articulation as a logic of mobility of the frontier separating them. However, it is evident that this assumption is illegitimate: the existence of two camps may in some cases be an effect of the hegemonic articulation but not it's a priori condition…* (Laclau & Mouffe 2001, p. 123)

Rather than clearly facing an obvious foe (e.g. the bourgeoisie) and having an evident and definable destination (e.g. the commune), efforts to reorder the village sphere must confront the full multiplicity of the social, the diverse dynamics of power which crisscross it and the many meaningful concerns held by those entangled within it. Certain dynamics, structures and subjects will need to be defined, even temporarily, as the 'foes' of whatever social causes are produced, but it is not my place to set those causes in advance. The production of such constituent agendas is the true stuff of politics. There are many things about the law's implementational hegemony that are widely popular, and whilst I have sought through my analyses to expand the sphere of what can be envisioned as possible under the law, it isn't my place to dictate what aspects of its operations should stay and which should go.

How then do I conceive of my role and that of my work in the context of such a politics? I wouldn't wish to detail a specific and circumscribed place for 'the academic'

in such struggles – the role of each individual academic is delineated by their particular positioning, and many such positionings would substantially blur the lines between the discursively subjected, the political activist and the researcher. How I see my particular involvement in the ongoing saga of the Village Law is therefore profoundly rooted in an awareness of my specific and evolving positionality. As I see it, one of the more significant roles of the researcher deploying a critical realist epistemology is to explore the causal links and broader dynamics that can help contextualise the lived experiences of individuals, as well as to highlight their contingencies and the degree to which they remain changeable. This is a part that I, as a transwoman that underwent medical transition after conducting my fieldwork and with an uncertain future in Indonesia, can confidently assert I am equipped to play, even if from afar. Foucault delineates the scope and emphasises the significance of this role when he explains,

> *I worry about comprehending the effective mechanisms of domination; and I do it so that those who are inserted in certain relations of power, and who are implicated in them might resist them through their actions of resistance and rebellion, might transform them in order to not be subjugated any more. And if I do not say what is to be done, it isn't because I believe that there is nothing to be done; on the contrary, it is because I think that there are a thousand things to do, to invent, to forge, on the part of those who, recognising the relations of power in which they are implicated, have decided to resist or escape them*. (Foucault 1991, pp. 173-174)

In line with this positioning, I hope this work can be taken up by political actors on the ground actively working to transform the realities of rural life in practice. Ideally, it would inform ongoing processes of political constitution such as those highlighted by Li in her work on Sulawesi (2007). She focuses on the endeavours of Yayasan Tanah

Merdeka, which deployed methods of political constitution and resistance rooted in ongoing engagements with local communities, providing spaces of democratic discourse, provoking debates, and facilitating internal processes of decision-making and activist mobilisation.

Similar programs and networks are operating now in relation to the Village Law. The Law's proposer for example spoke of the many linkages and coalitions developing between villagers via alternative channels to those provided by the bureaucracy which, in his opinion, had the capacity to challenge bureaucratic domination of village spaces. He argued that fostering such interlinkages, rather that further legal reform, was the best means of realising the transformative potentials of the new law.

> *This is a movement. This is provided by civil society… What we call community organisers are not just the village facilitators provided by the state, but also those provided organically. We encourage this. Even those community organisers are more innovative and courageous. They think out of the box and when they succeed, sometimes the districts adopt this approach.* (Jakarta Politician 2018)

Such methods of political movement-building appear entirely appropriate to a post-structurally rooted project of hegemonic contestation and engage actively and creatively with the various pillars of social justice infrastructure highlighted above. They light a path that can lead us through the ascendency of the present order and out the other side. Perhaps in the future I will count amongst those engaged in such on-the-ground scholar activism in Indonesia, but for now I can only hope to offer this piece in solidarity with such efforts.

If, as is my wish, the ideals of empowerment, autonomy and diversity emphasised in the Village Law's vision are to remain at the core of such transformative movements –

if indeed, there is to remain any hope of manifesting legitimately decentralised forms of village governance in practice – then I feel my research has positioned me to present a number of additional recommendations about the form that a politics guided by such principals would need to adopt. For a start, as has been well-illustrated by the events of the Village Law's implementation, it is critical from the offset to reject any notion that dynamics of productive power unleashed through its reforms will necessarily produce the conditions conducive to establishing a more open and inclusive system of governance. Hierarchical domination produces realities inscribed with the logics of its own perpetuation. The reordering the Village Law has engendered in village spaces has manifested and entrenched its hegemony as a lived horizon of village life and made it increasingly difficult to pursue or even imagine alternatives. The destruction of Nanga Putih's forest therefore cannot be narrativised away as an unfortunate loss on the path to something better – it was just a loss, and so too shall be the effects of any other violence inflicted as a result of the Village Law's logics should we fail to contest their unfolding operations. Those seeking to chart another course for village governance cannot presume they have history on their side – any successes in manifesting other models will have to be fought for. The present hegemony of the law was not the result of events taking their 'natural' course, but rather of distinct and purposeful deployments of power. Responses to that order will have to take ownership of a similar level of initiative.

Such responses however need not necessarily be limited in their focus to trying to realise the original vision of the Village Law. Its adoption presented a bold prospect of the future for Indonesian village governance – a future that has now, to a substantial degree, been cancelled. Nonetheless, there is no need to over-fixate on recovering a past cause produced as a result of a particular political moment. We can choose to try and resurrect it – we can also choose to do something else. The Village Law's focus on the

empowerment of village governments for example could easily be problematised. As a creation of colonial administrative necessities often possessed of relatively arbitrary borders and with a long history of enacting and facilitating domination and oppression in community spaces, it should come as little surprise that many villagers do not feel particular loyalty to the institution of the village governments. As highlighted previously, this is particularly true in villages with a strong sub-village sense of identity, wherein this study underscored how the expansion of the power of village governments can feel like an explicit attack on more localised modes of governance. To reiterate, the empowerment of villagers is not synonymous with the empowerment of village governments. As noted by several authors, one of the great positives of the era between the 1999 decentralisation and the Village Law was the general decline of the authority of this institution in village spaces, freeing villages to develop alternative connections and power networks (KOMPAK, 2016; Vel, 2016; Berenschot & Sambodho, 2017). The village empowerment vs intra-communalist debate highlighted in Chapter 5, despite its present side-lining by the discourse of development, therefore retains its relevance in charting where to go next.

Indeed, rather than focusing on its original vision, it may perhaps be more helpful and practical to centre reformist attention on the presently manifested realities of the Village Law's hegemony. As highlighted previously, there is a great deal about the Village Law's hegemonic operations that the villagers I interviewed appeared very satisfied with - findings that are well corroborated by the present, widespread popularity of the legislation in Indonesia. Improvements to infrastructure, increases in local resources and capacities to pursue communal projects, and a general increase in attention to the concerns of rural areas by higher political structures associated with the Village Law's hegemony have all been widely welcomed both in my study villages and across

the country. Reform programs can take aim at transforming those aspects of the Village Law that limit or undermine the ability of communities to pursue valued socio-economic, environmental and political change whilst simultaneously acknowledging and embracing those aspects of its present operations that remain valued and popular.

It is also critical that such a politics focus on generating and maintaining actual liberations from dynamics of domination, hierarchical and otherwise, that work to preclude the pursuit of ideals such as those articulated in the law's vision. This is vital for the realisation not only of legitimate democratic decentralisation and community-based resource governance, but also of any other forms of governance guided by principles of local empowerment, autonomy and diversity of governance which a political agenda might seek to implement. By necessity, these efforts will need to transcend the logics of any singular totalising counter-hegemony. After all, as noted in the thesis's analytical frameworks, the manifestations of such discursive unities cannot help but present a firm horizon of possibility that is the anathema of the pursuit of such goals. Creating spaces in which new articulations can be enacted and alternative trajectories charted necessitates breaking apart the tethers of the discourse of power that enable hierarchical domination and enact the more subtle and decentred kinds of discipline and control highlighted by authors like Foucault (e.g. 1977, 1989a, 1989b). In this regard, the efforts of certain villagers to exclude the mechanisms of the Village Law from their forest spaces represent not only a potential model of effective resistance, but also perfectly valid examples of a strategy of functional hegemonic reform – shaping where and how the law can manifest and, to some degree, on what terms. It is of course unclear whether such efforts are sufficient or even sustainable in the face of the sheer expansionistic power of the law's driving logics, but questions along these lines are

precisely those that need to be pursued in the context of constituting more effective modes of resistance.

Arguing for the necessity of certain forms of post-hegemonic political practices isn't a matter of opposing or resisting the various connections that have emerged between people and spaces since the Village Law's adoption – as highlighted above, both I and many activists presently associated with efforts to positively transform the possibilities of Indonesian rural governance frame such linkages and solidarities as critical in pursuing a progressive path forward – but rather of contesting the mechanisms of power that enforce their common logics across a totality of social spaces such as those associated with Indonesian village governance. To quote the politician that proposed the Village Law in Parliament, it is a matter of *"making the vertical and hierarchical institutions less important day by day and… connecting the horizontal links between parties, be that individuals, villages or parties among villages…"* (Jakarta Politician 2018). Efforts to enact these kinds of politics will find ample inspiration in post-hegemonic theory, with its focus on methods of disaggregation and reconstitution, as well as critical political theories of race, gender, etc. and pluriverse theories aimed at establishing space for, as well as productive solidarity between, diversities of ontologies and governance models (e.g. Kothari et al., 2019; Escobar, 2020).

Finally, it is important not to presume that such liberations can be simply achieved through any specific political intervention or policy reform, no matter how well conceived. As evidenced by this case study, unequal and hierarchical power dynamics have a profound ability to penetrate, permeate and effectively operate across even the most concrete of formally established legal jurisdictional and governmental boundaries. The ongoing challenge of embodying the transformations we aim to engender retains vital importance and necessitates critical and enduring vigilance.

9.5 Concluding Remarks

So concludes this exploration of the Village Law – its visions and realities, horizons and possibilities. A popular legislation haunted by loss, a testimony to the endurance, versatility and dynamism of power, a story that is not yet fully written. What, at the end of the day, are we to take from all this? I hope most of all that it is not a sense of defeatism. Yes, decentralisations often are nothing of the sort in practice, and yes, substantive change requires far more than the passing of some new laws. That is no reason to lose hope! The hegemony of the Village Law is not a natural result of events taking their course – it is the contingent product of political actions and required considerable efforts at multiple levels of the social sphere to entrench and maintain. Just as it is not natural, it is also not inevitable, either in its entirety or its composite elements – it can still be contested and made to change. I find that heartening, and my aspiration is that others facing struggles both in Indonesia and around the world will be able to find similar kinds of inspirations in this text.

The findings of this thesis have certainly been very valuable for me, a transwoman in an increasingly hostile political and legal environment and on the threshold of post-doctoral life, in conceiving of the structures arrayed against me, the dispersed multiplicity of their operations, and myriad channels through which, in solidarity with others, I may hope to resist them and work towards something better. In writing this work, I have felt the boundaries between public and private, formal and informal, legal and illegal, local and national, liquidate and flow together in a single, interlocking sea of discourse and power. For that I am glad. If legal reform and implementation processes are insufficient in pursuing decentralisation or other legitimately liberating social reforms, then so be it – let us contextualise the utility of such approaches and go beyond them. If the obstructions to positive social changes are

hegemonic, then let us respond to them with counterhegemony in the fullest sense, and with strategies that, with a keen awareness of the operations of such formations, seek through various tactics, to limit, dissipate or escape them.

To walk such a road is challenging, but to quote Laclau, "*it is one which, at least, we can properly formulate. To do so is already to have won a first important battle*" (Butler et al., 2000, p. 307). To those subjected by the mechanisms of the Village Law, to myself, and to all those seeking to radically transform the circumstances in which they and others find themselves entangled, my advice therefore is the same: in the words of Laclau & Mouffe 20 years ago, "*back to the hegemonic struggle*" (Laclau & Mouffe, 2001 p. xix)!

References

Agrawal, A., & Ribot, J. (1999). Accountability in decentralization: A framework with South Asian and West African cases. *The Journal of Developing Areas*, *33*(4), 473-502.

Agrawal, A., Chhatre, A., & Hardin, R. (2008). Changing governance of the world's forests. *Science*, *320*(5882), 1460-1462.

Akiefnawati, R., Villamor, G., Ayat, A., Galudra, G., & Noordwijk, M. V. (2010). Stewardship agreements to reduce emissions from deforestation and degradation (REDD): case study from Lubuk Beringin's hutan desa, Jambi Province, Sumatra, Indonesia. *The International Forestry Review*, *12*(4), 349-360.

Ameha, A., Nielsen, O. J., & Larsen, H. O. (2014). Impacts of access and benefit sharing on livelihoods and forest: Case of participatory forest management in Ethiopia. *Ecological Economics*, *97*, 162-171.

Andayani, D. (2019, 13 Apr). Prabowo: Saya inisiator UU Desa, tak perlu dipolitisasi! (I am the initiator of the Village Law, no need to be politicised!). *detikNews*. 22:49 WIB. Retrieved 11 Jan 2020 from https://news.detik.com/berita/d-4509632/prabowo-saya-inisiator-uu-desa-tak-perlu-dipolitisasi

Anggriani, N. (2016, 17 Feb). Indonesia's village law: A step toward inclusive governance. In *Asia Weekly Insights and Analysis. The Asia Foundation*. Retrieved 21 Apr 2019 from https://asiafoundation.org/2016/02/17/indonesias-village-law-a-step-toward-inclusive-governance/

Antara Kalbar. (2019, 11 Apr). Kalbar bentuk satgas indeks desa mandiri. Antara Kalbar (Kalbar forms an independent village index task force). 23:10 WIB. Retrieved 10 Mar 2020 from https://kalbar.antaranews.com/berita/380293/kalbar-bentuk-satgas-indeks-desa-mandiri

Antlöv, H. (2003). Village government and rural development in Indonesia: The new democratic framework. *Bulletin of Indonesian Economic Studies*, *39*(2), 193-214.

Antlöv, H., Wetterberg, A., & Dharmawan, L. (2016a). Village governance, community life, and the 2014 Village Law in Indonesia. *Bulletin of Indonesian Economic Studies, 52*(2), 161-183.

Antlöv, H., Wetterberg, A., Dharmawan, L. (2016b, 29 Aug). The promise and pitfalls of Indonesia's Village Law. *New Mandala*. Retrieved 18 Nov 2018 from https://www.newmandala.org/promise-pitfalls-indonesias-village-law/

Anto, R. P. & Amir, M. (2017). Competence of village apparatus in management funds in North Konawe Regency–Indonesia. *IOSR Journal of Business and Management. 19*(11), 66-71.

Arditi, B. (2007). *Politics on the edges of liberalism: Difference, populism, revolution, agitation*. Edinburgh: Edinburgh University Press Ltd.

Armitage, D., Alexander, S., Andrachuk, M., Berdej, S., Dyck, T., Nayak, P. K., ... & Rathwell, K. (2015). Emerging concepts in adaptive management. In C. R. Allen & A. Garmestani (Eds.), *Adaptive Management of Social-Ecological Systems*, pp. 235-254. Dordrecht: Springer. DOI: 10.1007/978-94-017-9682-8

Arnold, L. L. (2008). Deforestation in decentralised Indonesia: What's law got to do with it. *Journal of Law Environment & Development, 4*, 75.

Arora-Jonsson, S. (2008). A different vantage point: Decentralization, women's organizing and local forest management. In: C. J. P. Colfer, G. R. Dahal, & D. Capistrano, (Eds.), *Lessons from forest decentralization: Money, justice and the quest for good governance in the Asia-Pacific*, pp. 49-64. London: Earthscan/CIFOR. ISBN 978-1-844075553

Asian Development Bank. (2016, Jan). *Toward mainstreaming and sustaining CDD in Indonesia: Understanding local initiatives and the transition from PNPM-rural to the Village Law*. ISBN (electronic) 978-92-9257-317-1 https://www.adb.org/publications/toward-mainstreaming-and-sustaining-cdd-indonesia

Aspinall, E., & Sukmajati, M. (Eds.). (2016). *Electoral dynamics in Indonesia: Money politics, patronage and clientelism at the grassroots*. Singapore: NUS Press.

Auyero, J. (1999). From the client's point(s) of view: How poor people perceive and evaluate political clientelism. *Theory and Society*, *28*(2), 297-334.

Azlina, N. A., Hasan, D., & Muda, I. (2017). The effectiveness of Village Fund management (case study at villages in coastal areas in Riau). *International Journal of Economic Research*, *14*(12), 325-336.

BAL no. 5. (1960). (Basic Agrarian Law). Forestry Law concerning basic agrarian regulations (undang-undang nomor 5 tahun 1960 tentang peraturan dasar pokok-pokok agraria). https://spi.or.id/wp-content/uploads/2014/11/UNDANG-UNDANG-No-5-Tahun-1960-1.pdf

Balooni, K., Lund, J., Kumar, C., & Inoue, M. (2010). Curse or blessing? Local elites in joint forest management in India's Shiwaliks. *International Journal of the Commons*, *4*(2), 707-728.

Bamba, J., Alloy, S., Albertus, Istiyani, C. P. (2008). *Mozaik Dayak: keberagaman subsuku dan bahasa Dayak di Kalimantan Barat* (understanding the diversity of Dayak peoples and languages in W. Kalimantan. Pontianak, Indonesia: Institut Dayakologi.

Barr, C. M. (1998). Bob Hasan, the rise of Apkindo, and the shifting dynamics of control in Indonesia's timber sector. *Indonesia*, (65), 1-36.

Barr, C., Wollenberg, E., Limberg, G., Anau, N., Iwan, R., Sudana, I. M., Moeliono, M., and Djogo, T. (2001). The Impacts of decentralisation on forests and forest-dependent communities in Malinau District, East Kalimantan. *Case studies on decentralisation and forests in Indonesia. Case study 3*. Bogor, Indonesia: CIFOR. ISBN 979-8764-81-1

Barr, C. M., Resosudarmo, I. A. P., Dermawan, A., McCarthy, J., Moeliono, M., & Setiono, B. (Eds.). (2006). *Decentralization of forest administration in Indonesia: Implications for forest sustainability, economic development, and community livelihoods*. CIFOR. ISBN 979-24-4649-4 http://www.cifor.org/publications/pdf_files/Books/BBarr0601.pdf

Barr, R., Busche, A., Pescott, M., Wiyono, A., Putera, E. A., Victor, A., Bahrun, A. V., Fauzan, N., Prantio, S., & Karnanto, U. (2012). *Sustainable community forest*

management: A practical guide to FSC group certification for smallholder agroforests. Seattle, Washington: TFT. ISBN 978-0-9885675-1-1 https://www.academia.edu/11054370/Sustainable_Community_Forest_Management_A_Practical_Guide_to_FSC_Group_Certification_for_Smallholder_Agroforests

Baruah, M. (2015). *Effect of institutional choices on representation in a community resource management area in Ghana*. RFGI Working Paper No. 22. CODESRIA; University of Illinois at Urbana-Champaign. IUCN. ISBN 978-2-86978-685-1

Basnyat, B., Treue, T., Pokharel, R. K., Lamsal, L. N., & Rayamajhi, S. (2018). Legal-sounding bureaucratic re-centralisation of community forestry in Nepal. *Forest Policy and Economics*, *91*, 5-18.

Baylis, K., Honey-Rosés, J., Börner, J., Corbera, E., Ezzine-de-Blas, D., Ferraro, P. J., ... & Wunder, S. (2016). Mainstreaming impact evaluation in nature conservation. *Conservation Letters*, *9*(1), 58-64.

Beasley-Murray, J. (2010). *Posthegemony: political theory and Latin America*. Minneapolis, MN: University of Minnesota Press.

Bedner, A., & Van Huis, S. (2008). The return of the native in Indonesian law: Indigenous communities in Indonesian legislation. *Bijdragen tot de taal-, land-en volkenkunde/Journal of the Humanities and Social Sciences of Southeast Asia*, *164*(2), 165-193.

Benjamin, C. E. (2008). Legal pluralism and decentralization: Natural resource management in Mali. *World Development*, *36*(11), 2255-2276.

Berenschot, W. (2018). The political economy of clientelism: a comparative study of Indonesia's patronage democracy. *Comparative Political Studies*, *51*(12), 1563-1593.

Berenschot, W., & Sambodho, P. (2017, 9 May). The village head as patron. *Inside Indonesia*, *128:* Apr-Jun 2017. Retrieved 18 Nov 2018 from https://www.insideindonesia.org/the-village-head-as-patron-2

Berenschot, W., & Vel, J. (2017, 9 May). New Law, New Villages? The new Village Law could substantially change Indonesia's villages. Not necessarily for the

better. *Inside Indonesia*, *128:* Apr-Jun 2017. Retrieved 18 Nov 2018 from https://www.insideindonesia.org/new-law-new-villages-2

Bernie, M. (2018, 7 Nov). Korupsi dan tak optimalnya Dana Desa kurangi pengangguran baca selengkapnya di artikel (Corruption and inadequate village funds reduce unemployment). Retrieved 10 Mar 2020 from https://tirto.id/korupsi-dan-tak-optimalnya-dana-desa-kurangi-pengangguran-c9oJ

BFL no.5. (1967). Basic Forestry Law of the Republic of Indonesia concerning basic provisions of forestry (undang-undang Republik Indonesia nomor 41 tahun 1967 tentang ketentuan-ketentuan pokok kehutanan). http://sipongi.menlhk.go.id/cms/images/files/1021.pdf

BFL no.41. (1999). Basic Forestry Law of the Republic of Indonesia no.41/1999 concerning forestry (undang-undang Republik Indonesia nomor 41 tahun 1999 tentang kehutanan). https://jdih.esdm.go.id/storage/document/uu-41-1999.pdf

Birks, M., & Mills, J. (2015). *Grounded theory: a practical guide.* London; New Delhi; Singapore; Washington DC: Sage Publications.

Bowler, D. E., Buyung-Ali, L. M., Healey, J. R., Jones, J. P. G., Knight, T. M., Pullin, A. S. (2012). Does community forest management provide global environmental benefits and improve local welfare? *Frontiers in Ecology and the Environment*, *10*(1), 29-36.

BPSa. (2018, 24 Oct). Badan Pusat Statistik Kabupaten Kapuas Hulu (Central Bureau of Statistics, Kapuas Hulu District). https://kapuashulukab.bps.go.id/statictable/2017/03/27/9/luas-wilayah-menurut-kecamatan-di-kabupaten-kapuas-hulu.html

BPSb. (2018, 4 Sep). Badan Pusat Statistik Kabupaten Kapuas Hulu (Central Bureau of Statistics, Kapuas Hulu District). https://kapuashulukab.bps.go.id/statictable/2017/03/25/8/jumlah-penduduk-menurut-kelompok-umur-dan-jenis-kelamin-di-kabupaten-kapuas-hulu-2015.html

Brandon, K., Redford, K. H., & Sanderson, S. (Eds). (1998). *Parks in peril: people, politics, and protected areas*. Washington D.C.: Island Press.

Breman, Jan. (1982). The Village on Java and the Early-colonial State. *The Journal of Peasant Studies 9*(4), 189-240.

Brockhaus, M., Obidzinski, K., Dermawan, A., Laumonier, Y., & Luttrell, C. (2012). An overview of forest and land allocation policies in Indonesia: Is the current framework sufficient to meet the needs of REDD+? *Forest Policy and Economics, 18,* 30-37.

Bullinger, C., & Haug, M. (2012). In and out of the forest: Decentralisation and recentralisation of forest governance in East Kalimantan, Indonesia. *Austrian Journal of South-East Asian Studies, 5*(2), 243–262.

Burger, D. H. (1939). *De ontsluiting van Java's binnenland voor het wereldsverkeer (The opening up of Java's interior to world traffic)*. Wageningen: H. Veenman & Zonen.

Burger, D.H. (1975). Sociologisch-economische geschiedenis van Indonesia, (met een historiografische introductie door J.S. Wigboldus), (Sociological-economic history of Indonesia, (with a historiographical introduction by J.S. Wigboldus) 2 vols., 2 delen. Amsterdam: Koninklijk Instituut voor de Tropen (Royal Tropical Institute).

Burns, D., Hambleton, R., & Hoggett, P. (1994). *The politics of decentralisation: revitalising local democracy* (Vol. 4). London: Macmillan.

Butler, J. (1990). *Gender Trouble: Feminism and the subversion of identity*. NY; London: Routledge. ISBN 10: 0-415-38955-0

Butler, J. (1993). *Bodies that matter: On the discursive limits of "sex"*. NY; London: Routledge. ISBN 0-415-90366-1

Butler, J. (1997). *The Psychic Life of Power*. Stanford University Press. ISBN 978-0-804-72811-9

Butler, J. (2004). *Undoing gender*. Psychology Press. ISBN 978-0-203-49962-7

Butler, J., Laclau, E., & Žižek, S. (2000). *Contingency, hegemony, universality: Contemporary dialogues on the left*. NY; London: Verso. ISBN 978-1-844-67668-2

Butler, R. (2015, 26 Feb). *Jokowi's environmental commitments in Indonesia*. Mongabay. Retrieved 5 Feb 2019 from https://news.mongabay.com/2015/02/jokowis-environmental-commitments-in-indonesia/

Butt, S. (2014). Traditional land rights before the Indonesian constitutional court. *Law, Environment and Development Journal, 10*(1), 57-75.

Cannadine, D. (2002). *Ornamentalism: How the British saw their empire*. London: Penguin Books.

Casson, A., & Obidzinski, K. (2002). From new order to regional autonomy: shifting dynamics of "illegal" logging in Kalimantan, Indonesia. *World Development, 30*(12), 2133-2151.

Chao, S. (2012). *Forest peoples: numbers across the world*. Moreton-in-Marsh, UK: Forest Peoples Programme (FPP).

Charmaz, K. (2006). *Constructing grounded theory: A practical guide through qualitative analysis.* London; Thousand Oaks, CA; New Delhi: Sage Publications. ISBN 10 7619-7353-2 (pbk)

Chomba, S., Nathan, I., Minang, P., & Sinclair, F. (2015). Illusions of empowerment? Questioning policy and practice of community forestry in Kenya. *Ecology and Society*, *20*(3).

Christodoulidis, E., Dukes, R. & Goldoni, M. (Eds.). (2019). *Research handbook on critical legal theory*. Cheltenham, UK; Northampton, MA, USA: Edward Elgar Publishing. DOI 10.4337/9781786438898

CIA. (2020). *The World Factbook*. https://www.cia.gov/library/publications/the-world-factbook/

CIFOR. (2019). *Atlas of Deforestation and Industrial Plantations in Borneo*. https://atlas.cifor.org/

Colchester, M., Anderson, P., & Chao, S. (2014). *Assault on the commons: Deforestation and the denial of forest peoples' rights in Indonesia*. Moreton-in-Marsh, UK: Forest Peoples Programme (FPP). https://rightsanddeforestation.org/wp-content/uploads/2018/02/Indonesia-assault-commons.pdf

Colfer, C. J. P., Dahal, G. R., & Moeliono, M. (Eds.). (2008). Setting the stage: Money and justice in Asia-Pacific forests. *Lessons from forest decentralization: money, justice and the quest for good governance in Asia-Pacific*. London: Earthscan.

Constitution of Indonesia (1945). (Undang-Undang Dasar Negara Republik Indonesia Tahun 1945). http://luk.tsipil.ugm.ac.id/atur/UUD1945.pdf

Contreras-Hermosilla, A. & Fay, C. (2005). *Strengthening forest management in Indonesia through land tenure reform: Issues and framework for action*. Washington, DC and Bogor, Indonesia: Forest Trends and the World Agroforestry Centre. ISBN 0-9713606-7-7 http://documents1.worldbank.org/curated/en/561471468197386518/pdf/103486-WP-PUBLIC-DOC-107.pdf

Corbin, J., & Strauss, A. (2008). *Basics of qualitative research: Techniques and procedures for developing grounded theory* (3rd edn.). Thousand Oaks, CA: Sage Publications, Inc. ISBN 978-1-4129-9746-1

Crouch, H. (2010). *Political reform in Indonesia after Soeharto*. Singapore: ISEAS. DOI: 10.1355/9789812309211

Czarniawska-Joerges, B. (2007). *Shadowing: And other techniques for doing fieldwork in modern societies*. Abingdon, Oxfordshire, UK: Marston Book Services. ISBN 978-91-47-08780-8

Day, R. (2011). Hegemony, affinity and the newest social movements. In D. Rousselle & E. Süreyyya, (Eds.), *Post-anarchism: A reader*. 96-116. Pluto Press. ISBN 0745330878, 978-0745330877

De Royer, S., Van Noordwijk, M., & Roshetko, J. M. (2018). Does community-based forest management in Indonesia devolve social justice or social costs? *International Forestry Review*, *20*(2), 167-180.

Denzin, N. K. (2009). *Qualitative Inquiry Under Fire: Toward a new paradigm dialogue*. Walnut Creek, CA: Left Coast Press. ISBN 978-1-59874-415

Derrida, J. (1988). Signature event context. In *Limited Inc*. Evansville, IL: North-western University Press. ISBN 0-810-0788-0

Diamantina, A. (2017). Management, Distribution & Redemption of Village Funds. *Diponegoro Law Review*, *2*(1), 203-226.

Dick, H., & Mulholland, J. (2016). The politics of corruption in Indonesia. *Georgetown Journal of International Affairs*, *17*(1), 43.

Diningrat, R. (2018 20 Mar). Rp187 triliun ke desa: semangat baru dan praktik lama dari UU Desa (Rp187 trillion to the village: new enthusiasm and old practices from the Village Law). *The Conversation*. Retrieved 7 Jun 2020 from https://theconversation.com/rp187-triliun-ke-desa-semangat-baru-dan-praktik-lama-dari-uu-desa-93137 .

Djajanti, D., & Perhutani, P. (2006). Managing forest with community (PHBM) in Central Java: Promoting equity in access to NTFPs. In S. Mahanty, J. Fox, M. Nurse, P. Stephen, L. McLees, (Eds.), *Hanging in the balance: Equity in community-based natural resource management in Asia*, (pp. 63-82). Honolulu, HI: East-West Center.

Djuwityastuti, W. A. (2018). Why Village Fund not yet promoting environmental sustainability? An empirical study of Village Fund incentives in central Java province, Indonesia. *Yustisia*, 7/1, 190-196.

Döring, H., Santos, R. S. P. D., & Pocher, E. (2017). New developmentalism in Brazil? The need for sectoral analysis. *Review of International Political Economy*, *24*(2), 332-362.

Dove, M. (2011). *The banana tree at the gate: A history of marginal peoples and global markets in Borneo*. New Haven, CT: Yale University Press. ISBN 9971696177, 9789971696177

Dressler, W., Büscher, B., Schoon, M., Brockington, D. A. N., Hayes, T., Kull, C. A., McCarthy, J., & Shrestha, Y. (2010). From hope to crisis and back again? A critical history of the global CBNRM narrative. *Environmental Conservation*, *37*(1), 5-15.

Dreyfus, H., & Rabinow, P. (1986). What is maturity? Habermas and Foucault on "What is enlightenment?" In D. C. Hoy (Ed.), *Foucault: A Critical Reader*, Oxford: Blackwell.

Ece, M., Murombedzi, J. & Ribot, J. C. (2017). Disempowering democracy: local representation in community and carbon forestry in Africa. *Conservation and Society, 15*(4), 357-370.

Edunews.id. (2016, 19 Oct). Menteri Desa: Dana Desa mesti lahirkan satu desa satu produk (Minister of Villages: Village funds must deliver one village product). *Edunews.* Retrieved 18 Nov 2018 from https://www.edunews.id/news/nasional/menteri-desa-dana-desa-mesti-lahirkan-satu-desa-satu-produk

Efendi, D., Alam, M. (2018). Indonesia in the post-Soeharto era: Identifying state ideological typology. *Regional Journal of Southeast Asian Studies, 3*(1), 26-48.

Eisenstadt, S. N., & Roniger, L. (1984). *Patrons, clients and friends: Interpersonal relations and the structure of trust in society*. London; NY; New Rochelle; Melbourne; Sydney; Cambridge: Cambridge University Press. ISBN 0-521-24687-3; 0-521-28890-8 (pbk)

Eko, S., & Krisdyatmiko, (Eds.). (2006). *Kaya proyek, miskin kebijakan: Membongkar kegagalan pembangunan desa (Rich projects, poor policies: Dismantling failures in village development)*. Yogyakarta: IRE & TIFA Foundation. https://issuu.com/tifafoundation/docs/buku_ire__kaya_proyek_miskin_kebijakan

Erdi, M. Si. (2015). Membangun Kabupaten Konservasi Kapuas Hulu di wilayah perbatasan Negara yang tertinggal (Developing Kapuas Hulu Conservation District in the border area of disadvantaged countries). https://www.academia.edu/10162889/MEMBANGUN_KABUPATEN_KONSERVASI_KAPUAS_HULU_DI_WILAYAH_PERBATASAN_NEGARA_YANG_TERTINGGAL

Escobar, A. (2020). Pluriversal politics: The real and the possible. Durham, NC: Duke University Press. ISBN 9781478008460 (pbk)

Fatem, S. M., Awang, S. A., Pudyatmoko, S., Sahide, M. A., Pratama, A. A., & Maryudi, A. (2018). Camouflaging economic development agendas with forest conservation narratives: A strategy of lower governments for gaining authority in the re-centralising Indonesia. *Land use policy, 78*, 699-710.

Faye, P. (2014). *Democratizing Forestry: Decentralization and Constitutionality in two Interventions in Senegal* (Doctoral dissertation).

Ferguson, J. (1990). *The Anti-Politics Machine: "Development," depoliticization, and bureaucratic power in Lesotho*. Cambridge University Press.

Fetterman, D. M., Kaftarin, S. J., Kaftarian, S. J., & Wandersman, A. (1996). *Empowerment evaluation: Knowledge and tools for self-assessment and accountability*. Singapore; USA: Sage Publications. ISBN 978-1-4522-9953-2

Fleetwood, S. (2001). Causal Laws, Functional Relations and Tendencies. *Review of Political Economy, 13*(2), 201-220.

Fleischman, F. D. (2014). Why do foresters plant trees? Testing theories of bureaucratic decision-making in central India. *World Development, 62*, 62-74.

Fletcher, R. (2010). Neoliberal environmentality: Towards a poststructuralist political ecology of the conservation debate. *Conservation & Society*, *8*(3), 171-181.

Flowerdew, R., & Martin, D. (Eds). (2005). *Methods in human geography: A guide for students doing a research project*, (2nd edn.). NY; London: Pearson Education, Ltd. ISBN 13. 978-0-582-47321-8 (pbk)

ForClime. (2020). Forests and Climate Change Programme. Home webpage. https://www.forclime.org/index.php/en/

Foucault, M. (1977, Summer). The political function of the intellectual. (C. Gordon, Trans.) *Radical Philosophy*, 017, 12-14. https://www.radicalphilosophy.com/article/the-political-function-of-the-intellectual

Foucault, M. (1984). *The Foucault reader*: *An Introduction to Foucault's thought*. In P. Rabinow (Ed.). London: Penguin Books.

Foucault, M. (1991). *Discipline and punish: The birth of the prison*. (A. Sheridan, Trans). London: Penguin Books. ISBN 0-679-75255-2 (1977 edn.)

Foucault, M. (1998). *The will to knowledge: The history of sexuality, Vol 1*. (R. Hurley, Trans). London: Penguin. ISBN 0-394-41775-5 (1978 edn.)

Foucault, M. (2002). *The archaeology of knowledge* and the discourse on language (A. M. Sheridan Smith, Trans). London: Penguin. ISBN 0-394-71 106-8 (pbk, 1972 edn.)

Furnivall, J. S. (1939). *Netherlands India: a study of plural economy*. Cambridge: Cambridge University Press.

Galizia, M. (1996). Village institutions after the law no.5/1979 on village administration. The case of Rejang-Lebong in South-Western Sumatra. *Archipel*, *51*(1), 135-160.

Gatra, S. (2014, Mar 10). Presiden Ingin UU Desa segera diimplementasikan, (President wants Village Law to be implemented immediately). *Kompas.com*. https://nasional.kompas.com/read/2014/03/10/1157575/Presiden.Ingin.UU.Desa.Segera.Diimplementasikan?page=all

Gaventa, J. (2003). Power after Lukes: An overview of theories of power since Lukes and their application to development. *Brighton: Participation Group, Institute of Development Studies*. Retrieved 7 Jun 2020 from https://www.powercube.net/wp-content/uploads/2009/11/power_after_lukes.pdf

Gellert, P. K. (2010). Extractive regimes: toward a better understanding of Indonesian development. *Rural Sociology*, *75*(1), 28-57.

Gellert, P. K., & Andiko, P. K. (2015). The quest for legal certainty and the reorganization of power: Struggles over forest law, permits, and rights in Indonesia. *The Journal of Asian Studies*, *74*(3), 639-666.

Ghate, R. (2009). *Decentralizing forest management: Pretense or reality*. Working Group paper to be presented at WOW-IV, 3-6 June, 2009. Retrieved 11 Jan 2020 from https://dlc.dlib.indiana.edu/dlc/bitstream/handle/10535/2014/ghate_wow4.pdf?sequence=1&isAllowed=y

Ghofar, M. (2017, 30 Nov). Village funds may be for social forestry (Dana Desa boleh untuk perhutanan sosial). *Antaranews.com*. Retrieved 11 Jan 2020 from https://kaltim.antaranews.com/berita/43939/dana-desa-boleh-untuk-perhutanan-sosial

Given, L. M. (Ed.). (2008). *The Sage encyclopedia of qualitative research methods*. Vol. 1 & 2. Thousand Oaks, CA; London; New Delhi; Singapore: SAGE Publications. ISBN 978-1-4129-4163-1

Glaser, B., & Strauss, A. (1967). *The Discovery of Grounded Theory: Strategies for Qualitative Research*. Mill Valley, CA: Sociology Press.

Government Regulation no.56. (1960). Government regulation in lieu of Law of the Republic of Indonesia concerning stipulation of agricultural land areas (peraturan pemerintah pengganti undang-undang Republik Indonesia nomor 56 tahun 1960 tentang penetapan luas tanah pertanian). https://jdihn.go.id/files/4/1960ppu056.pdf

Government Regulation no.224. (1961). Concerning the implementation of land distribution and compensation (peraturan pemerintah Republik Indonesia nomor 224 tahun 1961 tentang pelaksanaan pembagian tanah dan pemberian ganti kerugian. file:///C:/Users/Acer/Desktop/2020%20PHD%20EDITS!%20Selesai!/pdf%20articles/PP%20224%201961.pdf

Government Regulation no.41. (1964). Concerning amendments and supplement to government regulation no.224 of 1961 concerning implementation of land distribution and compensation (peraturan pemerintah Republik Indonesia nomor 41 tahun 1964 tentang perubahan dan tambahan peraturan pemerintah No.224 tahun 1961 tentang pelaksanaan pembagian tanah dan pemberian ganti kerugian). http://www.bphn.go.id/data/documents/64pp041.pdf

Government Regulation no.72. (2005). Concerning villages. (peraturan pemerintah Republik Indonesia nomor 72 tahun 2005 tentang desa). https://peraturan.bpk.go.id/Home/Details/49852/pp-no-72-tahun-2005

Government Regulation no.6. (2007). Concerning forest administration and formulation of forest management plans, as well as forest utilisation (peraturan pemerintah Republik Indonesia nomor 6 tahun 2007 tentang tata hutan dan penyusunan rencana pengelolaan hutan, derta pemanfaatan hutan). file:///C:/Users/Acer/Desktop/2020%20PHD%20EDITS!%20Selesai!/pdf%20articles/PP%206%20Tahun%202007.pdf

Government Regulation no.3. (2008). Concerning amendments to government regulation no.5/2007 concerning forest management and formulation of forest management plans, as well as forest utilisation (peraturan pemerintah Republik Indonesia nomor 3 tahun 2008 tentang perubahan atas peraturan pemerintah nomor 6 tahun 2007 tentang tata hutan dan penyusunan rencana pengelolaan hutan, serta pemanfaatan hutan). https://www2.cifor.org/ilea/Database/dataijin/PP_3_2008.pdf

Government Regulation no.43. (2014). Concerning implementation regulations of Law no.6 of 20 about villages (peraturan pemerintah Republik Indonesia nomor 43 tahun 2014 tentang peraturan pelaksanaan undang-undang nomor 6 tahun 2014 tentang desa). http://jdih.kkp.go.id/peraturan/pp-43-2014.pdf

Government Regulation no.60. (2014). Concerning village funds sourced from state revenue and expenditure budget, (peraturan pemerintah Republik Indonesia nomor 60 tahun 2014 tentang Dana Desa yang bersumber dari anggaran pendapatan dan belanja negara). http://www.djpk.kemenkeu.go.id/attach/post-pp-no-60-tahun-2014-tentang-dana-desa-yang-bersumber-dari-anggaran-pendapatan-dan-belanja-negara/pp60_2014.pdf

Government Regulation no.72. (2014). Concerning villages. (peraturan pemerintah Republik Indonesia nomor 72 tahun 2005 tentang desa). https://peraturan.bpk.go.id/Home/Details/49852/pp-no-72-tahun-2005

Government Regulation no.22. (2015). Concerning amendment to government regulation no.60/2014 about Village Fund sourcing from the state budget (peraturan pemerintah nomor 22 tahun 2015 tentang perubahan atas peraturan pemerintah nomor 60 tentang Dana Desa yang bursumber dari anggaran pendapatan dan belanja negara. https://jdih.kemenkeu.go.id/fullText/2015/22TAHUN2015PP.pdf

Graham, L. (2011). The product of text and 'other' statements: Discourse analysis and the critical use of Foucault. *Educational Philosophy and Theory*, *43*(6), 663-674.

Hadiz, V. R. (2000). Retrieving the past for the future? Indonesia and the New Order legacy. *Asian Journal of Social Science*, *28*(2), 11-33.

Hadiz, V., & Robinson, R., (2013). The political economy of oligarchy and the reorganization of power in Indonesia. *Indonesia*, (*96*), 35-57.

Hall, P. A. (2010). Historical institutionalism in rationalist and sociological perspective. In Mahoney, J., & Thelen, K., (Eds.), *Explaining institutional change: ambiguity, agency, and power*, 204-224. NY; Melbourne; Madrid; Cape Town; Singapore; São Paulo, Delhi; Dubai; Tokyo: Cambridge: Cambridge University Press. ISBN 978-0-521-11883-5

Hall, P. A., & Taylor, R. C. (1996). Political science and the three new institutionalisms. *Political Studies, 44*(5), 936-957.

Hamdani, T. (2018, 10 Dec). Melihat pembangunan infrastruktur desa di tangan Jokowi (seeing village infrastructure development in Jokowi's hands). *Detikfinance*. 13:40. Retrieved 7 Jun 2020 from https://finance.detik.com/infrastruktur/d-4336628/melihat-pembangunan-infrastruktur-desa-di-tangan-jokowi

Haning, M., & Tahili, M. (2018). Strengthening the capacity of village government in the implementation of Village Fund policy at Maros regency of South Sulawesi province. In *2018 Annual Conference of Asian Association for Public Administration: "Reinventing Public Administration in a Globalized World: A Non-Western Perspective"* (AAPA 2018). Atlantis Press. DOI: https://doi.org/10.2991/aapa-18.2018.36

Hantoro, J. (2019, Feb 21). Menteri Eko sebut Dana Desa berhasil bangun jalan desa 191.600 km (Minister Eko called village funds resulted in 191,600 km successfully constructed roads). *Tempo.co*. 08:11. Retrieved 7 Jun 2020 from https://nasional.tempo.co/read/1177941/menteri-eko-sebut-dana-desa-berhasil-bangun-jalan-desa-191-600-km/full&view=ok

Hanung, R. (2018, 10 Dec). Selamat! Desa tertinggal berkurang 6.518 di Era Jokowi) Congratulations! 6,518 underdeveloped villages in Jokowi era). *CNBC Indonesia*, (14)44. Retrieved 7 Jun 2020 from https://www.cnbcindonesia.com/news/20181210143908-4-45683/selamat-desa-tertinggal-berkurang-6518-di-era-jokowi

Heckert, J. & Cleminson, R. (Eds.). (2011). Anarchism & sexuality: Ethics, relationships and power. Canada; NY: Routledge. ISBN 13: 978-0-203-82844-1 (ebk)

Hutabarat, D., (2019 25 Feb). Law yet to return sovereignty to villages. *Jakarta Post.* Retrieved 7 Jun 2020 from

https://www.thejakartapost.com/academia/2019/02/25/law-yet-to-return-sovereignty-to-villages.html

IDM. (2015). Village Development Index (Indeks Desa Membangun, Indonesia). https://hanibalhamidi.files.wordpress.com/2015/10/indeks-desa-membangun-kementerian-desa-pdtt-hh.pdf

IFAD. (2018). *Village Development Programme (ex-National Programme for Community Empowerment in Rural Areas Project*. IFAD. Retrieved 7 Jun 2020 from https://www.ifad.org/en/web/operations/project/id/1100001341

Indrianasari, N. T. (2017). Peran perangkat desa dalam akuntabilitas pengelolaan keuangan desa (studi pada Desa Karangsari Kecamatan Sukodono) (The role of village officials in village financial management accountability (study in Karangsari Village, Sukodono District). *Jurnal Ilmiah Ilmu Akuntansi, Keuangan Dan Pajak (Scientific Journal of Accounting, Finance and Tax*, *1*(2). DOI: https://doi.org/10.30741/assets.v1i2.28

Infodesa. (2019). Apa itu Bursa Inovasi Desa? (What is the Village Innovation Exchange?) *InfoDesa*, 23.35. Retrieved 10 Mar 2020 from https://risehtunong.blogspot.com/2017/11/apa-itu-bursa-inovasi-desa.html.

ITTO. (2001). *Achieving sustainable forest management in Indonesia*. Report of the ITTO Technical Mission to Indonesia. Yokohama; Jakarta: International Tropical Timber Organisation, ITTO. Retrieved 7 Jun 2020 from https://www.cbd.int/doc/case-studies/for/cs-ecofor-id-01-en.pdf

Jawa Pos. (2019, Apr 10). Village funds and other welfare programs are Jokowi's ammunition in the final debate (Dana Desa dan program-program kesra lain jadi amunisi Jokowi di debat terakhir). *Jawa Pos*, 40:04. Retrieved 11 Jan 2020 from https://www.jawapos.com/nasional/pemilihan/10/04/2019/dana-desa-dan-program-program-kesra-lain-jadi-amunisi-jokowi-di-debat-terakhir/

Jepson, P. (2001). *Biodiversity and protected areas policy: Why is it failing in Indonesia?* [Unpublished doctoral thesis], School of Geography and the Environment, University of Oxford, UK.

Johnson, C. (2001). Local democracy, democratic decentralisation and rural development: theories, challenges and options for policy. *Development Policy Review*, *19*(4), 521-532.

Julita, L. S., & Asmara, C. (2019, Aug 16). Jokowi sebar Dana Desa hingga Rp 72 T di 2020, untuk apa? (Jokowi spreads funds of up to IDR 72 T in 2020, for what?) *CNBC Indonesia*, 15:00. Retrieved 7 Jun 2020 from https://www.cnbcindonesia.com/news/20190816142702-4-92542/jokowi-sebar-dana-desa-hingga-rp-72-t-di-2020-untuk-apa

Keefer, P. (2007). Clientelism, credibility, and the policy choices of young democracies. *American Journal of Political Science*, *51*(4), 804-821.

Kemendesa. (2019). Ministry of Villages, development of disadvantaged areas and transmigration of the Republic of Indonesia (kementerian desa pembangunan daerah tertinggal dan transmigrasi Republik Indonesia. https://kemendesa.go.id/berita/view/detil/2761/presiden-ingin-dana-desa-terus-meningkat-setiap-tahun

Kementerian Keuangan. (2018). *Buku Pintar Dana Desa* (Village Smart Book). Ministry of the Republic of Indonesia. Retrieved 5 Feb 2019 from https://www.kemenkeu.go.id/media/6749/buku-pintar-dana-desa.pdf

Khan, S. R., & Christiansen, J. (Eds.). (2010). *Towards new developmentalism: Market as means rather than master*. London: Routledge. DOI https://doi.org/10.4324/9780203844311

Kijazi, M. H. (2015). *Resources, Rents, Representation and Resistance: The struggle for just conservation on Mount Kilimanjaro*. Responsive Forest Governance Initiative (RFGI) Working Paper No. 30. CODESRIA; IUCN. Retrieved 10 Mar 2020 from https://portals.iucn.org/library/sites/library/files/documents/RFGI-WP-030.pdf

King, N. & Horrocks, C. (2010). *Interviews in qualitative research*. London: Sage Publications.

Kioupkiolis, A. (2018). Movements post-hegemony: how contemporary collective action transforms hegemonic politics. *Social Movement Studies*, *17*(1), 99-112.

Koch, S. (2017). International influence on forest governance in Tanzania: Analysing the role of aid experts in the REDD+ process. *Forest Policy and Economics*, *83*, 181-190.

KOMPAK. (2016). *Reality Check Approach Report : Local Perspectives and Experiences of the Village Law in Indonesia*. Jakarta: KOMPAK. Retrieved 11 Jan 2020 from http://www.reality-check-approach.com/uploads/6/0/8/2/60824721/vl_report_v11sm.pdf

KOMPAK (2017). *Village Fund and Poverty Alleviation*. Policy and Working Paper, Kementerian PPN/Bappenas; Australian Government. Retrieved 21 Apr 2019 from https://kompak.or.id/en/article/analisis-kebijakan-dana-desa-dan-penanggulangan-kemiskinan

KPH Pogogul. (2019, 21 April). Perhutanan sosial dalam prioritas penggunaan Dana Desa (social forestry in priority use of village funds). Retrieved 10 Mar 2020 from http://www.kphpogogul.org/perhutanan-sosial-dalam-prioritas-penggunaan-dana-desa/

Kothari, A., Salleh, A., Escobar, A., Demaria, F., Acosta, A. (2019). *Pluriverse: A post-development dictionary*. New Delhi, India: Tulika Books and Authorsupfront. ISBN 9788193732984

Kramer, R., van Schaik, C., & Johnson, J. (Eds). (1997). *The Last stand: protected areas and the defence of tropical biodiversity*. NY; Oxford: Oxford University Press. ISBN 978-0-195-09554-8

Krott, M., Bader, A., Schusser, C., Devkota, R., Maryudi, A., Giessen, L., & Aurenhammer, H. (2014). Actor-centred power: The driving force in decentralised community-based forest governance. *Forest Policy and Economics*, *49*, 34-42.

Kumar, S. (2002). Does “participation” in common pool resource management help the poor? A social cost–benefit analysis of joint forest management in Jharkhand, India. *World Development*, *30*(5), 763-782.

Kuwado, F. (2014, Mei 18). Jokowi janji terbitkan perpres untuk UU Desa jika SBY 'kelamaan' (Jokowi promises to issue Presidential Decree for Village Law if SBY

'too-too much'. *Kompas.com*. 17(15). Retrieved 18 Nov 2018 from https://nasional.kompas.com/read/2014/05/18/1755506/Jokowi.Janji

Laclau, E. (1996). The death and resurrection of the theory of ideology. *Journal of Political Ideologies*, *1*(3), 201-220.

Laclau, E., & Mouffe, C. (2001). *Hegemony and Socialist Strategy: Towards a radical democratic politics*, 2nd edn. (1985, 2001). London: Verso.

Larson, A. M., Pacheco, P., Toni, F. and Vallejo, M. (2007). The effects of forestry decentralization on access to livelihood assets, *The Journal of Environment & Development*, *16*(3), 251-268.

Larson, A. M., & Ribot, J. C. (2007). The poverty of forestry policy: double standards on an uneven playing field. *Sustainability science*, *2*(2), 189-204.

Larson, A. M., & Soto, F. (2008). Decentralization of natural resource governance regimes. *Annual Review of Environment and Resources*, *33*, 213-239. https://doi.org/10.1146/annurev.environ.33.020607.095522

Larson, A. M., & Dahal, G. R. (2012). Introduction: Forest Tenure Reform: New Resource Rights for Forest-based Communities?. *Conservation and society*, *10*(2), 77-90.

Lash, S. (2007). Power after hegemony: Cultural studies in mutation? *Theory, Culture & Society*, *24*(3), 55-78.

Lavén, F. (2008). *Organizing Innovation. How policies are translated into practice*. [Doctoral Thesis] Department of Business Administration, University of Gothenburg, Sweden.

Law no.22. (1999). Law of Republic of Indonesia concerning regional government (undang-undang Republik Indonesia nomor 22 tahun 1999 tentang pemerintahan daerah). https://www.dpr.go.id/dokjdih/document/uu/UU_1999_22.pdf

Law no.41. (1999). Law of the Republic of Indonesia concerning forestry, Chapter 1, Article 1 (undang-undang Republik Indonesia nomor 41 tahun 1999 tentang kehutanan). https://jdih.esdm.go.id/storage/document/uu-41-1999.pdf

Law no.10. (2004). Law of the Republic of Indonesia no.10/2004 concerning the formation of legislative regulations (undang-undang Republik Indonesia nomor 10 tahun 2004 Tentang Pembentukan Peraturan Perundang-Undangan). https://jdih.esdm.go.id/storage/document/UU%20NO%2010%20TH%202004.pdf

Law no.32. (2004). Concerning local/regional government (undang-undang Republik Indonesia nomor 32 tahun 2004 tentang pemerintahan daerah). http://www.dpr.go.id/dokjdih/document/uu/33.pdf

Law no.33. (2004). Law of the Republic of Indonesia concerning the financial balance between the central government and local government (undang-undang Republik Indonesia nomor 33 tahun 2004 tentang perimbangan keuangan antara pemerintah pusat dan pemerintahan daerah). https://luk.staff.ugm.ac.id/atur/UU33-2004PerimbanganKeuanganLengkap.pdf

Law no.23. (2014). Law of the Republic of Indonesia concerning regional/local government (undang-undang Republik Indonesia nomor 23 tahun 2014 tentang pemerintahan daerah). https://pih.kemlu.go.id/files/UU0232014.pdf

Law no.111. (2014). Law of the Ministry of the Interior/Home Affairs of the Republic of Indonesia concerning technical guidelines for village regulations (Menteri Dalam Negeri Republik Indonesia Peraturan Menteri Dalam Negeri Republik Indonesia nomor 111 tahun 2014 tentang pedoman teknis peraturan di desa). http://www.panggungharjo.desa.id/wp-content/uploads/2018/03/PERMENDAGRI-No.-111-Tahun-2014-tentang-Pedoman-Teknis-Peraturan-Di-Desa.pdf

Leonald, L., & Rowland, D. (2016). Drivers and effects of agrarian change in Kapuas Hulu Regency, West Kalimantan, Indonesia. Chapter in: *Agrarian change in tropical landscapes*. Bogor, Indonesia: CIFOR. https://www.cifor.org/knowledge/publication/6365/

Lewis, B. (2015). Decentralising to Villages in Indonesia: Money (and Other) Mistakes. *Public Administration and Development*, *35*(5), 347-359.

Li, T. M. (1999). Compromising power: Development, culture, and rule in Indonesia. *Cultural anthropology*, *14*(3), 295-322.

Li, T. M. (2007). *The will to improve: Governmentality, development, and the practice of politics.* USA: Duke University Press. ISBN 978-0-822-34027-0

Li, T. M. (2011). Centring labor in the land grab debate. *The Journal of Peasant Studies, 38*(2), 281-298.

LKPP no.22. (2015). Regulation of the head of government goods/services procurement policy agency no.22/2015 concerning amendments to the regulation of the head of the government goods/services procurement policy agency no.13/2013 concerning guidelines for the procedures for procuring goods/services in villages (perka: peraturan kepala lembaga kebijakan pengadaan barang/jasa pemerintah nomor 22 tahun 2015 tentang perubahan atas peraturan kepala lembaga kebijakan pengadaan barang/jasa pemerintah nomor 13 tahun 2013 tentang pedoman tata cara pengadaan barang/jasa di desa). https://jdih.lkpp.go.id/regulation/peraturan-lkpp/peraturan-lkpp-nomor-12-tahun-2019

LKPP no.12. (2019). Regulation concerning guidelines for procurement of goods/services in villages (peraturan LKPP nomor 12 tahun 2019 tentang pedoman penyusunan tata cara pengadaan barang/jasa di desa). https://jdih.lkpp.go.id/regulation/peraturan-lkpp/peraturan-lkpp-nomor-12-tahun-2019

Lumban Gaol A., & Dahlia, L. (2017, 15 Feb). Indonesian president hands over management of forests to indigenous people. *World Agroforestry (ICRAF*). Retrieved 5 Feb 2019 from https://forestsnews.cifor.org/48323/indonesian-president-hands-over-management-of-forests-to-indigenous-people?fnl=

Lund, J. F. (2015). Paradoxes of participation: the logic of professionalization in participatory forestry. *Forest Policy and Economics, 60*(1), 1-6.

Lund, J. F., & Treue, T. (2008). Are we getting there? Evidence of decentralized forest management from the Tanzanian Miombo woodlands. *World development, 36*(12), 2780-2800.

Lund, J. F., Balooni, K., & Casse, T. (2009). Change we can believe in? Reviewing studies on the conservation impact of popular participation in forest management. *Conservation and Society, 7*(2), 71-82.

Lund, J. F., & Saito-Jensen, M. (2013). Revisiting the issue of elite capture of participatory initiatives. *World development, 46*, 104-112.

Lund, J. F., Rutt, R. L., & Ribot, J. C. (2018). Trends in research on forestry decentralization policies, *Current Opinion in Environmental Sustainability, 32*, 17-22.

McCarthy, J. F. (2001). 'Decentralisation, local communities, and forest management in Barito Selatan District, Central Kalimantan', CIFOR, Bogor, Indonesia. https://www.researchgate.net/publication/228382615

McCarthy, J. F. (2002). Power and Interest on Sumatra's rainforest frontier: Clientelist coalitions, illegal logging and conservation in the Alas Valley. *Journal of Southeast Asian Studies, 33*(1), 77-106.

McCarthy, J. F. (2004). Changing to gray: Decentralization and the emergence of volatile socio-legal configurations in Central Kalimantan, Indonesia. *World Development, 32*(7), 1199–223.

McCarthy, J. (2010). Processes of inclusion and adverse incorporation: Oil Palm and agrarian change in Sumatra, Indonesia', *Journal of Peasant Studies 37*(4), 821-50.

Maharani, T. (2019, Feb 21). HNW Tepis 'Dana Desa Jokowi': UU Desa diteken SBY, sempat ditolak PDIP (HNW Tepis 'Jokowi Village Fund': Village Law signed by SBY was rejected by PDIP). *detikNews. 12*(53). Retrieved 7 Jun 2020 from https://news.detik.com/berita/4437770/hnw-tepis-dana-desa-jokowi-uu-desa-diteken-sby-sempat-ditolak-pdip

Mananzala, R., & Spade, D. (2008). The nonprofit industrial complex and trans resistance. *Sexuality Research & Social Policy*, *5*(1), 53.

Mandondo, A., & Jusrut, P. (2015). *Waiting for democratic representation in Africa's social forests*. Dakar: CODESRIA. https://www.researchgate.net/publication/314281382

Marifa, I. (2005). Institutional Transformation for better policy implementation and enforcement. In B. P. Resosudarmo, (Ed.), *The Politics and Economics of Indonesia's Natural Resources*, pp. 248-264. Singapore: ISEAS Publications.

Maulana, A., & Situngkir, H. (2013). *Dynamics of the Corruption Eradication in Indonesia*. Bandung Fe Institute (BFI) Working Paper Series WP-01-2013. https://papers.ssrn.com/sol13/papers.cfm?abstract_id=2326176

May, T. (1994). *The political philosophy of poststructuralist anarchism*. Penn State Press.

MEF. (2020). *The State of Indonesia's Forests 2020*, Nurbaya, S., Efransjah, Murniningtyas, S., Erwinsyah, Damayanti, E. K. (Eds.). Ministry of Environment and Forestry, Republic of Indonesia. ISBN 987-602-8358-91-0

MEF. (2015). Ministry of Environment & Forestry Indonesia. Peta Indikatif alokasi perhutanan sosial (PIAPS), (indicative map of social forestry allocation). Jakarta, Indonesia. https://www.menlhk.go.id/

MEF no.541. (2002). Decree of the Minister of Forestry no.541/2002 concerning revocation of Decree of the Minister of Forestry no.05.1/KPTS-II/2000 concerning criteria and standards for business licensing for utilisation and harvesting of forest products in production forests (keputusan Menteri Kehutanan nomor 541/2002 tentang pencabutan keputusan Menteri Kehutanan nomor 05.1/KPTS-II/2000 tentang kriteria dan standar perizinan usaha pemanfaatan hasil hutan dan perizinan pemungutan Hasil hutan pada hutan produksi). http://www.cifor.org/publications/pdf_files/Books/BBarr0601.pdf

MEF P.83. (2016). Regulation of the Minister of Environment and Forestry concerning social forestry (peraturan Menteri Lingkungan Hidup dan Kehutanan, Republik Indonesia, nomor P.83/Menlhk/Setjen/Kum.1/10/2016 tentang perhutanan sosial). http://ksdae.menlhk.go.id/assets/news/peraturan/PERMENLHK-No-83-Tentang-Perhutanan-Sosial.pdf.

Merriam, S. B. (2009). *Qualitative research: A guide to design and implementation*. San Francisco, CA: Jossey-Bass. ISBN 978-0-470-28354-7

Miami Workers Center. (2004). *The Four Pillars of Social Justice infrastructure*. Presentation given at the New Voices Fellowship Conference, San Francisco, CA.

Miller, D. C., Rana, P., & Wahlén, C. B. (2017). A crystal ball for forests?: Analyzing the social-ecological impacts of forest conservation and management over the long term. *Environment and Society, 8*(1), 40-62.

Moeliono, M., Thuy, P. T., Bong, I. W., Wong, G. Y., & Brockhaus, M. (2017). Social forestry-why and for whom?: A comparison of policies in Vietnam and Indonesia. *Forest and Society 1*(20), l. DOI: 10.24259/fs.v1i2.2484

Mollet J. A. (2011). Ethical issues in social science research in developing countries: Useful or symbolic? In: R. Cribb, (Ed.), *Transmission of Academic Values in Asian Studies: Workshop Proceedings*. Canberra: Australia-Netherlands Research Collaboration (ANRC). ISBN 978-1-74076-225-0

Muhammad, A. (2018, 24 Dec). Empat tahun pemerintahan Presiden Jokowi, desa tertinggal berkurang signifikan (four years of President Jokowi's administration, left behind villages significantly reduced). *Kompasiana*. 15:24. https://www.kompasiana.com/andrimuhammad/5c209165677ffb2694455638/empat-tahun-pemerintahan-presiden-jokowi-desa-tertinggal-berkurang-signifikan

Mulyani, M., & Jepson, P. (2013). REDD+ and forest governance in Indonesia: a multistakeholder study of perceived challenges and opportunities. *The Journal of Environment & Development*, *22*(3), 261-283.

Mustalahti, I., & Lund, J. F. (2009). Where and how can participatory forest management succeed? Learning from Tanzania, Mozambique, and Laos. *Society & Natural Resources*, *23*(1), 31-44.

Mutune, J. M., & Lund, J. F. (2016). Unpacking the impacts of 'participatory' forestry policies: evidence from Kenya. *Forest Policy and Economics*, *69*, 45-52.

Myers, R., & Hansen, C. (2020). Revisiting A Theory of Access: A review. *Society & Natural Resources*, *33*(2), 145-166.

National Strategy. (2016-2019). Arahan dari kantor staf Presiden Jakarta, strategi nasional pelaksanaan reforma agraria 2016-2019 (Direction from the office of the President's staff, Jakarta, national strategy for the implementation of agrarian reform). https://hanibalhamidi.files.wordpress.com/2016/09/naskah-stranas-pelaksanaan-reforma-agraria-ksp.pdf

Naylor, R. L., Higgins, M. M., Edwards, R. B., & Falcon, W. P. (2019). Decentralization and the environment: Assessing smallholder oil palm development in Indonesia. *Ambio*, *48*(10), 1195-1208.

Neher, C. D. (1996). The Transition to Democracy in Thailand. *Asian Perspective*, *20*(2), 301-321.

Newling, H. (2011). *Conducting research in conversation: A social science perspective*. NY; London: Routledge. ISBN 978-0-415-45792 (pbk)

Nightingale, A. J. (2005). "The experts taught us all we know": Professionalisation and knowledge in Nepalese community forestry. *Antipode*, *37*(3), 581-604.

Nuesiri, E. O. (2016). Decentralised forest management: towards a utopian realism. *The Geographical Journal*, *182*(1), 97-103.

Nugraha, I. (2017, 31 Oct). Implementasi reforma agraria masih jauh dari harapan (the implementation of agrarian reform is still far from expectations). *Mongabay*. Retrieved 10 Mar 2020 from https://www.mongabay.co.id/2017/10/31/implementasi-reforma-agraria-masih-jauh-dari-harapan/

Nugroho, A. (2019, 21 Nov). Peta jalan making Indonesia 4.0 (road map making Indonesia). *Tempo.co.* Retrieved 7 Jun 2020 from https://kolom.tempo.co/read/1274738/peta-jalan-making-indonesia-4-0/full&view=ok

Oates, J. F. (1999). *Myth and reality in the rain forest: how conservation strategies are failing in West Africa*. Berkeley: University of California Press. ISBN 978-0-520-22252-6

Ogden, R. (2008a). Bias. In L. M. Given, (Ed.), *The SAGE encyclopedia of qualitative research methods*, pp. 61-62. Thousand Oaks, CA; London; New Delhi; Singapore: SAGE Publications. ISBN 978-1-4129-4163-1

Ogden, R. (2008b). Participant. In L. M. Given, (Ed.), *The SAGE encyclopedia of qualitative research methods*, pp. 598-599. Thousand Oaks, CA; London; New Delhi; Singapore: SAGE Publications. ISBN 978-1-4129-4163-1

Oi, J. C. (1989). *State and peasant in contemporary China: The political economy of village government*. Berkeley: University of California Press. ISBN 9780520076372

Ojha, H. R., Banjade, M. R., Sunam, R. K., Bhattarai, B., Jana, S., Goutam, K. R., & Dhungana, S. (2014). Can authority change through deliberative politics?: Lessons from the four decades of participatory forest policy reform in Nepal. *Forest Policy and Economics*, *46*, 1-9.

Parlina, I. (2015, 14 Jan). Authority over villages split between two ministries. *Jakarta Post*, 14:01. Retrieved 18 Nov 2018 from https://www.thejakartapost.com/news/2015/01/14/authority-over-villages-split-between-two-ministries.html.

Patton, M. Q. (2002). *Qualitative research and evaluation methods*. Thousand Oaks, CA: Sage Publications.

Paulson Priebe, M. E., Evans, T., Andersson, K., & Castellanos, E. (2015). Decentralization, forest management, and forest conditions in Guatemala. *Journal of Land Use Science*, *10*(4), 425-441.

Peluso N. L. (1992). *Rich Forests, poor people: resource control and resistance in Java*. Berkeley, CA: University of California Press. ISBN 978-0-520-08931-0

Peluso, N. L. (2005). Seeing property in land use: Local territorialisation's in West Kalimantan, Indonesia. *Geografisk Tidsskrift-Danish Journal of Geography*, *105*(1), 1-15.

Peluso, N. L., Afiff, S., & Rachman, N. F. (2008). Claiming the grounds for reform: Agrarian and environmental movements in Indonesia, *Journal of Agrarian Change*, *8*(2), 377-407.

Peraturan no.50/PMK.07. (2017). Ministry of Finance of the Republic of Indonesia regulation concerning the management of transfers to regions and village funds (peraturan Menteri Keuangan Republik Indonesia nomor 50/PMK.07/2017 tentang pengelolaan transfer ke daerah dan Dana Desa). https://jdih.kemenkeu.go.id/fullText/2017/50~PMK.07~2017Per.pdf

Permendagri no.5. (2007). Regulation of the Minister of Home Affairs concerning the guidelines for the structuring of social institutions (peraturan Menteri dalam Negeri nomor 5 tahun 2007 tentang pedoman penataan lembaga

kemasyarakatan). https://peraturan.bpk.go.id/Home/Details/126362/permendagri-no-5-tahun-2007

Permendagri no.112. (2014). Regulation of the Minister of Home Affairs of the Republic of Indonesia no.112/2014 concerning village head elections, Article 21d. (Menteri dalam Negeri Republik Indonesia peraturan Menteri dalam Negeri Republik Indonesia nomor 112 tahun 2014 tentang pemilihan kepala desa). https://www.jogloabang.com/desa/permendagri-112-2014-pilkades

Permendagri no.114. (2014). Concerning guidelines for village development (permendagri nomor 114 tahun 2014 tentang pedoman pembangunan desa). https://www.jogloabang.com/desa/permendagri-114-2014-pedoman-pembangunan-desa

Permendagri no.83. (2015). Ministry of the Republic of Indonesia no.83 concerning the appointment and dismissal of village apparatus (Menteri dalam Negeri Republik Indonesia nomor 83 tahun 2015 tentang pengangkatan dan pemberhentian perangkat desa). https://bpm.acehprov.go.id/Master%20Produk%20Hukum/24.%20Permendagri%20Nomor%2083%20Tahun%202015.pdf

Permendagri no.10. (2016). Regulation of the Minister of Agrarian Affairs and Spatial Planning/Head of the National Land Agency of the Republic of Indonesia concerning procedures for establishing communal rights to land of indigenous peoples and communities in certain areas (peraturan Menteri dalam Negeri Republik Indonesia nomor 10 tahun 2016 tentang pencabutan keputusan Menteri dalam Negeri bidang keuangan daerah dan pembangunan daerah). https://peraturan.bpk.go.id/Home/Details/104024/permen-agrariakepala-bpn-no-10-tahun-2016

Permendagri no.45. (2016). Regulation of the Ministry of Home Affairs concerning guidelines for establishing and confirming village boundaries (peraturan Menteri dalam Negeri Republik Indonesia nomor 45 tahun 2016 tentang pedoman penetapan dan penegasan batas desa). https://bulelengkab.go.id/assets/instansikab/102/bankdata/undang-undang-nomor-45-tahun-2016-tentang-pedoman-penetapan-dan-penegasan-batas-desa-88.pdf

Permendagri no.110. (2016). Concerning the village consultative body or BPD (tentang badan permusyawaratan desa). Article 13d: at least completed Jr High School or the equivalent (berpendidikan paling rendah tamat sekolah menengah pertama atau sederajat). https://www.jogloabang.com/desa/permendagri-110-2016-badan-permusyawaratan-desa

Permendesa no.4 (2015). Regulation of the Minister of Villages concerning the establishment, management and disbursement of village-owned enterprises (peraturan Menteri Desa, pembangunan daerah tertinggal, dan transmigrasi Republik Indonesia, nomor 4 tahun 2015 tentang pendirian, pengurusan dan pengelolaan, dan pembubaran badan usaha milik desa). https://www.academia.edu/11104163/Permendesa_No_4_Tahun_2015_tentang_BADAN_USAHA_MILIK_DESA_BUM_DESA

Permendesa no.22. (2016). Regulation of the Minister of Villages concerning prioritisation for the use of village funds in 2017 (peraturan Menteri Desa, pembangunan daerah tertinggal, dan transmigrasi Republik Indonesia nomor 22 tahun 2016 tentang penetapan prioritas penggunaan Dana Desa tahun 2017). http://kedesa.id/id_ID/repository/permen-desa-nomor-22-tahun-2016-prioritas-penggunaan-dana-desa-tahun-2017-maju/

Permendesa no.11. (2019). Regulation of the Minister of Villages concerning the priority for the use of village funds in 2020 (peraturan Menteri Desa, pembangunan daerah tertinggal, dan transmigrasi Republik Indonesia nomor 11 tahun 2019 tentang prioritas penggunaan Dana Desa tahun 2020). https://pusdatin.kemsos.go.id/uploads/topics/15686083999585.pdf

Pérez-Cirera, V., & Lovett, J. C. (2006). Power distribution, the external environment and common property forest governance: A local user groups model. *Ecological Economics*, *59*(3), 341-352.

Persha, L., & Andersson, K. (2014). Elite capture risk and mitigation in decentralized forest governance regimes. *Global environmental change*, *24*, 265-276.

Phongpaichit, P., & Phiriyarangsan, S. (1996). *Corruption and democracy in Thailand.* Chiang Mai, Thailand: Silkworm Books. ISBN 978-9-747-10031-0

Pisani, E. (2014). *Indonesia Etc.: Exploring the Improbable Nation.* WW Norton & Company. ISBN 13: 9780393351279

PMK no.199. (2017). Regulation of the Minister of Finance of the Republic of Indonesia concerning procedures for allocation of village funds for each Regency/City and calculation of detailed village funds for each Village (peraturan Menteri Keuangan Republik Indonesia nomor 199/PMK.07/2017 tentang tata cara pengalokasian Dana Desa setiap Kabupaten/Kota dan penghitungan rincian Dana Desa setiap desa). http://www.djpk.kemenkeu.go.id/wp-content/uploads/2018/01/PMK-199-Tahun-2017.pdf

Poteete, A. R., & Ribot, J. C. (2011). Repertoires of domination: Decentralization as process in Botswana and Senegal. *World Development*, *39*(3), 439-449.

Prabowo, D., Maryudi, A., Senawi, & Imron, M. (2017). Conversion of forests into oil palm plantations in West Kalimantan, Indonesia: Insights from actor's power and its dynamics, *Forest Policy and Economics, 78,* 32-79**.** DOI: 10.1016/j.forpol.2017.01.004

Prodjo, W. A. (2015, 27 Oct). Kemenpar-KLHK jalin kerja sama tingkatkan pariwisata alam (Kemenpar-KLHK establish cooperation to increase natural tourism). *Kompas.com*. Retrieved 21 Apr 2019 from https://travel.kompas.com/read/2015/10/27/142800227/KemenparKLHK.Jalin.Kerja.Sama.Tingkatkan.Pariwisata.Alam

Purwanto, E. (2014, 26 Jul). New Village Law and Natural Resources. *The Jakarta Post*. Retrieved 18 Nov 2018 from https://www.thejakartapost.com/news/2014/07/26/new-village-law-and-natural-resources.html

Purwanto, E., & Moestrup, S. (2016, 4 Oct). The role of villages in forest conservation programs. *The Jakarta Post*. Retrieved 18 Nov 2018 from http://www.thejakartapost.com/news/2016/10/04/the-role-villages-forest-conservation-programs.html

Purwanto, A. B. & Zakaria, R. Y. (2019, 27 April). Desa untuk perhutanan sosial (village for social forestry). *Indonesiana*. Retrieved 7 Jun 2020 from https://www.indonesiana.id/read/117838/desa-untuk-perhutanan-sosial.

Putz, F. E., & Redford, K. H. (2010). The importance of defining 'forest': tropical forest degradation, deforestation, long-term phase shifts, and further transitions. *Biotropica*, *42*(1), 10-20.

Pye, O., Radjawali, I., & Julia. (2017). Land grabs and the river: eco-social transformations along the Kapuas, Indonesia. *Canadian Journal of Development Studies/Revue canadienne d'études du développement*, *38*(3), 378-394.

Rachman, N. F., & Siscawati, M. (2013). *A new landmark in the trajectory of Indonesian agrarian-forestry politics. The status of masyarakat adat as rights-bearing subjects after the Indonesian Constitutional Court ruling of case number 35*. PUU-X/2012. The Samdhana Institute and Rights and Resources Initiative.

Radarsukabumi. (2018, 12 Oct). Walhi: Pelaksanaan Program Perhutanan Sosial 'Macet' (Implementation of the 'Macet' Social Forestry Program). *Radarsukabumi.com*. https://radarsukabumi.com/jawa-barat/walhi-pelaksanaan-program-perhutanan-sosial-macet/

Raharjo, D. (2019, Feb 21). Sebelum Jokowi terpilih, Fahri Hamzah: Prabowo motor lahirnya UU Dana Desa (before Jokowi was elected, Fahri Hamza: Prabowo drove the birth of the Village Fund law). *Suara.com*. 15:16. Retrieved 7 Jun 2020 from https://www.suara.com/news/2019/02/21/151605/sebelum-jokowi-terpilih-fahri-hamzah-prabowo-motor-lahirnya-uu-dana-desa

Rakhmat, M., & Tarahita, D. (2018, Mar 20). Indonesia tries rural development. *Asia Sentinel*. No.3209. Retrieved 10 Mar 2020 from https://www.asiasentinel.com/econ-business/indonesia-rural-development/

Ramly, R., Wahyuddin, Musyida, J., Mawardati. (2018). Implementation of Village Fund Policy in Improving Economy of Village Society. *Jurnal Ilmiah Peuradeun*, *6*(3), 459-478.

Rasolofoson, R. A., Ferraro, P. J., Jenkins, C. N., & Jones, J. P. (2015). Effectiveness of community forest management at reducing deforestation in Madagascar. *Biological Conservation*, *184*, 271-277.

Reily, M. (2018, 12 Oct). Dalam 4 tahun masa Jokowi, jumlah desa tertinggal berkurang signifikan (In the 4 years of Jokowi's term, the number of disadvantaged villages

has decreased significantly. *Dkatadata.co.id*. 15:41 WIB. Retrieved 11 Jan 2020 from https://katadata.co.id/ekarina/berita/5e9a558d1b1f8/dalam-4-tahun-masa-jokowi-jumlah-desa-tertinggal-berkurang-signifikan

Resosudarmo, I. A. P. (2003). Shifting power to the periphery: the impact of decentralisation on forests and forest people. In E. Aspinall & G. Fealy (Eds), *Local power and politics in Indonesia: decentralization and democratization*. 230-244. Institute of Southeast Asian Studies, CIFOR.

Resosudarmo, I. A. P. (2004). Closer to people and trees: will decentralisation work for the people and the forests of Indonesia? *The European Journal of Development Research*, *16*(1), 110-132.

Rezy, F. (2014, Mar 24). Bangun Pedesaan, SBY gelontorkan Rp1,4 M per Desa (Wakeup Rural, SBY pays Rp 1.4 billion per village). *Okefinance*. 13:52. Retrieved 11 Jan 2020 from https://economy.okezone.com/read/2014/03/24/20/959824/bangun-pedesaan-sby-gelontorkan-rp1-4-m-per-desa

RI. (2014). Republic of Indonesia. Rencana pembangunan jangka menengah nasional RP JMN 2015-2019 (national mid-term development plan of RP JMN 2015-2019). Kementerian Perencanaan pembangunan Nasional (Ministry of National development planning). http://www.bpkp.go.id/public/upload/unit/sesma/files/Buku%20II%20RPJMN%202015-2019.pdf

Ribot, J. C. (1998). Theorizing access: forest profits along Senegal's charcoal commodity chain. *Development and change*, *29*(2), 307-341.

Ribot, J. C. (2004). *Waiting for democracy*. Washington, DC, USA: World Resources Institute. http://pdf.wri.org/wait_for_democracy.pdf

Ribot, J.C. (2016). RFGI Handbook I: Leveraging Local Democracy through Forestry, Field Testing Version. Supporting Resilient Forest Livelihoods through Local Representation, *Responsive Forest Governance Initiative.* Dakar, Senegal: CODESRIA. ISBN: 978-2-869-78699-8

Ribot, J., & Peluso, N., (2003). A theory of access. *Rural sociology, 68*(2), 153–181.

Ribot, J. C., Agrawal, A., & Larson, A. M. (2006). Recentralizing while decentralizing: how national governments reappropriate forest resources. *World development*, *34*(11), 1864-1886.

Ribot, J. C., Chhatre, A., & Lankinad, T. (2008). Introduction: Institutional choice and recognition in the formation and consolidation of local democracy. *Conservation and Society*, *6*(1), 1-11.

Ribot, J. C., Lund, J. F., & Treue, T. (2010). Democratic decentralization in sub-Saharan Africa: its contribution to forest management, livelihoods, and enfranchisement. *Environmental Conservation*, 35-44. DOI:10.1017/S0376892910000329

Rihoy, E., & Maguranyanga, B. (2007). Devolution and Democratisation of Natural Resource Management in Southern Africa: A Comparative Analysis of CBNRM Policy Processes in Botswana and Zimbabwe, CASS/PLASS Occasional Paper Series no.18. Programme for Land and Agrarian Studies, University of Western Cape, Cape Town, South Africa. Downloadable from www.cassplaas.org

Robbins, P. (2020). *Political ecology: A critical introduction* (3rd edn). John Wiley & Sons.

Rodiyah, R. (2018, 5-6 Aug). *Reformation of the Administration of Village Government in Indonesia based on Law no.6 of 2014 on Villages (comparing normative and empirical facts on villager's participation)*. Proceedings of 1st International Conference on Indonesian Legal Studies (ICILS 2018). Purwokerto, Java, Indonesia: Atlantis Press. DOI https://doi.org/10.2991/icils-18.2018.50

Rose, N. (1999), *Powers of freedom: Re-framing political thought*. New York: Cambridge University Press. ISBN 978-0-521-65905-5

Rosenbarger, A. (2009). *Community-based forestry in Kalimantan: An assessment of authority, policy, and capacity*. [Master's project]. Durham, NC, Nicholas School of the Environment and Earth Sciences, Duke University. Retrieved 10 Mar 2020 from https://hdl.handle.net/10161/1371

Rossabi, A. (1998). Legal policies surrounding the degradation of Indonesia's Forests. *Vermont Journal of Environmental Law*, *1*, 29.

Rothbauer, P. (2008). Triangulation. In L. M. Given, (Ed.), *The SAGE encyclopedia of qualitative research methods*, pp. 892-894. Thousand Oaks, CA; London; New Delhi; Singapore: SAGE Publications. ISBN 978-1-4129-4163-1

Royo, N. (2006). Civil society as a development partner: lessons learned and ways forward for donor engagement. A round table hosted by the DFID Policy and Asia Divisions, and the ODI Civil Society Partnership Programme. ODI report.

Rozaki, A., & Rinandari, H. (2004). *Memperkuat kapasitas desa dalam membangun otonomi: Naskah akademik dan legal drafting*. Yogyakarta: Institute for Research and Empowerment (IRE). ISBN 979-98181-4-1

Rutt, R. L., & Lund, J. F. (2014). What role for government? The promotion of civil society through forestry-related climate change interventions in post-conflict Nepal. *Public Administration and Development*, *34*(5), 406-421.

Rutt, R. L., Chhetri, B. B. K., Pokharel, R., Rayamajhi, S., Tiwari, K., & Treue, T. (2015). The scientific framing of forestry decentralization in Nepal. *Forest Policy and Economics*, *60*, 50-61.

Sahide, M. A. K., Supratman, S., Maryudi, A., Kim, Y. S., & Giessen, L. (2016). Decentralisation policy as recentralisation strategy: forest management units and community forestry in Indonesia. *International Forestry Review*, *18*(1), 78-95.

Salim, A., Bulan, W., Untung, B., Laksono, I., Brock, K. (2017). *Indonesia's Village Law: enabler or constraint for more accountable governance?* PATTIRO & Institute of Development Studies, Report.

Santika, T., Wilson, K. A., Budiharta, S., Kusworo, A., Meijaard, E., Law, E. A., ... & Struebig, M. J. (2019). Heterogeneous impacts of community forestry on forest conservation and poverty alleviation: Evidence from Indonesia. *People and Nature*, *1*(2), 204-219.

Sarker, P. K., Rahman, M. D., & Giessen, L. (2017). Empowering state agencies through national and international community forestry policies in Bangladesh. *International Forestry Review*, *19*(1), 79-101.

Sato, Y., (2019). Reemerging developmental state in democratized Indonesia. In Y. Takagi, V. Kanchoochat, & T. Sonobe, (Eds.), *Developmental State Building:*

The Politics of Emerging Economies, pp.69-96. Singapore: Springer. ISBN 978-981-13-2903-6

Satriastanti, F. (2017). Indonesian government moves further from community forestry target. *Mongabay*. Retrieved 5 Feb 2019 from https://news.mongabay.com/2017/02/indonesian-government-moves-farther-from-community-forestry-target/

Scott, J. C. (1985). *Weapons of the weak: Everyday forms of peasant resistance*. New Haven, CT; London: Yale University Press.

Scott, J. C. (1998). *Seeing like a state: How certain schemes to improve the human condition have failed*. New Haven, CT; London: Yale University Press.

Scott, J. C. (2009). *The art of not being governed: An anarchist history of upland southeast Asia*. New Haven CT; London: Yale University Press.

Scott, J. C. (2012). *Two cheers for anarchism: Six easy pieces on autonomy, dignity, and meaningful work and play*. Princeton, NJ: Princeton University Press.

Setiawan, A. (2019, 24 Jun). Membangun Indonesia dari pinggiran desa (building Indonesia from the outskirts of the Village. Retrieved 7 Jun 2020 from https://setkab.go.id/membangun-indonesia-dari-pinggiran-desa/

Shantiko, B., Fripp, E., Taufiqoh, T., Heri, V., & Laumonier, Y. (2013). *Socio-economic considerations for land-use planning: The case of Kapuas Hulu, West Kalimantan.* Working Paper No. 120. CIFOR. Retrieved 21 Apr 2019 from http://www.cifor.org/publications/pdf_files/WPapers/WP120Shantiko.pdf

Sheridan, A. (1990). *Michel Foucault: The Will to Truth*. London; NY: Tavistock.

Sikor, T. (2013). *The justices and injustices of ecosystems services*. NY: Routledge. ISBN 9780415825405

Silverman, D. (2001). *Interpreting qualitative data: Methods for analysing talk, text and interaction* (second edn.). London; Thousand Oaks; New Delhi: Sage Publications. ISBN 0-7619-6865-2 (pbk)

Simon H. (2001). *Pengelolaan hutan bersama rakyat: Teori dan aplikasi pada hutan jati di jawa (Cooperative forest management: Theory and application of teak forests*

in Java). Yogyakarta, Indonesia: Bigraf Publishing. ISBN/ISSN 978-602-8055-20-8 http://uilis.unsyiah.ac.id/uilis/index.php?p=show_detail&id=46338

Singer, B. (2009). Indonesian forest-related policies. A multisectoral overview of public policies in Indonesia's forests since 1965. *Report is Part of a PhD on Tropical Forest Policies at the Institut d'Études Politiques and CIRAD, France*. Retrieved 7 Jun 2020 from http://www.b-singer.fr/pdf/Forest_policies_in_Indonesia.pdf

Sirait, M. (2009). *Indigenous peoples and oil palm plantation expansion in West Kalimantan, Indonesia.* The Hague: Cordaid Memisa.

Siscawati, M. & Mahaningtyas, A. (2012). Gender justice: Forest tenure and forest governance in Indonesia. In M. Buchy (Ed.), *The challenges of securing women's tenure and leadership for forest management: The Asian experience*. Brief No. 3 of 4. Washington DC: Rights and Resources Initiative (RRI). https://rightsandresources.org/wp-content/exported-pdf/finalcombinedbriefsandspotlights.pdf

Siscawati, M., Banjade, M. R., Liswanti, N., Herawati, T., Mwangi, E., Wulandari, C., ... & Silaya, T. (2017). *Overview of forest tenure reforms in Indonesia.* Working Paper No. 223. CIFOR. DOI: 10.17528/cifor/006402

Sivaramakrishnan, K. (2000). Crafting the public sphere in the forests of West Bengal: Democracy, development, and political action. *American Ethnologist*, *27*(2), 431-461.

SK Bupati 144. (2003). District Head decree concerning the designation of Kapuas Hulu regency as a conservation district (surat keputusan (SK) Bupati nomor 144/2003 tentang penetapan kabupaten Kapuas Hulu sebagai kabupaten konservasi). In G. Anshari, (Ed), *Dapatkah pengelolaan kolaboratif menyelamatkan Taman Nasional Danau Sentarum?* p.11. https://www.cifor.org/publications/pdf_files/Books/BAnshari0601.pdf?q=taman&q=taman

SKB Menteri. (2017). Joint Decree of the Ministers of Home Affairs, Finance, Villages, Regional Development and National Development Planning/Head on harmonization and strengthening of policies for the acceleration of implementation of law no.6/2014 concerning villages (keputusan tentang

penyelarasan dan penguatan kebijakan percepatan pelaksanaan undang-undang nomor 6 tahun 2014 tentang desa). http://www.djpk.kemenkeu.go.id/wp-content/uploads/2018/01/SKB-Desa.pdf

Smoke, P. (2003). Decentralisation in Africa: goals, dimensions, myths and challenges. *Public Administration and Development, 23*(1), 7-16. https://doi.org/10.1002/pad.255

Social Monitoring and Early Response Unit. (2017). *Debottlenecking Distribution and Disbursement of the Village Fund*. SMERU. http://www.smeru.or.id/en/content/debottlenecking-distribution-and-disbursement-village-fund

Soetono, B., (2014). Village Justice under the New Indonesian Village Law. LinkedIn. Retrieved 18 Nov 2018 from https://www.linkedin.com/pulse/20141104073821-83847096-village-justice-under-the-new-indonesian-village-law.

Spade, D. (2011). *Normal life: Administrative violence, critical trans politics, and the limits of law*. Duke University Press. ISBN 978-0-822-36040-7

Star, S. L., & Griesemer, J. R. (1989). Institutional ecology, translations and boundary objects: Amateurs and professionals in Berkeley's Museum of Vertebrate Zoology, 1907-39. *Social studies of science, 19*(3), 387-420.

Steinmo, S. (2008). Historical Institutionalism. In D. Della Porta & M. Keating (Eds.). *Approaches and methodologies in the social sciences: A pluralist perspective*. 118-138. Cambridge University Press.

Sunam, R. K., Paudel, N. S., & Paudel, G. (2013). Community forestry and the threat of recentralization in Nepal: contesting the bureaucratic hegemony in policy process. *Society & Natural Resources, 26*(12), 1407-1421.

Sungusia, E., & Lund, J. F. (2016). Against all policies: Landscape level forest restoration in Tanzania. *World Development Perspectives, 3*, 35-37.

Suryahadi, A., & Al Izzati, R. (2018). Cards for the Poor and Funds for Villages: Jokowi's Initiatives to Reduce Poverty and Inequality. *Journal of Southeast Asian Economies, 35*(2), 200-222.

Susan, N., & Budirahayu, T. (2018). Village Government Capacity in the Implementation of Village Law No. 6 of 2015 in Indonesia. In B. McLellan (Ed.), *Sustainable future for human security: Society, cities and governance*, pp. 17-27. Springer: Singapore. DOI 10.1007/978-981-10-5433-4

Susyanti, D. W., & Latianingsih, N. (2014). Potensi desa melalui pariwisata pedesaan (village potential through rural tourism). *Epigram, 11*(1).

Sutiyono, G., Muluk., S., Mafira, T., Rakhmadi, R. (2018). Indonesia's Village Fund: An Important Lever for Better Land Use and Economic Growth at the Local Level. *Climate Policy Initiative Report*. Retrieved 10 Mar 2020 from https://climatepolicyinitiative.org/wp-content/uploads/2018/04/Indonesia%E2%80%99s-Village-Fund-_-An-Important-Lever-for-Better-Land-Use-and-Economic-Growth-at-the-Local-Level.pdf

Tacconi, L., (2007). Decentralization, forests and livelihoods: Theory and narrative. *Global Environmental Change*, *17*(3-4), 338-348.

Terborgh, J. (2004). *Requiem for nature*. USA: Island Press. ISBN 978-1-559-63587-5

Thomas, D. R. (2006). A general inductive approach for analysing qualitative evaluation data. *American journal of evaluation*, *27*(2), 237-246.

Treisman, D. (2007). *The architecture of government: Rethinking political decentralization*. Cambridge University Press. ISBN 978-0-521-69382-0

Treue, T., Ngaga, Y. M., Meilby, H., Lund, J. F., Kajembe, G., Iddi, S., ... & Njana, M. A. (2014). Does participatory forest management promote sustainable forest utilisation in Tanzania?. *International Forestry Review*, *16*(1), 23-38.

Trubek, D. M., Garcia, H. A., Coutinho, D. R., Santos, A. (Eds.). (2013). *Law, state and the new developmentalism: An introduction*. Cambridge: Cambridge University Press. DOI: https://doi.org/10.1017/CBO9781139381888

Tsing, A. L., (2005). *Friction: an ethnography of global connection*. Princeton; Oxford: Princeton University Press. ISBN 978-0-691-12065-2

Turner, M., & Hulme, D. (1997). Decentralization within the state: Good theory but poor practice?. In: *Governance, Administration and Development*. London: Palgrave. https://doi.org/10.1007/978-1-349-25675-4_7

Tysiachniouk, M., & McDermott, C. L. (2016). Certification with Russian characteristics: Implications for social and environmental equity. *Forest Policy and Economics*, *62*, 43-53.

Utami, S. (2018, 5 Nov). Presiden Jokowi: Sudah saatnya Dana Desa tidak lagi untuk infrastruktur (President Jokowi: It is time for village funds to no longer be used for infrastructure. *KONTAN.CO.ID*. https://nasional.kontan.co.id/news/presiden-jokowi-sudah-saatnya-dana-desa-tidak-lagi-untuk-infrastruktur

Vel, J. (2016). Will the Village Law change rural Indonesia? *New Mandala*. Retrieved 18 Nov 2018 from https://www.newmandala.org/will-village-law-change-rural-indonesia/

Vel, J. A., & Bedner, A. W. (2015). Decentralisation and village governance in Indonesia: the return to the nagari and the 2014 Village Law. *The Journal of Legal Pluralism and Unofficial Law*, *47*(3), 493-507.

Vel, J., & Zakaria, Y. (2017). New law, old bureaucracy: Taking stock after two years of village law implementation. *Inside Indonesia*, *128*, Apr-Jun. Retrieved 18 Nov 2018 from https://www.insideindonesia.org/new-law-old-bureaucracy-2

Vel, J., Zakaria, Y., & Bedner, A. (2017a). Law-Making as a Strategy for Change. *Asian Journal of Law and Society*, *4*(2), 447-471.

Vel, J., Zakaria, Y., & Bedner, A. (2017b). Creating Indonesia's Village Law. *Inside Indonesia*. edn. 128: Apr-Jun 2017. Retrieved 21 Apr 2019 from https://www.insideindonesia.org/creating-indonesia-s-village-law-2

Village Law. (2014). Law of the Republic of Indonesia no.6 concerning Villages (Undang-undang Republik Indonesia nomor 6 Tahun 2014 tentang desa). file:///C:/Users/Acer/Desktop/Village%20Law%202014%20re-type/UU_2014_6%20Bahasa.pdf

Vu, T. (2007). State formation and the origins of developmental states in South Korea and Indonesia. *Studies in comparative international development*, *41*(4), 27-56.

Wahyudi, R. (2017). An Assessment of Village Funds: Creating Fiscal Incentive Mechanism in Aceh Province. Support to Indonesia's Climate Change Response Technical Assistance Component. Jakarta: SICCR-TAC.

file:///C:/Users/Acer/Desktop/2020%20PHD%20EDITS!%20Selesai!%20Dec9/pdf%20articles/Wahyudi,%202017%20Village%20Fund.pdf

Wall, C., & Overton, J. (2006). Unethical ethics? The challenges of conducting development research in Uzbekistan. *Development in Practice*, *16*(1), 62-67.

Warburton, E. (2016), Jokowi and the new developmentalism. *Bulletin of Indonesian Economic Studies*, *52*(3), 297–320.

Warburton, E. (2018). A new developmentalism in Indonesia?. *Journal of Southeast Asian Economies*, *35*(3), 355-368.

Warman, R. (2016). Decentralization and forestry in the Indonesian archipelago: beyond the Big Bang. *South East Asia Research*, *24*(1), 23-40.

Watts, J. D., Tacconi, L., Irawan, S., & Wijaya, A. H. (2019). Village transfers for the environment: Lessons from community-based development programs and the Village Fund. *Forest Policy and Economics*, *108*(C), 1-1. https://doi.org/10.1016/j.forpol.2019.01.008

Weiss, R. S. (2008). *Learning from strangers: The art and method of qualitative interview studies*. Simon and Schuster.com. ISBN 13 978-0684823126

Whatmore, S. (2003). Generating Materials. In (Eds.) M. Pryke, G. Rose, & S. Whatmore, (Eds.), *Using Social Theory: Thinking through research*, pp.89-104. London; Thousand Oaks; New Delhi: Sage Publications.

White, B. (2017). The Myth of the Harmonious Village. *Inside Indonesia*. Edn. 128: Apr-Jun 2017. Retrieved 5 Feb 2019 from https://www.insideindonesia.org/the-myth-of-the-harmonious-village

World Bank. (2015). *Indonesian Village governance under the new Village Law (2015-2018)*. Sentinel Villages Report No: AU0001377. World Bank. [Used in Chap 5 Sep 2020] http://documents1.worldbank.org/curated/en/220661590726265687/pdf/Indonesian-Village-Governance-Under-the-New-Village-Law-2015-2018-Sentinel-Villages-Report.pdf

WWF. (2020). Heart of Borneo. https://www.wwf.org.my/about_wwf/what_we_do/forests_main/heart_of_borneo/

Wright, G. D., Andersson, K. P., Gibson, C. C., & Evans, T. P. (2016). Decentralization can help reduce deforestation when user groups engage with local government. *Proceedings of the National Academy of Sciences, 113*(52), 14958-14963.

Yanto, N. (2018, 26 Oct). *Kapuas Hulu DPMD holds village innovation exchange* (Bursa Inovasi Desa). Retrieved 11 Jan 2020 from http://infopublik.id/kategori/nusantara/306568/dpmd-kapuas-hulu-adakan-bursa-inovasi-desa

Young, R., (Ed.). (1981). *Untying the text: a post-structural anthology*. Boston: Routledge & Kegan Paul. ISBN 071000804X

Yuliani, E. L. (2004, April). *Decentralisation, deconcentration and devolution: What do they mean?* In Interlaken Workshop on decentralization (27-30). Interlaken, Switzerland: CIFOR. http://www.cifor.org/publications/pdf_files/interlaken/Compilation.pdf

Yuliana, M. 2013. Desa kini dan masa depan dalam sudut pandang sisi dilematis UU Desa (Present and future village around the corner view of the dilemma of the Constitution). Available at https://www.academia.edu

Yuwono, M., Marhaeni, H., Krismawati, Masfufah, Suryaningsih, T., Naim, A., Prastiwi, D., Cahyaningtyas, A., Triana, D., Suchaini, U., Nurcahyo, E., Helaw, T., Tenrisana, A., Jamilah, & Astutiningsih, S. (2018). *Indeks Pembangunan Desa.* Badan Pusat Statistik (Village Development Index. Central Bureau of Statistics. Retrieved 5 Feb 2019 from https://www.bps.go.id/publication/2019/05/09/4edae4bd6c18d24b1b4273fe/indeks-pembangunan-desa-2018.html

Yusfita, R. (2019, 9 Oct). BUMDes properly manages village forests, Permendes supports the community to use village funds to manage forests (BUMDes tepat kelola hutan desa, permendes dukung masyarakat manfaatkan Dana Desa untuk kelola hutan). *Tribun Padang*. Retrieved 11 Jan 2020 from

https://padang.tribunnews.com/2019/10/09/bumdes-tepat-kelola-hutan-desapermendes-dukung-masyarakat-manfaatkan-dana-desa-untuk-kelola-hutan

Zachariadis, M. Scott., & Barrett, M. (2013). Methodological implications of critical realism for mixed-methods research. *MIS quarterly*, 855-879.

Zakaria, R. Y. (2000). *Abih tandeh: masyarakat desa di bawah rejim Orde Baru*. Lembaga Studi dan Advokasi Masyarakat (Village people under the New Order regime). Jakarta: Elsam. ISBN/ISSN 979-8981-15-5

Zakaria, Y. (2017, 26 Jan). After the Customary Forest Recognition. *The Jakarta Post.* Retrieved 18 Nov, 2018 from https://www.thejakartapost.com/academia/2017/01/26/after-the-customary-forest-recognition.html

Zakaria, Y., & Simarmata, R. (2017). Perspektif inklusi sosial dalam UU nomor 6 tahun 2014 tentang desa: kebijakan dan tantangan implementasi (social inclusion perspective in Law no.6/2014 on villages: Policy and implementation challenges). *Jurnal Transformasi Sosial*, *37*(1), 7-27.

Zachariadis, M., Scott, S., & Barrett, M. (2013). Methodological implications of critical realism for mixed-methods research. *MIS quarterly*, *37*(3), 855-879.

Appendix A

Study Villages

1. **Huma Wangi = HuWa** *Sub-villages* a. Balai Kecil b. Huma Besar c. Bukit Tukau	2. **Nanga Kantu = NaKa** *Sub-villages:* a. Kantu Hilir b. Kantu Tenga c. Nanga Putih
3. **Sungai Sebilik = SuSe** *Sub-villages* a. Bidang Baru b. Sungai Sebilik (proper) *Sub-villages* (1) Bunga (2) Pinggir Jalan (3) Padang Bersih	4. **Makai Nyamai = MaNya** *Sub-villages* a. Mayao b. Ladang Bergulir c. Tembawang

Village-level Interview Reference List

In-Text Abbreviation:	**Full Interviewee Reference:**	**Sub-village:**
KeDes HuWa, 2018	Huma Wangi Village Head, 2018	Bukit Tukau
PemDes HuWa 1, 2018	Huma Wangi Village Official 1, 2018	Huma Besar
PemDes HuWa 2, 2018	Huma Wangi Village Official 2, 2018	Huma Besar
PemDes HuWa 3, 2018	Huma Wangi Village Official 3, 2018	Huma Besar
PemDes HuWa 4, 2018	Huma Wangi Village Official 4, 2018	Bukit Tukau
KeBPD HuWa	Huma Wangi Village Council Head, 2018	Balai Kecil
BPD HuWa 1	Huma Wangi Village Council Member 1, 2018	Bukit Tukau
BPD HuWa 2	Huma Wangi Village Council Member 2, 2018	Huma Besar
KeDus HuWa 1	Huma Wangi Sub-village Head 1, 2018	Huma Besar
KeDus HuWa 2	Huma Wangi Sub-village Head 2, 2018	Balai Kecil
KeDus HuWa 3	Huma Wangi Sub-village Head 3, 2018	Bukit Tukau
KeAdDes HuWa	Huma Wangi Adat Village Head, 2018	Huma Besar
KeAdDus HuWa	Huma Wangi Adat Sub-Village Head, 2018	Huma Besar
KeRT HuWa 1	Huma Wangi Neighbourhood Head 1, 2018	Bukit Tukau
KeRT HuWa 2	Huma Wangi Neighbourhood Head 1 2018	Huma Wangi
Masy Group HuWa 1	Huma Wangi Community Meeting 1, 2018	Huma Besar
Masy Group HuWa 2	Huma Wangi Community Meeting 2, 2018	Balai Kecil
Masy HuWa 1	Huma Wangi Villager 1, 2018	Huma Besar
Masy HuWa 2	Huma Wangi Villager 2, 2018	Huma Besar
Masy HuWa 3	Huma Wangi Villager 3, 2018	Huma Besar

Masy HuWa 4	Huma Wangi Villager 4, 2018	Huma Besar
Masy HuWa 5	Huma Wangi Villager 5, 2018	Huma Besar
Masy HuWa 6	Huma Wangi Villager 6, 2018	Huma Besar
Masy HuWa 7	Huma Wangi Villager 7, 2018	Huma Besar
Masy HuWa 8	Huma Wangi Villager 8, 2018	Huma Besar
Masy HuWa 9	Huma Wangi Villager 9, 2018	Huma Besar
Masy HuWa 10	Huma Wangi Villager 10, 2018	Huma Besar
Masy HuWa 11	Huma Wangi Villager 11, 2018	Huma Besar
Masy HuWa 12	Huma Wangi Villager 12, 2018	Huma Besar
Masy HuWa 13	Huma Wangi Villager 13, 2018	Huma Besar
Masy HuWa 14	Huma Wangi Villager 14, 2018	Huma Besar
Masy HuWa 15	Huma Wangi Villager 15, 2018	Balai Kecil
Masy HuWa 16	Huma Wangi Villager 16, 2018	Balai Kecil
Masy HuWa 17	Huma Wangi Villager 17, 2018	Balai Kecil
Masy HuWa 18	Huma Wangi Villager 18, 2018	Huma Besar
Masy HuWa 19	Huma Wangi Villager 19, 2018	Huma Besar
Masy HuWa 20	Huma Wangi Villager 20, 2018	Huma Besar
Masy HuWa 21	Huma Wangi Villager 21, 2018	Huma Besar
Masy HuWa 22	Huma Wangi Villager 22, 2018	Huma Besar
Masy HuWa 23	Huma Wangi Villager 23, 2018	Huma Besar
Masy HuWa 24	Huma Wangi Villager 24, 2018	Huma Besar
Masy HuWa 25	Huma Wangi Villager 25, 2018	Huma Besar
Masy HuWa 26	Huma Wangi Villager 26, 2018	Huma Besar
Masy HuWa 27	Huma Wangi Villager 27, 2018	Bukit Tukau
Masy HuWa 28	Huma Wangi Villager 28, 2018	Bukit Tukau
Masy HuWa 29	Huma Wangi Villager 29, 2018	Bukit Tukau
Masy HuWa 30	Huma Wangi Villager 30, 2018	Bukit Tukau
Masy HuWa 31	Huma Wangi Villager 31, 2018	Bukit Tukau
KeDes NaKa	Nanga Kantu Village Head, 2018	Kantu Hilir
PemDes NaKa 1	Nanga Kantu Village Official 1, 2018	Kantu Hilir
PemDes NaKa 2	Nanga Kantu Village Official 2, 2018	Kantu Hilir
PemDes NaKa 3	Nanga Kantu Village Official 3, 2018	Kantu Tenga
PemDes NaKa 4	Nanga Kantu Village Official 4, 2018	Nanga Putih
PemDes NaKa 5	Nanga Kantu Village Official 5, 2018	Kantu Hilir
PemDes NaKa 6	Nanga Kantu Village Official 6, 2018	Kantu Tenga
KeBPD NaKa	Nanga Kantu Village Council Head, 2018	Kantu Tenga
BPD NaKa 1	Nanga Kantu Village Council Member 1, 2018	Kantu Hilir
BPD NaKa 2	Nanga Kantu Village Council Member 2, 2018	Kantu Hilir
BPD NaKa 3	Nanga Kantu Village Council Member 3, 2018	Nanga Putih
KeDus NaKa 1	Nanga Kantu Sub-Village Head 1, 2018	Kantu Tenga
KeDus NaKa 2	Nanga Kantu Sub-Village Head 2, 2018	Nanga Putih
KeDus NaKa 3	Nanga Kantu Sub-Village Head 3, 2018	Kantu Hilir
KeAdDus NaKa 1	Nanga Kantu Adat Sub-Village Head 1, 2018	Kantu Hilir

KeAdDus NaKa 2	Nanga Kantu Adat Sub-Village Head 2, 2018	Nanga Putih
KeAdDus NaKa 3	Nanga Kantu Adat Sub-Village Head 3, 2018	Kantu Tenga
KeRT NaKa 1	Nanga Kantu Neighbourhood Head 1, 2018	Kantu Tenga
KeKPP NaKa	Nanga Kantu Farmers Group Head, 2018	Kantu Tenga
KeLPM NaKa	Nanga Kantu Community Empowerment Head, 2018	Kantu Tenga
Masy Group NaKa 1	Nanga Kantu Community Meeting 1, 2018	Kantu Tenga
Masy Group NaKa 2	Nanga Kantu Community Meeting 2, 2018	Nanga Putih
Masy NaKa 1	Nanga Kantu Villager 1, 2018	Kantu Tenga
Masy NaKa 2	Nanga Kantu Villager 2, 2018	Kantu Tenga
Masy NaKa 3	Nanga Kantu Villager 3, 2018	Kantu Tenga
Masy NaKa 4	Nanga Kantu Villager 4, 2018	Kantu Tenga
Masy NaKa 5	Nanga Kantu Villager 5, 2018	Kantu Tenga
Masy NaKa 6	Nanga Kantu Villager 6, 2018	Kantu Tenga
Masy NaKa 7	Nanga Kantu Villager 7, 2018	Kantu Tenga
Masy NaKa 8	Nanga Kantu Villager 8, 2018	Kantu Tenga
Masy NaKa 9	Nanga Kantu Villager 9, 2018	Kantu Tenga
Masy NaKa 10	Nanga Kantu Villager 10, 2018	Kantu Tenga
Masy NaKa 11	Nanga Kantu Villager 11, 2018	Kantu Tenga
Masy NaKa 12	Nanga Kantu Villager 12, 2018	Kantu Tenga
Masy NaKa 13	Nanga Kantu Villager 13, 2018	Kantu Tenga
Masy NaKa 14	Nanga Kantu Villager 14, 2018	Kantu Hilir
Masy NaKa 15	Nanga Kantu Villager 15, 2018	Kantu Hilir
Masy NaKa 16	Nanga Kantu Villager 16, 2018	Kantu Hilir
Masy NaKa 17	Nanga Kantu Villager 17, 2018	Kantu Hilir
Masy NaKa 18	Nanga Kantu Villager 18, 2018	Kantu Hilir
Masy NaKa 19	Nanga Kantu Villager 19, 2018	Kantu Hilir
Masy NaKa 20	Nanga Kantu Villager 20, 2018	Kantu Hilir
Masy NaKa 21	Nanga Kantu Villager 21, 2018	Kantu Hilir
Masy NaKa 22	Nanga Kantu Villager 22, 2018	Kantu Hilir
Masy NaKa 23	Nanga Kantu Villager 23, 2018	Kantu Hilir
Masy NaKa 24	Nanga Kantu Villager 24, 2018	Kantu Hilir
Masy NaKa 25	Nanga Kantu Villager 25, 2018	Kantu Hilir
Masy NaKa 26	Nanga Kantu Villager 26, 2018	Kantu Hilir
Masy NaKa 27	Nanga Kantu Villager 27, 2018	Kantu Hilir
Masy NaKa 28	Nanga Kantu Villager 28, 2018	Nanga Putih
Masy NaKa 29	Nanga Kantu Villager 29, 2018	Nanga Putih
Masy NaKa 30	Nanga Kantu Villager 30, 2018	Nanga Putih
Masy NaKa 31	Nanga Kantu Villager 31, 2018	Nanga Putih
Masy NaKa 32	Nanga Kantu Villager 32, 2018	Nanga Putih
Masy NaKa 33	Nanga Kantu Villager 33, 2018	Nanga Putih
Masy NaKa 34	Nanga Kantu Villager 34, 2018	Nanga Putih
Masy NaKa 35	Nanga Kantu Villager 35, 2018	Nanga Putih

KeDes SuSe	Sungai Sebilik Village Head, 2018	Pinggir Jalan
PemDes SuSe 1	Sungai Sebilik Village Official 1, 2018	Padang Bersih
PemDes SuSe 2	Sungai Sebilik Village Official 2, 2018	Bidang Baru
PemDes SuSe 3	Sungai Sebilik Village Official 3, 2018	Pinggir Jalan
PemDes SuSe 4	Sungai Sebilik Village Official 4, 2018	Bunga
PemDes SuSe 5	Sungai Sebilik Village Official 5, 2018	Bunga
KeBPD SuSe	Sungai Sebilik Village Council Head, 2018	Pinggir Jalan
BPD SuSe 1	Sungai Sebilik Village Council Member 1, 2018	Padang Bersih
BPD SuSe 2	Sungai Sebilik Village Council Member 2, 2018	Bidang Baru
BPD SuSe 3	Sungai Sebilik Village Council Member 3, 2018	Bunga
BPD SuSe 4	Sungai Sebilik Village Council Member 4, 2018	Pinggir Jalan
KeDus SuSe 1	Sungai Sebilik Sub-Village Head 1, 2018	Pinggir Jalan
KeDus SuSe 2	Sungai Sebilik Sub-Village Head 1, 2018	Bunga
KeDus SuSe 3	Sungai Sebilik Sub-Village Head 1, 2018	Padang Bersih
KeDus SuSe 4	Sungai Sebilik Sub-Village Head 1, 2018	Bidang Baru
KeAdDus SuSe	Sungai Sebilik Adat Sub-Village Head, 2018	Pinggir Jalan
RT SuSe 1	Sungai Sebilik Neighbourhood Head 1, 2018	Padang Bersih
RT SuSe 2	Sungai Sebilik Neighbourhood Head 2, 2018	Pinggir Jalan
KeKPP SuSe	Sungai Sebilik Farmers Group Head, 2018	Padang Bersih
BumDes SuSe 1	Sungai Sebilik Cooperative Staff 1, 2018	Pinggir Jalan
BumDes SuSe 2	Sungai Sebilik Cooperative Staff 1, 2018	Pinggir Jalan
BumDes SuSe 3	Sungai Sebilik Cooperative Staff 1, 2018	Padang Bersih
PKK SuSe 1	Sungai Sebilik Women's Group Leader 1, 2018	Padang Bersih
PKK SuSe 2	Sungai Sebilik Women's Group Leader 2, 2018	Pinggir Jalan
Masy SuSe 1	Sungai Sebilik Villager 1, 2018	Pinggir Jalan
Masy SuSe 2	Sungai Sebilik Villager 2, 2018	Pinggir Jalan
Masy SuSe 3	Sungai Sebilik Villager 3, 2018	Pinggir Jalan
Masy SuSe 4	Sungai Sebilik Villager 4, 2018	Padang Bersih
Masy SuSe 5	Sungai Sebilik Villager 5, 2018	Padang Bersih
Masy SuSe 6	Sungai Sebilik Villager 6, 2018	Padang Bersih
Masy SuSe 7	Sungai Sebilik Villager 7, 2018	Padang Bersih
KeDes MaNya	Makai Nyamai Village Head, 2018	Mayao
PemDes MaNya 1	Makai Nyamai Village Official 1, 2018	Tembawang
PemDes MaNya 2	Makai Nyamai Village Official 2, 2018	Mayao
PemDes MaNya 3	Makai Nyamai Village Official 3, 2018	Tembawang
PemDes MaNya 4	Makai Nyamai Village Official 4, 2018	Mayao
KeBPD MaNya	Makai Nyamai Village Council Head, 2018	Mayao
BPD MaNya 1	Makai Nyamai Village Council Member 1, 2018	Tembawang
BPD MaNya 2	Makai Nyamai Village Council Member 2, 2018	Ladang Bergulir
BPD MaNya 3	Makai Nyamai Village Council Member 3, 2018	Tembawang
BPD MaNya 4	Makai Nyamai Village Council Member 4, 2018	Mayao
KeDus MaNya 1	Makai Nyamai Sub-Village Head 1, 2018	Mayao
KeDus MaNya 2	Makai Nyamai Sub-Village Head 2, 2018	Tembawang

KeDus MaNya 3	Makai Nyamai Sub-Village Head 3, 2018	Ladang Bergulir
KeAdDus MaNya 1	Makai Nyamai Adat Sub-Village Head 1, 2018	Tembawang
KeAdDus MaNya 2	Makai Nyamai Adat Sub-Village Head 2, 2018	Ladang Bergulir
KeRT MaNya1	Makai Nyamai Neighbourhood Head 1	Tembawang
KeRT MaNya 2	Makai Nyamai Neighbourhood Head 2	Mayao
KeLPM MaNya	Makai Nyamai Community Empowerment Head, 2018	Mayao
DesFacilitator MaNya	Makai Nyamai ForClime Village Facilitator	Mayao
BumDes MaNya	Makai Nyamai Village Cooperative Staff	Ladang Bergulir
KeLPHD MaNya	Makai Nyamai Hutan Desa Management Head	Mayao
PKK MaNya	Makai Nyamai Women's Group Leader	Mayao
Masy MaNya 1	Makai Nyamai Villager 1, 2018	Mayao
Masy MaNya 2	Makai Nyamai Villager 2, 2018	Mayao
Masy MaNya 3	Makai Nyamai Villager 3, 2018	Mayao
Masy MaNya 4	Makai Nyamai Villager 4, 2018	Mayao
Masy MaNya 5	Makai Nyamai Villager 5, 2018	Mayao
Masy MaNya 6	Makai Nyamai Villager 6, 2018	Mayao
Masy MaNya 7	Makai Nyamai Villager 7, 2018	Mayao
Masy MaNya 8	Makai Nyamai Villager 8, 2018	Mayao
Masy MaNya 9	Makai Nyamai Villager 9, 2018	Mayao
Masy MaNya 10	Makai Nyamai Villager 10, 2018	Tembawang
Masy MaNya 11	Makai Nyamai Villager 11, 2018	Tembawang
Masy MaNya 12	Makai Nyamai Villager 12, 2018	Tembawang
Masy MaNya 13	Makai Nyamai Villager 13, 2018	Tembawang
Masy MaNya 14	Makai Nyamai Villager 14, 2018	Tembawang
Masy MaNya 15	Makai Nyamai Villager 15, 2018	Tembawang
Masy MaNya 16	Makai Nyamai Villager 16, 2018	Ladang Bergulir
Masy MaNya 17	Makai Nyamai Villager 17, 2018	Ladang Bergulir
Masy MaNya 18	Makai Nyamai Villager 18, 2018	Ladang Bergulir
Masy MaNya 19	Makai Nyamai Villager 19, 2018	Ladang Bergulir
Masy MaNya 20	Makai Nyamai Villager 20, 2018	Ladang Bergulir
Masy MaNya 21	Makai Nyamai Villager 21, 2018	Ladang Bergulir
Masy MaNya 22	Makai Nyamai Villager 22, 2018	Ladang Bergulir
Masy MaNya 23	Makai Nyamai Villager 23, 2018	Ladang Bergulir
KeDus SebLel	Seberuang Lelam Sub-Village Head, 2017	Seberuang Lelam

Other Interviews Reference List:

Jakarta Politician	Jakarta Politician, 2018
Jakarta NGO 1	Jakarta NGO Head 1, 2018
Jakarta NGO 2	Jakarta NGO Head 2, 2018
Jakarta Academic 1	Jakarta Academic 1, 2018
Jakarta Academic 2	Jakarta Academic 2, 2018
Jakarta KemDes Official	Jakarta Ministry of Villages Official, 2018
Jakarta KemDalam Official	Jakarta Ministry of the Interior Official, 2018
Pontianak Governor	Pontianak Governor, 2018
Pontianak NGO 1	Pontianak NGO Head 1, 2018
Pontianak NGO 2	Pontianak NGO Head 2, 2018
Pontianak NGO 4	Pontianak NGO Head 4, 2018
Pontianak ComEm	West Kalimantan Head of the Community and Village Empowerment Services
KH Head	Kapuas Hulu District Head
KH Tourism Official	Kapuas Hulu Tourism Official, 2018
KH DPMD Head	Kapuas Hulu Department of Village Community Empowerment Head 4, 2018
KH DPMD Official 1	Kapuas Hulu Department of Village Community Empowerment Official 1, 2018
KH DPMD Official 2	Kapuas Hulu Department of Village Community Empowerment Official 2, 2018
KH DPMD Official 3	Kapuas Hulu Department of Village Community Empowerment Official 3, 2018
KH DPMD Official 4	Kapuas Hulu Department of Village Community Empowerment Official 4, 2018
KH NGO 1	Kapuas Hulu NGO Head 1, 2018
KH TA 1	Kapuas Hulu District-level Village Facilitator 1, 2018
KH TA 2	Kapuas Hulu District-level Village Facilitator 2, 2018
Kec Head	Kapuas Hulu Sub-district Head, 2018
Ked Official 1	Kapuas Hulu Sub-district Official 1, 2018

Kec Official 2	Kapuas Hulu Sub-district Official 2, 2018
PendDes 1	Kapuas Hulu Sub-district Level Village Facilitator 1, 2018
PendDes 2	Kapuas Hulu Sub-district Level Village Facilitator 2, 2018
PendLok 1	Kapuas Hulu Village-Level Village Facilitator 1, 2018
PendLok 2	Kapuas Hulu Village-Level Village Facilitator 2, 2018
PendLok 3	Kapuas Hulu Village-Level Village Facilitator 3, 2018
PendLok 4	Kapuas Hulu Village-Level Village Facilitator 4, 2018
Jakarta Ministry of Forestry Official	Jakarta Ministry of Forestry Official, 2018
KeDinas Kehutanan	West Kalimantan Department of Forestry Head, 2018
Dinas Kehutanan 1	West Kalimantan Department of Forestry Official 1, 2018
Dinas Kehutanan 2	West Kalimantan Department of Forestry Official 2, 2018
ForClime 1	ForClime Staff Member 1, 2018
ForClime 2	ForClime Staff Member 2, 2018
ForClime 3	ForClime Staff Member 3, 2018
ForClime TA	ForClime District-Level Facilitator, 2018

Appendix B

The Village Law no.6 2014, (in Bahasa Indonesia)

Translation from: file:///C:/Users/Acer/Desktop/Village%20Law%202014%20re-type/UU_2014_6%20Bahasa.pdf

UNDANG-UNDANG REPUBLIK INDONESIA

NOMOR 6 TAHUN 2014

TENTANG

DESA DENGAN RAHMAT TUHAN YANG MAHA ESA

PRESIDEN REPUBLIK INDONESIA,

Menimbang:

a. Bahwa Desa memiliki hak asal usul dan hak tradisional Dalam mengatur dan mengurus kepentingan masyarakat setempat dan berperan mewujudkan cita-cita kemerdekaan berdasakan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;
b. Bahwa Dalam perjalanan ketatanegaraan Republik Indonesia, Desa telah berkembang Dalam berbagai bentuk sehingga perlu dilindungi dan diberdayakan agar menjadi kuat, maju, mandiri, dan demokratis sehingga dapat menciptakan landasan yang kuat Dalam melaksanakan pemerintahan dan pembangunan menuju masyarakat yang adil, Makmur, dan sejahtera;
c. Bahwa Desa Dalam susunan dan tata cara penyelenggaraan pemerintahan dan pembangunan perlu diatur tersendiri dengan undang-undang;
d. Bahwa berdasarkan pertimbangan sebagaimana dimaksud Dalam huruf a, huruf b, dan huruf c perlu membentuk Undang-Undang tentang Desa;

Mengingat:

Pasal 5 ayat (2), Pasal 18B ayat (2), Pasal 20, dan Pasal 22D ayat (2) Undang-Undang Dasar Negara Republik Indonesia Tahun 1945;

Dengan Persetujuan Bersama

DEWAN PERWAKILAN RAKYAT REPUBLIK INDONESIA

dan

PRESIDEN REPUBLIK INDONESIA

MEMUTUSKAN:

Menetapkan: UNDANG-UNDANG TENTANG DESA.

BAB I
KETENTUAN UMUM

Pasal 1

Dalam Undang-Undang ini yang dimaksud dengan:

1. Desa adalah desa dan desa adat atau yang disebut dengan nama lain, selanjutnya disebut Desa, adalah kesatuan masyarakat hukum yang memiliki batas wilayah yang berwenang untuk mengatur dan mengurus urusan pemerintahan, kepentingan masyarakat setempat berdasakan prakarsa masyarakat, hak asal usul, dan/atau hak tradisional yang diakui dan dihormati Dalam sistem pemerintahan Negara Kesatuan Republik Indonesia.
2. Pemerintahan Desa adalah penyelenggaraan urusan pemerintahan dean kepentingan masyarakat setempat Dalam sistem pemerintahan Negara Kesatuan Republik Indonesia.
3. Pemerintah Desa adalah Kepala Desa atau yang disebut dengan nama lain dibantu perangkat Desa sebagai unsur penyelenggara Pemerintahan Desa.
4. Badan Permusyawaratan Desa atau yang disebut dengan nama lain adalah lembaga yang melaksanakan fungsi pemerintahan yang anggotanya merupakan wakil dari penduduk Desa berdasakan keterwakilan wilayah dan ditetapkan secara demokratis.
5. Musyawarah Desa atau yang disebut dengan nama lain adalah musyawarah antara Badan Permusyawaratan Desa, Pemerintah Desa, dan unsur masyarakat yang diselenggarakan oleh Badan Permusyawaratan Desa untuk menyepakati hal yang bersifat strategis.
6. Badan Usaha Milik Desa, yang selanjutnya disebut BUM Desa, adalah badan usaha yang seluruh atau sebagian besar modalnya dimiliki oleh Desa melalui penyertaan secara langsung yang berasal dari kekayaan Desa yang dipisahkan guna mengelola asset, jasa Pelayanan, dan usaha lainnya untuk sebesarl-besarnya kesejahteraan masyarakat Desa.
7. Peraturan Desa adalah peraturan perundang-undang yant ditetapkan oleh Kepala Desa setelah dibahas dan disepakati bersama Badan Permusyawaratan Desa.
8. Pembangunan Desa adalah upaya peningkatan kualitas hidup dan kehidupan untuk sebesar-besarnya kesejahteraan masyarakat Desa.
9. Kawasan Perdesaan adalah kawasan yang mempunyai Kegiatan utama Pertanian, termasuk pengelolaan sumber daya alam dengan susunan fungsi kawasan sebagai tempat permukiman peresaan, Pelayanan jasa pemerintahan, Pelayanan sosial, dan Kegiatan ekonomi.
10. Keuangan Desa adalah semua hak dan kewajiban Desa yang dapat dinilai dengan uang serta segala sesuatu berupa uang dan barang yang berhubungan dengan pelaksanaan hak dan kewajiban Desa.
11. Aset Desa adalah barang milik Desa yang berasal dari kekayaan asli Desa, dibeli atau diperoleh atas beban Anggaran Pendapatan dan Belanja Desa atau perolehan hak lainnya yang sah.
12. Pemberdayaan Masyarakat Desa adalah upaya mengembangkan kemandirian dan kesejahteraan masyarakat dengan meningkatkan pengetahuan, sikap, keterampilan, perilaku, kemampuan, kesadaran, serta memanfaatkan sumber daya melalui penetapan kebijakan, program, Kegiatan, dan pendampingan yang sesuai dengan esensi masalah dan prioritas kebutuhan masyarakat Desa.
13. Pemerintah Pusat selanjutnya disebut Pemerintah adalah Presiden Republik Indonesia yang memegang kekuasaan pemerintahan negara Republik Indonesia sebagaimana dimaksud Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.

14. Pemerintahan Daerah adalah Pemerintah Daerah dan Dewan Perwakilan Rakyat Daerah yang menyelenggarakan urusan pemerintahan menurut asas otonomi dan tugas pembantuan dengan prinsip otonomi seluas-luasnya Dalam sistem dan prinsip Negara Kesatuan Republik Indonesia sebagaimana dimaksud Dalam Undang-Undang Dasar Negara Republik Indonesia Tahun 1945.
15. Pemerintah Daerah adalah Gubernur, Bupati, atau Walikota dan perangkat daerah sebagai unsur penyelenggara Pemerintahan Daerah.
16. Menteri adalah Menteri yang menangani Desa.

Pasal 2

Penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa dan pemberdayaan masyarakat Desa berdasarkan Pancasila, Undang-Unang Dasar Negara Republik Indonesia Tahun 1945, Negara Kesatuan Republik Indonesia dan Bhinneka Tunggal Ika.

Pasal 3

Pengaturan Desa berasaskan: [Village Regulation is based on:]

a. Rekognisi; [Recognition]
b. Subsidiaritas; [Subsidiarity (in politics) the principle that a central authority should have a subsidiary function, performing only those tasks which cannot be performed at a more local level.]
c. Keberagaman; [Diversity]
d. Kebersamaan; [Togetherness]
e. Kegotongroyongan; [Mutual cooperation]
f. Kekeluargaan; [Kinship or Family]
g. Musyawarah; [Discussion/Deliberation]
h. Demokrasi; [Democracy]
i. Kemandirian; [Independence]
j. Partisipasi; [Participation]
k. Kesetaraan; [Equality]
l. Pemberdayaan; dan [Empowerment]
m. Keberlanjutan. [Continuity/Sustainability]

Pasal 4

Pengaturan Desa bertujuan:

a. Memberikan pengakuan dan penghormatan atas Desa yang sudah ada dengan keberagamannya sebelum dan sesudah terbentuknya Negara Kesatuan Republik Indonesia;
b. Memberikan kejelasan status dan kepastian hukum atas Desa Dalam sistem ketatanegaraan Republik Indonesia demi mewujudkan keadilan bagi seluruh rakyat Indonesia;
c. Melestarikan dan memajukan adat, tradisi, dan budaya masyarakat Desa;
d. Mendorong prakarsa, Gerakan, dan partisipasi masyarakat Desa untuk pengembangan potensi dan Aset Desa guna kesejahteraan bersama;
e. Membentuk Pemerintahan Desa yang professional, efisien dan efektif, terbuka, serta bertanggung jawab;
f. Meningkatkan Pelayanan public bagi warga masyarakat Desa guna mempercepat perwujudan kesejahteraan umum;

g. Meningkatkan ketahanan sosial sebagai bagian dari ketahanan nasional;
h. Memajukan perekonomian masyarakat Desa serta mengatasi kesenjangan pembangunan nasional; dan
i. Memperkuat masyarakat Desa sebagai subjek pembangunan.

BAB II
KEDUDUKAN DAN JENIS DESA

Bagian Kesatu
Kedudukan

Pasal 5

Desa berkedudukan di wilayah Kabupaten/Kota.

Bagian Kedua
Jenis Desa

Pasal 6

(1) Desa terdiri atas Desa dan Desa Adat.
(2) Penyebutan Desa atau Desa Adat sebagaimana dimaksud pada ayat (1) disesuaikan dengan Penyebutan yang berlaku di daerah setempat.

BAB III
PENATAAN DESA

Pasal 7

(1) Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota dapat melakukan penataan Desa.
(2) Penataan sebagaimana dimaksud pada ayat (1) berdasarkan hasil evaluasi tingkat perkembangan Pemerintahan "Desa sesuai dengan ketentuan peraturan perundang-undangan.
(3) Penataan sebagaimana dimaksud pada ayat (1) bertujuan:
    a. Mewujudkan efektivitas Penyelenggaraan Pemerintahan Desa;
    b. Mempercepat peningkatan kesejahteraan masyarakat Desa;
    c. Mempercepat peningkatan kualitas Pelayanan public;
    d. Meningkatkan kualitas tata kelola Pemerintahan Desa; dan
    e. Meningkatkan daya saing Desa.
(4) Penataan sebagaimana dimaksud pada ayat (1) meliputi:
    a. Pembentukan; [Establishment]
    b. Penghapusan; [Deletion]
    c. Penggabungan; [Merger]
    d. Perubahan status; dan [Change in status]
    e. Penetapan Desa. [Village Determination]

Pasal 8

(1) Pembentukan Desa sebagaimana dimaksud Dalam Pasal 7 ayat (4) huruf a merupakan tindakan mengadakan Desa baru di luar Desa yang ada.

(2) Pembentukan Desa sebagaimana dimaksud pada ayat (1) ditetapkan dengan Peraturan Daerah Kabupaten/Kota dengan mempertimbangkan prakarsa masyarakat Desa, asal usul, adat istiadat, kondisi sosial budaya masyarakat Desa, serta kemampuan dan potensi Desa.
(3) Pembentukan Desa sebagaimana dimaksud pada ayat (1) harus memenuhi syarat:
    a. Batas usia Desa induk paling sedikit 5 (lima) tahun terhitung sejak Pembentukan;
    b. Jumlah penduduk, yaitu:
        1) Wilayah Jawa paling sedikit 6.000 (enam ribu) jiwa atau 1.200 (seribu dua ratus) kepala keluarga;
        2) Wilayah Bali paling sedikit 5.000 (lima ribu) jiwa atau 1.000 (seribu) kepala keluarga;
        3) Wilayah Sumatera paling sedikit 4.000 (empat ribu) jiwa atau 800 (delapan ratus) kepala keluarga;
        4) Wilayah Sulawesi Selatan dan Sulawesi Utara paling sedikit 3.000 (tiga ribu) jiwa atau 600 (enam ratus) kepala keluarga;
        5) Wilayah Nusa Tenggara Barat paling sedikit 2.500 (dua ribu lima ratus) jiwa atau 500 (lima ratus) kepala keluarga;
        6) Wilayah Sulawesi Tengah, Sulawesi Barat, Sulawesi Tenggara, Gorontalo, dan Kalimantan Selatan paling sedikit 2.000 (dua ribu) jiwa atau 400 (empat ratus) kepala keluarga;
        7) Wilayah Kalimantan Timur, Kalimantan Barat, Kalimantan Tengah, dan Kalimantan Utara paling sedikit 1.500 (seribu lima ratus) jiwa atau 300 (tiga ratus) kepala keluarga;
        8) Wilayah Nusa Tenggara Timur, Maluku, dan Maluku Utara paling sedikit 1.000 (seribu) jiwa atau 200 (dua ratus) kepala keluarga; dan
        9) Wilayah Papua dan Papua Barat paling sedikit 500 (lima ratus) jiwa atau 100 (serratus) kepala keluarga.
    c. Wilayah kerja yang memiliki akses transportasi antarwilayah;
    d. Sosial budaya yang dapat menciptakan kerukunan hidup bermasyarakat sesuai dengan adat istiadat Desa;
    e. Memiliki potensi yang meliputi sumber daya alam, sumber daya manusia, dan sumber daya ekonomi pendukung;
    f. Batas wilayah Desa yang dinyatakan Dalam bentuk peta Desa yang telah ditetapkan Dalam peraturan Bupati/Walikota;
    g. Sarana dan prasarana bagi Pemerintahan Desa dan Pelayanan public; dan
    h. Tersedianya dana operasional, penghasilan tetap, dan tunjangan lainnya bagi perangkat Pemerintah Desa sesuai dengan ketentuan peraturan perundang-undangan.
(4) Dalam wilayah Desa dibentuk dusun atau yang disebut dengan nama lain yang disesuaikan dengan asal usul, adat istiadat, dan nilai sosial budaya masyarakat Desa.
(5) Pembentukan Desa sebagaimana dimaksud pada ayat (1) dilakukan melalui Desa persiapan.
(6) Desa persiapan merupakan bagian dari wilayah Desa induk.
(7) Desa persiapan sebagaimana dimaksud pada ayat (5) dapat ditingkatkan statusnya menjadi Desa Dalam jangka waktu 1 (satu) sampai 3 (tiga) tahun.
(8) Peningkatan status sebagaimana dimaksud pada ayat (7) dilaksanakan berdasarkan hasil evaluasi.

Pasal 9

Desa dapat dihapus karena bencana alam dan/atau kepentingan program nasional yang strategis.

Pasal 10

Dua Desa atau lebih yang berbatasan dapat digabung menjadi Desa baru berdasarkan kesepakatan Desa yang bersangkutan dengan memperhatikan persyaratan yang ditentukan Dalam Undang-Undang ini.

Pasal 11

(1) Desa dapat berubah status menjadi kelurahan berdasarkan prakarsa Pemerintah Desa dan Badan Permusyawaratan Desa melalui Musyawarah Desa dengan memperhatikan saran dan pendapat masyarakat Desa.
(2) Seluruh barang milik Desa dan sumber pendapatan Desa yang berubah menjadi kelurahan sebagaimana dimaksud pada ayat (1) menjadi kekayaan/aset Pemerintah Daerah Kabupaten/Kota yang digunakan untuk meningkatkan kesejahteraan masyarakat di kelurahan tersebut dan pendanaan kelurahan dibebankan pada Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota.

Pasal 12

(1) Pemerintah Daerah Kabupaten/Kota dapat mengubah status kelurahan menjadi Desa berdasarkan prakarsa masyarakat dan memenuhi persyaratan yang ditentukan sesuai dengan ketentuan peraturan perundang-undangan.
(2) Kelurahan yang berubah status menjadi Desa, sarana dan prasarana menjadi milik Desa dan dikelola oleh Desa yang bersangkutan untuk kepentingan masyarakat Desa.
(3) Pendanaan Perubahan status kelurahan sebagaimana dimaksud pada ayat (1) dibebankan pada Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota.

Pasal 13

Pemerintah dapat memprakarsai Pembentukan Desa di kawasan yang bersifat khusus dan strategis bagi kepentingan nasional.

Pasal 14

Pembentukan, Penghapusan, Penggabungan, dan/atau Perubahan status Desa menjadi kelurahan sebagaimana dimaksud Dalam Pasal 8, Pasal 9, Pasal 10, dan Pasal 11 atau kelurahan menjadi Desa sebagaimana dimaksud Dalam Pasal 12 ditetapkan Dalam Peraturan Daerah.

Pasal 15

(1) Rancangan Peraturan Daerah tentang Pembentukan, Penghapusan, Penggabungan, dan/atau Perubahan status Desa menjadi kelurahan atau kelurahan menjadi Desa sebagaimana dimaksud Dalam Pasal 14 yang telah mendapatkan persetujuan bersama Bupati/Walikota dengan Dewan Perwakilan Rakyat Daerah diajukan kepada Gubernur.
(2) Gubernur melakukan evaluasi Rancangan Peraturan Daerah tentang Pembentukan, Penghapusan, Penggabungan, dan/atau Perubahan status Desa menjadi kelurahan atau kelurahan menjadi Desa sebagaimana dimaksud pada ayat (1) berdasarkan

urgensi, kepentingan nasional, kepentingan daerah, kepentingan masyarakat Desa, dan/atau peraturan perundang-undangan.

Pasal 16

(1) Gubernur menyatakan persetujuan terhadap Rancangan Peraturan Daerah sebagaimana dimaksud Dalam Pasal 15 paling lama 20 (dua puluh) hari setelah menerima Rancangan Peraturan Daerah.
(2) Dalam hal Gubernur membeikan persetujuan atas Rancangan Peraturan Daerah sebagaimana dimaksud pada ayat (1), Pemerintah Daerah sebagaimana dimaksud pada ayat (1), Pemerintah Daerah Kabupaten/Kota melakukan penyempurnaan dan Penetapan menjadi Peraturan Daerah paling lama 20 (dua puluh) hari.
(3) Dalam hal Gubernur menolak memberikan persetujuan terhadap Rancangan Peraturan Daerah sebagaimana dimaksud pada ayat (1), Rancangan Peraturan Daerah tersebut tidak dapat disahkan dan tidak dapat diajukan kembali Dalam waktu 5 (lima) tahun setelah penolakan oleh Gubernur.
(4) Dalam hal Gubernur tidak memberikan persetujuan atau tidak memberikan penolakan terhadap Rancangan Peraturan Daerah yang dimaksud Dalam Pasal 15 dalam jangka waktu sebagaimana dimaksud pada ayat (1), Bupati/Wakikota dapat mengesahkan Rancangan Peraturan Daerah tersebut serta sekretaris daerah mengundangkannya Dalam Lembaran Daerah.
(5) Dalam hal Bupati/Walikota tidak menetapkan Rancangan Peraturan Daerah yang telah disetujui oleh Gubernur, Rancangan Peraturan Daerah tersebut dalam jangka waktu 20 (dua puluh) hari setelah tanggal persetujuan Gubernur dinyatakan berlaku dengan sendirinya.

Pasal 17

(1) Peraturan Daerah Kabupaten/Kota tentang Pembentukan, Penghapusan, Penggabungan, dan Perubahan status Desa menjadi kelurahan atau kelurahan menjadi Desa diundangkan setelah mendapat nomor registrasi dari Gubernur dan kode Desa dari Menteri.
(2) Peraturan Daerah Kabupaten/Kota sebagaimana dimaksud pada ayat (1) disertai lampiran peta batas wilayah Desa.

BAB IV
KEWENANGAN DESA

Pasal 18

Kewenangan Desa meliputi kewenangan di bidang Penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa berdasarkan prakarsa masyarakat, hak asal usul, dan adat istiadat Desa.

Pasal 19

Kewenangan Desa meliputi:

a. Kewenangan berdasarkan hak asal usul;
b. Kewenangan lokal berskala Desa
c. Kewenangan yang ditugaskan oleh Pemerintah, Pemerintah Daerah Provinsi, atau Pemerintah Daerah Kabupaten/Kota; dan
d. Kewenangan lain yang ditugaskan oleh Pemerintah, Pemerintah Daerah Provinsi, atau Pemerintah Daerah Kabupaten/Kota sesuai dengan ketentuan peraturan perundang-undangan.

Pasal 20

Pelaksanaan kewenangan berdasarkan hak asal usul dan kewenangan lokal berskala Desa sebagaimana dimaksud dalam Pasal 19 huruf a dan huruf b diatur dan diurus oleh Desa.

Pasal 21

Pelaksanaan kewenangan yang ditugaskan dan pelaksanaan kewenangan tugas lain dari Pemerintah, Pemerintah Daerah Provinsi, atau Pemerintah Daerah Kabupaten/Kota sebagaimana dimaksud dalam Pasal 19 huruf c dan huruf d diurus oleh Desa.

Pasal 22

(1) Penugasan dari Pemerintah dan/atau Pemerintah Daerah kepada Desa meliputi penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa.
(2) Penugasan sebagaimana dimaksud pada ayat (1) disertai biaya.

BAB V
PENYELENGGARAAN PEMERINTAHAN DESA

Pasal 23

Pemerintahan Desa diselenggarakan oleh Pemerintah Desa.

Pasal 24

Penyelenggaraan Pemerintahan Desa berdasarkan asas:

a. Kepastian hukum;
b. Tertib penyelenggaraan pemerintahan;
c. Tertib kepentingan umum;
d. Keterbukaan;
e. Proporsionalitas;
f. Profesionalitas;
g. Akuntabilitas;
h. Efektivitas dan efisiensi;
i. Kearifan lokal;
j. Keberagaman; dan
k. Partisipatif

Bagian Kesatu
Pemerintah Desa

Pasal 25

Pemerintah Desa sebagaimana dimaksud dalam Pasal 23 adalah Kepala Desa atau yang disebut dengan nama lain dan yang dibantu oleh perangkat Desa atau yang disebut dengan nama lain.

Bagian Kedua
Kepala Desa

Pasal 26

(1) Kepala Desa bertugas menyelenggarakan Pemerintahan Desa, melaksanakan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa.

(2) Dalam melaksanakan tugas sebagaimana dimaksud pada ayat (1), Kepala Desa berwenang:
   a. Memimpin penyelenggaraan Pemerintahan Desa;
   b. Mengangkat dan memberhentikan perangkat Desa;
   c. Memegang kekuasaan pengelolaan Keuangan dan Aset Desa;
   d. Menetapkan Peraturan Desa;
   e. Menetapkan Anggaran Pendapatan dan Belanja Desa;
   f. Membina kehidupan masyarakat Desa;
   g. Membina ketenteraman dan ketertiban masyarakat Desa;
   h. Membina dan meningkatkan perekonomian Desa serta mengintegrasikannya agar mencapai perekonomian skala produktif untuk sebesar-besarnya kemakmuran masyarakat Desa;
   i. Mengembangkan sumber Pendapatan Desa;
   j. Mengusulkan dan menerima pelimpahan sebagian kekayaan negara guna meningkatkan kesejahteraan masyarakat Desa;
   k. Mengembangkan kehidupan sosial budaya masyarakat Desa;
   l. Memanfaatkan teknologi tepat guna;
   m. Mengoordinasikan Pembangunan Desa secara Partisipatif;
   n. Mewakili Desa di dalam dan di luar pengadilan atau menunjuk kuasa hukum untuk mewakilinya sesuai dengan ketentuan peraturan perundang-undangan; dan
   o. Melaksanakan wewenang lain sesuai dengan ketentuan peraturan perundang-undangan.

(3) Dalam melaksanakan tugas sebagaimana dimaksud pada ayat (1), Kepala Desa berhak:
   a. Mengusulkan struktur organisasi dan tata kerja Pemerintah Desa;
   b. Mengajukan Rancangan an menetapkan Peraturan Desa;
   c. Menerima penghasilan tetap setiap Bulan, tunjangan, dan penerimaan lainnya yang sah, serta mendapat jaminan kesehatan;
   d. Mendapatkan pelindungan hukum atas kebijakan yang dilaksanakan; dan
   e. Memberikan mandate pelaksanaan tugas dan kewajiban lainnya kepada perangkat Desa.

(4) Dalam melaksanakan tugas sebagaimana dimaksud pada ayat (1) Kepala Desa berkewajiban:
   a. Memegang teguh dan mengamalkan Pancasila, melaksanakan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, serta mempertahankan dan memelihara kebutuhan Negara Kesatuan Republik Indonesia, dan Bhinneka Tunggal Ika;
   b. Meningkatkan kesejahteraan masyarakat Desa;
   c. Memelihara ketenteraman dan ketertiban masyarakat Desa;
   d. Menaati dan menegakkan peraturan perundang-undangan;
   e. Melaksanakan kehidupan Demokrasi dan berkeadilan gender;
   f. Melaksanakan prinsip tata Pemerintahan Desa yang akuntabel, transparan, profesional, efektif dan efisien, bersih, serta bebas dari kolusi, Korupsi, dan nepotisme;
   g. Menjalin kerja sama dan koordinasi dengan seluruh pemangku kepentingan di Desa;
   h. Menyelenggarakan administrasi Pemerintahan Desa yang baik;
   i. Mengelola Keuangan dan Aset Desa;
   j. Melaksanakan urusan pemerintahan yang menjadi kewenangan Desa;

k. Menyelesaikan perselisihan masyarakat di Desa;
l. Mengembangkan perekonomian masyarakat Desa;
m. Membina dan Melestarikan nilai sosial budaya masyarakat Desa;
n. Memberdayakan masyarakat dan lembaga kemasyarakatan di Desa;
o. Mengembangkan potensi sumber daya alam dan Melestarikan lingkungan hidup; dan
p. Memberikan informasi kepada masyarakat Desa.

Pasal 27

Dalam melaksanakan tugas, kewenangan, hak, dan kewajiban sebagaimana dimaksud dalam Pasal 26, Kepala Desa wajib:

a. Menyampaikan laporan penyelenggaraan Pemerintahan Desa setiap akhir tahun anggaran kepada Bupati/Walikota;
b. Menyampaikan laporan penyelenggaraan Pemerintahan Desa pada akhir masa jabatan kepada Bupati/Walikota;
c. Memberikan laporan Keterangan penyelenggaraan pemerintahan secara tertulis kepada Badan Permusyawaratan Desa setiap akhir tahun anggaran; dan
d. Memberikan dan/atau menyebarkan informasi penyelenggaraan pemerintahan secara tertulis kepada masyarakat Desa setiap akhir tahun anggaran.

Pasal 28

(1) Kepala Desa yang tidak melaksanakan kewajiban sebagaimana dimaksud dalam Pasal 26 ayat (4) dan Pasal 27 dikenai sanksi administrative berupa teguran lisan dan/atau teguran tertulis.
(2) Dalam hal sanksi administrative sebagaimana dimaksud pada ayat (1) tidak dilaksanakan, dilakukan tindakan pemberhentian sementara dan dapat dilanjutkan dengan pemberhentian.

Pasal 29

Kepala Desa Dilarang:

a. Merugikan kepentingan umum;
b. Membuat keputusan yang menguntungkan diri sendiri, anggota keluarga, pihak lain, dan/atau golongan tertentu;
c. Menyalahgunakan wewenang, tugas, hak, dan/atau kewajibannya;
d. Melakukan tindakan diskriminatif terhadap warga dan/atau golongan masyarakat tertentu;
e. Melakukan tindakan meresahkan sekelompok masyarakat Desa;
f. Melakukan kolusi, Korupsi, dan nepotisme, menerima uang, barang, dan/atau jasa dari pihak lain yang dapat memengaruhi keputusan atau tindakan yang akan dilakukannya;
g. Menjadi pengurus partai politik;
h. Menjadi anggota dan/atau pengurus organisasi terlarang;
i. Merangkap jabatan sebagai ketua dan/atau anggota Badan Permusyawaratan Desa, anggota Dewan Perwakilan Rakyat Republik Indonesia, Dewan Perwakilan Daerah Republik Indonesia, Dewan Perwakilan Rakyat Daerah Provinsi atau Dewan Perwakilan Rakyat Daerah Kabupaten/Kota, dan jabatan lain yang ditentukan dalam peraturan perundangan-undangan;

j. Ikut serta dan/atau terlibat dalam kampanye pemilihan umum dan/atau pemilihan kepala daerah;
k. Melanggar sumpah/janji jabatan; dan
l. Meninggalkan tugas selama 30 (tiga puluh) hari kerja berturut-turut tanpa alasan yang jelas dan tidak dapat dipertanggungiawabkan.

Pasal 30

(1) Kepala Desa yang Melanggar larangan sebagaimana dimaksud dalam Pasal 29 dikenai sanksi administrative berupa teguran lisan dan/atau teguran tertulis.
(2) Dalam hal sanksi administrative sebagaimana dimaksud pada ayat (1) tidak dilaksanakan, dilakukan tindakan pemberhentian sementara dan dapat dilanjutkan dengan pemberhentian.

Bagian Ketiga
Pemilihan Kepala Desa

Pasal 31

(1) Pemilihan Kepala Desa dilaksanakan secara serentak di seluruh wilayah Kabupaten/Kota.
(2) Pemerintahan Daerah Kabupaten/Kota menetapkan kebijakan pelaksanaan pemilihan Kepala Desa secara serentak sebagaimana dimaksud pada ayat (1) dengan Peraturan Daerah Kabupaten/Kota.
(3) Ketentuan lebih lanjut mengenai tata cara pemilihan Kepala Desa serentak sebagaimana dimaksud pada ayat (1) dan ayat (2) diatur dengan atau berdasarkan Peraturan Pemerintah.

Pasal 32

(1) Badan Permusyawaratan Desa memberitahukan kepada Kepala Desa mengenai akan berakhirnya masa jabatan Kepala Desa mengenai akan berakhirnya masa jabatan Kepala Desa secara tertulis 6 (enam) Bulan sebelum masa jabatannya berakhir.
(2) Badan Permusyawaratan Desa Membentuk panitia pemilihan Kepala Desa.
(3) Panitia pemilihan Kepala Desa sebagaimana dimaksud pada ayat (2) bersifat mandiri dan tidak memihak.
(4) Panitia pemilihan Kepala Desa sebagaimana dimaksud pada ayat (3) terdiri atas unsur perangkat Desa, lembaga kemasyarakatan, dan tokoh masyarakat Desa.

Pasal 33

Calon Kepala Desa wajib memenuhi persyaratan:

a. Warga negara Republik Indonesia;
b. Bertakwa kepada Tuhan Yang Maha Esa;
c. Memegang teguh dan mengamalkan Pancasila, melaksanakan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, serta mempertahankan dan memelihara kebutuhan Negara Kesatuan Republik Indonesia dan Bhinneka Tunggal Ika;
d. Berpendidikan paling rendah tamat sekolah menengah pertama atau sederajat;
e. Berusia paling rendah 25 (dua puluh lima) tahun pada saat mendaftar;
f. Bersedia dicalonkan menjadi Kepala Desa;
g. Terdaftar sebagai penduduk dan bertempat tanggal di Desa setempat paling kurang 1 (satu) tahun sebelum pendaftaran;

h. Tidak sedang menjalani hukuman pidana penjara;
i. Tidak pernah dijatuhi pidana penjara berdasarkan putusan pengadilan yang telah mempunyai kekuatan hukum tetap karena melakukan tindak pidana yang diancam dengan pidana penjara paling singkat 5 (lima) tahun atau lebih, kecuali 5 (lima) tahun setelah selesai menjalani pidana penjara dan mengumumkan secara jujur dan terbuka kepada public bahwa yang bersangkutan pernah dipidana serta bukan sebagai pelaku kejahatan berulang-ulang;
j. Tidak sedang dicabut hak pilihnya sesuai dengan putusan pengadilan yang telah mempunyai kekuatan hukum tetap;
k. Berbadan sehat;
l. Tidak pernah sebagai Kepala Desa selama 3 (tiga) kali masa jabatan; dan
m. Syarat lain yang diatur dalam Peraturan Daerah.

Pasal 34

(1) Kepala Desa dipilih langsung oleh penduduk Desa.
(2) Pemilihan Kepala Desa bersifat langsung, umum, bebas, rahasia, jujur, dan adil.
(3) Pemilihan Kepala Desa dilaksanakan melalui tahap pencalonan, pemungutan suara, dan penetapan.
(4) Dalam melaksanakan pemilihan Kepala Desa sebagaimana dimaksud pada ayat (2), dibentuk panitia pemilihan Kepala Desa.
(5) Panitia pemilihan sebagaimana dimaksud pada ayat (4) bertugas mengadakan penjaringan dan penyaringan bakal calon berdasarkan persyaratan yang ditentukan, melaksanakan pemungutan suara, menetapkan calon Kepala Desa terpilih, dan melaporkan pelaksanaan pemilihan Kepala Desa.
(6) Biaya pemilihan Kepala Desa dibebankan pada Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota.

Pasal 35

Penduduk Desa sebagaimana dimaksud dalam Pasal 34 ayat (1) yang pada hari pemungutan suara pemilihan Kepala Desa sudah berumur 17 (tujuh belas) tahun atau sudah/pernah menikah ditetapkan sebagai pemilih.

Pasal 36

(1) Bakal calon Kepala Desa yang telah memenuhi persyaratan sebagaimana dimaksud dalam Pasal 33 ditetapkan sebagai calon Kepala Desa oleh panitia pemilihan Kepala Desa.
(2) Calon Kepala Desa yang telah ditetapkan sebagaimana dimaksud pada ayat (1) diumumkan kepada masyarakat Desa di tempat umum sesuai dengan kondisi sosial budaya masyarakat Desa.
(3) Calon Kepala Desa dapat melakukan kampanye sesuai dengan kondisi sosial budaya masyarakat Desa dan ketentuan peraturan perundang-undangan.

Pasal 37

(1) Calon Kepala Desa yang dinyatakan terpilih adalah calon yang memperoleh suara terbanyak.
(2) Panitia pemilihan Kepala Desa menetapkan calon Kepala Desa terpilih.
(3) Panitia pemilihan Kepala Desa Menyampaikan nama calon Kepala Desa terpilih kepada Badan Permusyawaratan Desa paling lama 7 (tujuh) hari setelah penetapan calon Kepala Desa terpilih sebagaimana dimaksud pada ayat (2.

(4) Badan Permusyawaratan Desa paling lama 7 (tujuh) hari setelah menerima laporan panitia pemilihan Menyampaikan nama calon Kepala Desa terpilih kepada Bupati/Walikota.
(5) Bupati/Walikota mengesahkan calon Kepala Desa terpilih sebagaimana dimaksud pada ayat (3) menjadi Kepala Desa paling lama 30 (tiga puluh) hari sejak tanggal diterimanya penyampaian hasil pemilihan dari panitia pemilihan Kepala Desa dalam bentuk keputusan Bupati/Walikota.
(6) Dalam hal terjadi perselisihan hasil pemilihan Kepala Desa, Bupati/Walikota wajib Menyelesaikan perselisihan dalam jangka waktu sebagaimana dimaksud pada ayat (5).

Pasal 38

(1) Calon Kepala Desa terpilih dilantik oleh Bupati/Walikota atau pejabat yang ditunjuk paling lama 3l0 (tiga Puluh) hari setelah penerbitan keputusan Bupati/Walikota.
(2) Sebelum memangku jabatannya, Kepala Desa terpilih bersumpah/berjanji.
(3) Sumpah/janji sebagaimana dimaksud pada ayat (2) sebagai berikut:

"Demi Allah/Tuhan, saya bersumpah/berjanji bahwa saya akan memenuhi kewajiban saya selaku Kepala Desa dengan sebaik-baiknya, sejujur-jujurnya, dan seadil-adilnya; bahwa saya akan selalu taat dalam mengamalkan dan mempertahankan Pancasila sebagai dasar negara; dan bahwa saya akan menegakkan kehidupan Demokrasi dan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 serta melaksanakan segala peraturan perundang-undangan dengan selurus-lurusnya yang berlaku bagi Desa, daerah, dan Negara Kesatuan Republik Indonesia".

Pasal 39

(1) Kepala Desa memegang jabatan selama 6 (enam) tahun terhitung sejak tanggal pelantikan.
(2) Kepala Desa sebagaimana dimaksud pada ayat (1) dapat menjabat paling banyak 3 (tiga) kali masa jabatan secara berturut-turut atau tidak secara berturut-turut.

Bagian Keempat
Pemberhentian kepala Desa

Pasal 40

(1) Kepala Desa berhenti karena:
    a. Meninggal dunia;
    b. Permintaan sendiri; atau
    c. Diberhentikan.
(2) Kepala Desa diberhentikan sebagaimana dimaksud pada ayat (1) huruf c karena:
    a. Berakhir masa jabatannya;
    b. Tidak dapat melaksanakan tugas secara berkelanjutan atau berhalangan tetap secara berturut-turut selama 6 (enam) bulan;
    c. Tidak lagi memenuhi syarat sebagai calon Kepala Desa; atau
    d. Melanggar larangan sebagai Kepala Desa.
(3) Pemberhentian Kepala Desa sebagaimana dimaksud pada ayat (1) ditetapkan oleh Bupati/Walikota.
(4) Ketentuan lebih lanjut mengenai pemberhentian Kepala Desa sebagaimana dimaksud pada ayat (1) diatur dalam Peraturan Pemerintah.

Pasal 41

Kepala Desa diberhentikan sementara oleh Bupati/Walikota setelah dinyatakan sebagai terdakwa yang diancam dengan pidana penjara paling singkat 5 (lima) tahun berdasarkan register perkara di pengadilan.

Pasal 42

Kepala Desa diberhentikan sementara oleh Bupati/Walikota setelah ditetapkan sebagai tersangka dalam tindak pidana Korupsi, terorisme, makar, dan/atau tindak pidana terhadap keamanan negara.

Pasal 43

Kepala Desa yang diberhentikan sementara sebagaimana dimaksud dalam Pasal 41 dan Pasal 42 diberhentikan oleh Bupati/Walikota setelah dinyatakan sebagai terpidana berdasarkan putusan pengadilan yang telah mempunyai kekuatan hukum tetap.

Pasal 44

(1) Kepala Desa yang diberhentikan sementara sebagaimana dimaksud dalam Pasal 41 dan Pasal 42 setelah melalui proses peradilan ternyata terbukti tidak bersalah berdasarkan putusan pengadilan yang telah mempunyai kekuatan hukum tetap, paling lama 30 (tiga puluh) hari sejak penetapan putusan pengadilan diterima oleh Kepala Desa, Bupati/Walikota merehabilitasi dan mengaktifkan kembali Kepala Desa yang bersangkutan sebagai Kepala Desa sampai dengan akhir masa jabatannya.
(2) Apabila Kepala Desa yang diberhentikan sementara sebagaimana dimaksud pada ayat (1) telah berakhir masa jabatannya, Bupati/Walikota harus merehabilitasi nama baik Kepala Desa yang bersangkutan.

Pasal 45

Dalam hal Kepala Desa diberhentikan sementara sebagaimana dimaksud dalam Pasal 41 dan Pasal 42, sekretaris Desa melaksanakan tugas dan kewajiban Kepala Desa sampai dengan adanya putusan pengadilan yang telah mempunyai kekuatan hukum tetap.

Pasal 46

(1) Dalam hal sisa masa jabatan Kepala Desa yang diberhentikan sebagaimana dimaksud dalam Pasal 43 tidak lebih dari 1 (satu) tahun, Bupati/Walikota Mengangkat pegawai negeri sipil dari Pemerintah Daerah Kabupaten/Kota sebagai penjabat Kepala Desa sampai dengan terpilihnya Kepala Desa.
(2) Penjabat Kepala Desa melaksanakan tugas, wewenang, kewajiban, dan hak Kepala Desa sebagaimana dimaksud dalam Pasal 26.

Pasal 47

(1) Dalam hal sisa masa jabatan Kepala Desa yang diberhentikan sebagaimana dimaksud dalam Pasal 43 lebih dari 1 (satu) tahun, Bupati/Walikota Mengangkat pegawai negeri sipil dari Pemerintah Daerah Kabupaten/Kota sebagai penjabat Kepala Desa.
(2) Penjabat Kepala Desa sebagaimana dimaksud pada ayat (1) melaksanakan tugas, wewenang, kewajiban, dan hak Kepala Desa sebagaimana dimaksud dalam Pasal 26 sampai dengan ditetapkannya Kepala Desa.
(3) Kepala Desa sebagaimana dimaksud pada ayat (2) dipilih melalui Musyawarah Desa yang memenuhi persyaratan sebagaimana dimaksud dalam Pasal 33.

(4) Musyawarah Desa sebagaimana dimaksud pada ayat (3) dilaksanakan paling lama 6 (enam) bulan sejak Kepala Desa diberhentikan.
(5) Kepala Desa yang dipilih melalui Musyawarah Desa sebagaimana dimaksud pada ayat (3) melaksanakan tugas Kepala Desa sampai habis sisa masa jabatan Kepala Desa yang diberhentikan.
(6) Ketentuan lebih lanjut mengenai Musyawarah Desa sebagaimana dimaksud pada ayat (3) diatur dalam Peraturan Pemerintah.

Bagian Kelima
Perangkat Desa

Pasal 48

Perangkat Desa terdiri atas:

a. Secretariat Desa;
b. Pelaksana kewilayahan; dan
c. Pelaksana teknis.

Pasal 49

(1) Perangkat Desa sebagaimana dimaksud dalam Pasal 48 bertugas membantu Kepala Desa dalam melaksanakan tugas dan wewenangnya.
(2) Perangkat Desa sebagaimana dimaksud pada ayat (1) diangkat oleh Kepala Desa setelah dikonsultasikan dengan Camat atas nama Bupati/Walikota.
(3) Dalam melaksanakan tugas dan wewenangnya, perangkat Desa sebagaimana dimaksud pada ayat (1) bertanggung jawab kepada Kepala Desa.

Pasal 50

(1) Perangkat Desa sebagaimana dimaksud dalam Pasal 48 diangkat dari warga Desa yang memenuhi persyaratan:
    a. Berpendidikan paling rendah sekolah menengah umum atau yang sederajat;
    b. Berusia 20 (dua puluh) tahun sampai dengan 42 (empat puluh dua) tahun;
    c. Terdaftar sebagai penduduk Desa dan bertempat tanggal di Desa paling kurang 1 (satu) tahun sebelum pendaftaran; dan
    d. Syarat lain yang ditentukan dalam Peraturan Daerah Kabupaten/Kota.
(2) Ketentuan lebih lanjut mengenai perangkat Desa sebagaimana dimaksud dalam Pasal 48, Pasal 49, dan Pasal 50 ayat (1) diatur dalam Peraturan Daerah Kabupaten/Kota berdasarkan Peraturan Pemerintah.

Pasal 51

Perangkat Desa Dilarang:

a. Merugikan kepentingan umum;
b. Membuat keputusan yang menguntungkan diri sendiri, anggota keluarga, pihak lain, dan/atau golongan tertentu;
c. Menyalahgunakan wewenang, tugas, hak, dan/atau kewajibannya;
d. Melakukan tindakan diskriminatif terhadap warga dan/atau golongan masyarakat tertentu;
e. Melakukan tindakan meresahkan sekelompok masyarakat Desa;

f. Melakukan kolusi, Korupsi, dan nepotisme, menerima uang, barang, dan/atau jasa dari pihak lain yang dapat memengaruhi keputusan atau tindakan yang akan dilakukannya;
g. Menjadi pengurus partai politik;
h. Menjadi anggota dan/atau pengurus organisasi terlarang;
i. Merangkap jabatan sebagai ketua dan/atau anggota Badan Permusyawaratan Desa, anggota Dewan Perwakilan Rakyat Republik Indonesia, Dewan Perwakilan Daerah Republik Indonesia, Dewan Perwakilan Rakyat Daerah Provinsi atau Dewan Perwakilan Rakyat Daerah Kabupaten/Kota, dan jabatan lain yang ditentukan dalam peraturan perundangan-undangan;
j. Ikut serta dan/atau terlibat dalam kampanye pemilihan umum dan/atau pemilihan kepala daerah;
k. Melanggar sumpah/janji jabatan; dan
l. Meninggalkan tugas selama 60 (enam puluh) hari kerja berturut-turut tanpa alasan yang jelas dan tidak dapat dipertanggungjawabkan.

Pasal 52

(1) Perangkat Desa yang Melanggar larangan sebagaimana dimaksud dalam Pasal 51 dikenai sanksi administrative berupa teguran lisan dan/atau teguran tertulis.
(2) Dalam hal sanksi administrative sebagaimana dimaksud pada ayat (1) tidak dilaksanakan, dilakukan tindakan pemberhentian sementara dan dapat dilanjutkan dengan pemberhentian.

Pasal 53

(1) Perangkat Desa berhenti karena:
    a. Meninggal dunia;
    b. Permintaan sendiri; atau
    c. Diberhentikan.
(2) Perangkat Desa yang diberhentikan sebagaimana dimaksud pada ayat (1) huruf c karena:
    a. Usia telah genap 60 (enam puluh) tahun;
    b. Berhalangan tetap;
    c. Tidak lagi memenuhi syarat sebagai perangkat Desa; atau
    d. Melanggar larangan sebagai perangkat Desa.
(3) Pemberhentian perangkat Desa sebagaimana dimaksud pada ayat (1) ditetapkan oleh Kepala Desa setelah dikonsultasikan dengan Camat atas nama Bupati/Walikota.
(4) Ketentuan lebih lanjut mengenai pemberhentian perangkat Desa sebagaimana dimaksud pada ayat (3) diatur dalam Peraturan Pemerintah.

Bagian Keenam
Musyawarah Desa

Pasal 54

(1) Musyawarah Desa merupakan forum permusyawaratan yang diikuti oleh Badan Permusyawaratan Desa, Pemerintah Desa, dan unsur masyarakat Desa untuk memusyawarahkan hal yang bersifat strategis dalam penyelenggaraan Pemerintahan Desa.
(2) Hal yang bersifat strategis sebagaimana dimaksud pada ayat (1) meliputi:
    a. Penataan Desa;

b. Perencanaan Desa;
c. Kerja sama Desa;
d. Rencana investasi yang masuk ke Desa;
e. Pembentukan BUM Desa;
f. Penambahan dan pelepasan Aset Desa; dan
g. Kejadian luar biasa.

(3) Musyawarah Desa sebagaimana dimaksud pada ayat (1) dilaksanakan paling kurang sekali dalam 1 (satu) tahun.
(4) Musyawarah Desa sebagaimana dimaksud pada ayat (1) dibiayai dari Anggaran Pendapatan dan Belanja Desa.

Bagian Ketujuh
Badan Permusyawaratan Desa

Pasal 55

Badan Permusyawaratan Desa mempunyai fungsi:

a. Membahas dan menyepakati Rancangan Peraturan Desa bersama Kepala Desa;
b. Menampung dan menyalurkan aspirasi masyarakat Desa; dan
c. Melakukan Pengawasan kinerja Kepala. Desa.

Pasal 56

(1) Anggota Badan Permusyawaratan Desa merupakan wakil dari penduduk Desa berdasarkan keterwakilan wilayah yang pengisiannya dilakukan secara demokratis.
(2) Masa keanggotaan Badan Permusyawaratan Desa selama 6 (enam) tahun terhitung sejak tanggal pengucapan sumpah/janji.
(3) Anggota Badan Permusyawaratan Desa sebagaimana dimaksud pada ayat (1) dapat dipilih untuk masa keanggotaan paling banyak 3 (tiga) kali secara berturut-turut atau tidak secara berturut-turut.

Pasal 57

Persyaratan calon anggota Badan Permusyawaratan Desa adalah:

a. Bertakwa kepada Tuhan Yang Maha Esa;
b. Memegang teguh dan mengamalkan Pancasila, melaksanakan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, serta mempertahankan dan memelihara kebutuhan Negara Kesatuan Republik Indonesia dan Bhinneka Tunggal Ika;
c. Berusia paling rendah 20 (dua puluh) tahun atau sudah/pernah menikah;
d. Berpendidikan paling rendah tamat sekolah menengah pertama atau sederajat;
e. Bukan sebagai perangkat Pemerintah Desa;
f. Bersedia dicalonkan menjadi anggota Badan Permusyawaratan Desa; dan
g. Wakil penduduk Desa yang dipilih secara demokratis.

Pasal 58

(1) Jumlah anggota Badan Permusyawaratan Desa ditetapkan dengan jumlah gasal, paling sedikit 5 (lima) orang dan paling banyak 9 (Sembilan) orang, dengan memperhatikan wilayah, perempuan, penduduk, dan kemampuan Keuangan Desa.
(2) Peresmian anggota Badan Permusyawaratan Desa sebagaimana dimaksud pada ayat (1) ditetapkan dengan keputusan Bupati/Walikota.

(3) Anggota Badan Permusyawaratan Desa sebelum memangku jabatannya bersumpah/berjanji secara bersama-sama di hadapan masyarakat dan dipandu oleh Bupati/Walikota atau pejabat yang ditunjuk.
(4) Susunan kata sumpah/janji anggota Badan Permusyawaratan Desa sebagai berikut:

"Demi Allah/Tuhan, saya bersumpah/berjanji bahwa saya akan memenuhi kewajiban saya selaku anggota Badan Permusyawaratan Desa dengan sebaik-baiknya, sejujur-jujurnya, dan seadil-adilnya; bahwa saya akan selalu taat dalam mengamalkan dan mempertahankan Pancasila sebagai dasar negara, dan bahwa saya akan menegakkan kehidupan demokrasi dan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 serta melaksanakan segala peraturan perundang-undangan dengan selurus-lurusnya yang berlaku bagi Desa, daerah, dan Negara Kesatuan Republik Indonesia".

Pasal 59

(1) Pimpinan Badan Permusyawaratan Desa terdiri atas 1 (satu) orang ketua, 1 (satu) orang wakil ketua, dan 1 (satu) orang sekretaris.
(2) Pimpinan Badan Permusyawaratan Desa sebagaimana dimaksud pada ayat (1) dipilih dari dan oleh anggota Badan Permusyawaratan Desa secara langsung dalam rapat Badan Permusyawaratan Desa yang diadakan secara Khusus.
(3) Rapat pemilihan Pimpinan Badan Permusyawaratan Desa untuk pertama kali dipimpin oleh anggota tertua dan dibantu oleh anggota termuda.

Pasal 60

Badan Permusyawaratan Desa menyusun peraturan tata Tertib Badan Permusyawaratan Desa.

Pasal 61

Badan Permusyawaratan Desa berhak:

a. Mengawasi dan meminta Keterangan tentang penyelenggaraan Pemerintahan Desa kepada Pemerintah Desa;
b. Menyatakan pendapat atas penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa; dan
c. Mendapatkan biaya operasional pelaksanaan tugas dan fungsinya dari Anggaran Pendapatan dan Belanja Desa.

Pasal 62

Anggota Badan Permusyawaratan Desa berhak:

a. Mengajukan usul Rancangan Peraturan Desa;
b. Mengajukan pertanyaan;
c. Menyampaikan usul dan/atau pendapat;
d. Memilih dan dipilih; dan
e. Mendapat tunjangan dari Anggaran Pendapatan dan Belanja Desa.

Pasal 63

Anggota Badan Permusyawaratan Desa wajib:

a. Memegang teguh dan mengamalkan Pancasila, melaksanakan Undang-Undang Dasar Negara Republik Indonesia Tahun 1945, serta mempertahankan dan

memelihara kebutuhan Negara Kesatuan Republik Indonesia dan Bhinneka Tunggal Ika;
b. Melaksanakan kehidupan demokrasi yang berkeadilan gender dalam penyelenggaraan Pemerintahan Desa;
c. Menyerap, Menampung, menghimpun, dan menindaklanjuti aspirasi masyarakat Desa;
d. Mendahulukan kepentingan umum di atas kepentingan pribadi, kelompok, dan/atau golongan;
e. Menghormati nilai sosial budaya dan adat istiadat masyarakat Desa; dan
f. Menjaga norma dan etika dalam hubungan kerja dengan lembaga kemasyarakatan Desa.

Pasal 64

Anggota Badan Permusyawaratan Desa Dilarang:

a. Merugikan kepentingan umum, meresahkan sekelompok masyarakat Desa, dan mendiskriminasikan warga atau golongan masyarakat Desa;
b. Melakukan Korupsi, kolusi, dan nepotisme, menerima uang, barang, dan/atau jasa dari pihak lain yang dapat memengaruhi keputusan atau tindakan yang akan dilakukannya;
c. Menyalahgunakan wewenang;
d. Melanggar sumpah/janji jabatan;
e. Merangkap jabatan sebagai Kepala Desa dan perangkat Desa;
f. Merangkap sebagai anggota Dewan Perwakilan Rakyat Republik Indonesia, Dewan Perwakilan Daerah Republik Indonesia, Dewan Perwakilan Rakyat Daerah Provinsi atau Dewan Perwakilan Rakyat Daerah Kabupaten/Kota, dan jabatan lain yang ditentukan dalam peraturan perundangan-undangan;
g. Sebagai Pelaksana proyek Desa;
h. Menjadi pengurus partai politik; dan/atau
i. Menjadi anggota dan/atau pengurus organisasi terlarang.

Pasal 65

(1) Mekanisme musyawarah Badan Permusyawaratan Desa sebagai berikut:
    a. Musyawarah Badan Permusyawaratan Desa dipimpin oleh pimpinan Badan Permusyawaratan Desa;
    b. Musyawarah Badan Permusyawaratan Desa dinyatakan sah Apabila dihadiri oleh paling sedikit 2/3 (dua pertiga) dari jumlah anggota Badan Permusyawaratan Desa;
    c. Pengambilan keputusan dilakukan dengan cara musyawarah guna mencapai mufakat;
    d. Apabila musyawarah mufakat tidak tercapai, pengambilan keputusan dilakukan dengan cara pemungutan suara;
    e. Pemungutan suara sebagaimana dimaksud dalam huruf d dinyatakan sah Apabila disetujui oleh paling sedikit ½ (satu perdua) ditambah 1 (satu) dari jumlah anggota Badan Permusyawaratan Desa yang hadir; dan
    f. Hasil musyawarah Badan Permusyawaratan Desa ditetapkan dengan keputusan Badan Permusyawaratan Desa dan dilampiri notulen musyawarah yang dibuat oleh sekretaris Badan Permusyawaratan Desa.
(2) Ketentuan lebih lanjut mengenai Badan Permusyawaratan Desa diatur dalam Peraturan Daerah Kabupaten/Kota.

Bagian Kedelapan
Penghasilan Pemerintah Desa

Pasal 66

(1) Kepala Desa dan perangkat Desa memperoleh penghasilan tetap setiap bulan.
(2) Penghasilan tetap Kepala Desa dan perangkat Desa sebagaimana dimaksud pada ayat (1) bersumber dari dana perimbangan dalam Anggaran Pendapatan dan Belanja Negara yang diterima oleh Kabupaten/Kota dan ditetapkan dalam Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota
(3) Selain penghasilan tetap sebagaimana dimaksud pada ayat (1), Kepala Desa dan perangkat Desa menerima tunjangan yang bersumber dari Anggaran Pendapatan dan Belanja Desa.
(4) Selain penghasilan tetap sebagaimana dimaksud pada ayat (1), Kepala Desa dan perangkat Desa memperoleh jaminan kesehatan dan dapat memperoleh penerimaan lainnya yang sah.
(5) Ketentuan lebih lanjut mengenai besaran penghasilan tetap sebagaimana dimaksud pada ayat (1) dan tunjangan sebagaimana dimaksud pada ayat (3) serta penerimaan lainnya yang say sebagaimana dimaksud pada ayat (4) diatur dalam Peraturan Pemerintah.

BAB VI
HAK DAN KEWAJIBAN DESA DAN MASYARAKAT DESA

Pasal 67

(1) Desa berhak:
    a. Mengatur dan mengurus kepentingan masyarakat berdasarkan hak asal usul, adat istiadat, dan nilai sosial budaya masyarakat Desa;
    b. Menetapkan dan Mengelola kelembagaan Desa; dan
    c. Mendapatkan sumber Pendapatan.
(2) Desa berkewajiban:
    a. Melindungi dan Menjaga persatuan, kesatuan, serta kerukunan masyarakat Desa dalam rangka kerukunan nasional dan kebutuhan Negara Kesatuan Republik Indonesia;
    b. Meningkatkan kualitas kehidupan masyarakat Desa;
    c. Mengembangkan kehidupan demokrasi;
    d. Mengembangkan pemberdayaan masyarakat Desa; dan
    e. Memberikan dan meningkatkan pelayanan kepada masyarakat Desa.

Pasal 68

(1) Masyarakat Desa berhak:
    a. Meminta dan mendapatkan informasi dari Pemerintah Desa serta Mengawasi Kegiatan penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa;
    b. Memperoleh pelayanan yang sama dan adil;
    c. Menyampaikan aspirasi, saran, dan pendapat lisan atau tertulis secara bertanggung jawab tentang Kegiatan penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa;
    d. Memilih, dipilih, dan/atau ditetapkan menjadi:

1. Kepala Desa;
2. Perangkat Desa;
3. Anggota Badan Permusyawaratan Desa; atau
4. Anggota lembaga kemasyarakatan Desa.

e. Mendapatkan pengayoman dan perlindungan dari gangguan ketenteraman dan ketertiban di Desa.

(2) Masyarakat Desa berkewajiban:
a. Membangun diri dan memelihara lingkungan Desa;
b. Mendorong terciptanya Kegiatan penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa yang baik;
c. Mendorong terciptanya situasi yang aman, nyaman, dan tenteram di Desa;
d. Memelihara dan Mengembangkan nilai permusyawaratan, permufakatan, Kekeluargaan, dan Kegotongroyongan di Desa, dan
e. Berpartisipasi dalam berbagai kegiatan di Desa.

BAB VII
PERATURAN DESA

Pasal 69

(1) Jenis peraturan di Desa terdiri atas Peraturan Desa, peraturan bersama Kepala Desa, dan peraturan Kepala Desa.
(2) Peraturan sebagaimana dimaksud pada ayat (1) Dilarang bertentangan dengan kepentingan umum dan/atau ketentuan peraturan perundang-undangan yang lebih tinggi.
(3) Peraturan Desa ditetapkan oleh Kepala Desa setelah dibahas dan disepakati bersama Badan Permusyawaratan Desa.
(4) Rancangan Peraturan Desa tentang Anggaran Pendapatan dan Belanja Desa, pungutan, tata ruang, dan organisasi Pemerintah Desa harus mendapatkan evaluasi dari Bupati/Walikota sebelum ditetapkan menjadi Peraturan Desa.
(5) Hasil evaluasi sebagaimana dimaksud pada ayat (4) diserahkan oleh Bupati/Walikota paling lama 20 (dua puluh) hari kerja terhitung sejak diterimanya Rancangan peraturan tersebut oleh Bupati/Walikota.
(6) Dalam hal Bupati/Walikota telah memberikan hasil evaluasi sebagaimana dimaksud pada ayat (5), Kepala Desa wajib memperbaikinya.
(7) Kepala Desa diberi waktu paling lama 20 (dua puluh) hari sejak diterimanya hasil evaluasi untuk melakukan koreksi.
(8) Dalam hal Bupati/Walikota tidak memberikan hasil evaluasi dalam batas waktu sebagaimana dimaksud pada ayat (5), Peraturan Desa tersebut berlaku dengan sendirinya.
(9) Rancangan Peraturan Desa wajib dikonsultasikan kepada masyarakat Desa.
(10) Masyarakat Desa berhak memberikan masukan terhadap Rancangan Peraturan Desa.
(11) Peraturan Desa dan peraturan Kepala Desa diundangkan dalam Lembaran Desa dan Berita Desa oleh sekretaris Desa.
(12) Dalam pelaksanaan Peraturan Desa sebagaimana dimaksud pada ayat (1), Kepala Desa menetapkan Peraturan Kepala Desa sebagai aturan pelaksanaannya.

Pasal 70

(1) Peraturan bersama Kepala Desa merupakan peraturan yang ditetapkan oleh Kepala Desa dari 2 (dua) Desa atau lebih yang melakukan kerja sama antar-Desa.
(2) Peraturan bersama Kepala Desa sebagaimana dimaksud pada ayat (1) merupakan perpaduan kepentingan Desa masing-masing dalam kerja sama antar-Desa.

BAB VIII
KEUANGAN DESA DAN ASET DESA

Bagian Kesatu
Keuangan Desa

Pasal 71

(1) Keuangan Desa adalah semua hak dan kewajiban Desa yang dapat dinilai dengan uang serta segala sesuatu berupa uang dan barang yang berhubungan dengan pelaksanaan hak dan kewajiban Desa.
(2) Hak dan kewajiban sebagaimana dimaksud pada ayat (1) menimbulkan pendapatan, belanja, pembiayaan, dan pengelolaan Keuangan Desa.

Pasal 72

(1) Pendapatan Desa sebagaimana dimaksud dalam Pasal 71 ayat (2) bersumber dari:
    a. Pendapatan asli Desa terdiri atas hasil usaha, hasil aset, swadaya dan partisipasi, gotong royong, dan lain-lain pendapatan asli Desa;
    b. Alokasi Anggaran Pendapatan dan Belanja Negara;
    c. Bagian dari hasil pajak daerah dan retribusi daerah Kabupaten/Kota;
    d. Alokasi Dana Desa yang merupakan bagian dari dana perimbangan yang diterima Kabupaten/Kota;
    e. Bantuan keuangan dari Anggaran Pendapatan dan Belanja Daerah Provinsi dan Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota;
    f. Hibah dan sumbangan yang tidak mengikat dari pihak ketiga; dan
    g. Lain-lain pendapatan Desa yang sah.
(2) Alokasi anggaran sebagaimana dimaksud pada ayat (1) huruf b bersumber dari Belanja Pusat dengan mengefektifkan program yang berbasis Desa secara merata dan berkeadilan.
(3) Bagian hasil pajak daerah dan retribusi daerah Kabupaten/Kota sebagaimana dimaksud pada ayat (1) huruf c paling sedikit 10% (sepuluh perseratus) dari pajak dan retribusi daerah.
(4) Alokasi Dana Desa sebagaimana dimaksud pada ayat (1) huruf d paling sedikit 10% (sepuluh perseratus) dari dana perimbangan yang diterima Kabupaten/Kota dalam Anggaran Pendapatan dan Belanja Daerah setelah dikurangi Dana Alokasi Khusus.
(5) Dalam rangka pengelolaan Keuangan Desa, Kepala Desa melimpahkan sebagian kewenangan kepada perangkat Desa yang ditunjuk.
(6) Bagi Kabupaten/Kota yang tidak memberikan alokasi Dana Desa sebagaimana dimaksud pada ayat (4), Pemerintah dapat melakukan penundaan dan/atau pemotongan sebesar alokasi dana perimbangan setelah dikurangi Dana Alokasi Khusus yang seharusnya disalurkan ke Desa.

Pasal 73

(1) Anggaran Pendapatan dan Belanja Desa terdiri atas bagian pendapatan, belanja, dan pembiayaan Desa.
(2) Rancangan Anggaran Pendapatan dan Belanja Desa diajukan oleh Kepala Desa dan dimusyawarahkan bersama Badan Permusyawaratan Desa.
(3) Sesuai dengan hasil musyawarah sebagaimana dimaksud pada ayat (2), Kepala Desa menetapkan Anggaran Pendapatan dan Belanja Desa setiap tahun dengan Peraturan Desa.

Pasal 74

(1) Belanja Desa diprioritaskan untuk memenuhi kebutuhan pembangunan yang disepakati dalam Musyawarah Desa dan sesuai dengan prioritas Pemerintah Daerah Kabupaten/Kota, Pemerintah Daerah Provinsi, dan Pemerintah.
(2) Kebutuhan pembangunan sebagaimana dimaksud pada ayat (1) meliputi, tetapi tidak terbatas pada kebutuhan primer, pelayanan dasar, lingkungan, dan kegiatan pemberdayaan masyarakat Desa.

Pasal 75

(1) Kepala Desa adalah pemegang kekuasaan pengelolaan Keuangan Desa.
(2) Dalam melaksanakan kekuasaan sebagaimana dimaksud pada ayat (1), Kepala Desa menguasakan sebagian kekuasaannya kepada perangkat Desa.
(3) Ketentuan lebih lanjut mengenai Keuangan Desa diatur dalam Peraturan Pemerintah.

Bagian Kedua
Aset Desa

Pasal 76

(1) Aset Desa dapat berupa tanah kas Desa, tanah ulayat, pasar Desa, pasar hewan, tambatan perahu, bangunan Desa, pelelangan ikan, pelelangan hasil pertanian, hutan milik Desa, mata air milik Desa, pemandian umum, dan aset lainnya milik Desa.
(2) Aset lainnya milik Desa sebagaimana dimaksud pada ayat (1) antara lain:
    a. Kekayaan Desa yang dibeli atau diperoleh atas beban Anggaran Pendapatan dan Belanja Daerah, serta Anggaran Pendapatan dan Belanja Desa;
    b. Kekayaan Desa yang diperoleh dari Hibah dan sumbangan atau yang sejenis;
    c. Kekayaan Desa yang diperoleh sebagai pelaksanaan dari perjanjian/kontrak dan lain-lain sesuai dengan ketentuan peraturan perundang-undangan;
    d. Hasil kerja sama Desa; dan
    e. Kekayaan Desa yang berasal dari perolehan lainnya yang sah.
(3) Kekayaan milik Pemerintah dan Pemerintah Daerah berskala lokal Desa yang ada di Desa dapat dihibahkan kepemilikannya kepada Desa.
(4) Kekayaan milik Desa yang berupa tanah disertifikatkan atas nama Pemerintah Desa.
(5) Kekayaan milik Desa yang telah diambil alih oleh Pemerintah Daerah Kabupaten/Kota dikembalikan kepada Desa, kecuali yang sudah digunakan untuk fasilitas umum.
(6) Bangunan milik Desa harus dilengkapi dengan bukit status kepemilikan dan ditatausahakan secara tertib.

Pasal 77

(1) Pengelolaan kekayaan milik Desa dilaksanakan berdasarkan asas kepentingan umum, fungsional, kepastian hukum, Keterbukaan, efisiensi, efektivitas, Akuntabilitas, dan kepastian nilai-ekonomi.
(2) Pengelolaan kekayaan milik Desa dilakukan untuk meningkatkan kesejahteraan dan taraf hidup masyarakat Desa serta meningkatkan pendapatan Desa.
(3) Pengelolaan kekayaan milik Desa sebagaimana dimaksud pada ayat (2) dibahas oleh Kepala Desa bersama Badan Permusyawaratan Desa berdasarkan tata cara pengelolaan kekayaan milik Desa yang diatur dalam Peraturan Pemerintah.

BAB IX
PEMBANGUNAN DESA DAN PEMBANGUNAN KAWASAN PERDESAAN

Bagian Kesatu Pembangunan Desa

Pasal 78

(1) Pembangunan Desa bertujuan meningkatkan kesejahteraan masyarakat Desa dan kualitas hidup manusia serta penanggulangan kemiskinan melalui pemenuhan kebutuhan dasar, pembangunan sarana dan prasarana Desa, pengembangan potensi ekonomi lokal, serta pemanfaatan sumber daya alam dan lingkungan secara berkelanjutan.
(2) Pembangunan Desa meliputi tahap Perencanaan, pelaksanaan, dan Pengawasan.
(3) Pembangunan Desa sebagaimana dimaksud pada ayat (2) mengedepankan Kebersamaan, Kekeluargaan, dan Kegotongroyongan guna mewujudkan pengarusutamaan perdamaian dan keadilan sosial.

Paragraf 1
Perencanaan

Pasal 79

(1) Pemerintah Desa menyusun Perencanaan Pembangunan Desa sesuai dengan kewenangannya dengan mengacu pada Perencanaan pembangunan Kabupaten/Kota.
(2) Perencanaan Pembangunan Desa sebagaimana dimaksud pada ayat (1) disusun secara berjangka meliputi:
    a. Rencana Pembangunan Jangka Menengah Desa untuk jangka waktu 6 (enam) tahun; dan
    b. Rencana Pembangunan Tahunan Desa atau yang disebut Rencana Kerja Pemerintah Desa, merupakan penjabaran dari Rencana Pembangunan Jangka Menengah Desa untuk jangka waktu 1 (satu) tahun.
(3) Rencana Pembangunan Jangka Menengah Desa dan Rencana Kerja Pemerintah Desa sebagaimana dimaksud pada ayat (2) ditetapkan dengan Peraturan Desa.
(4) Peraturan Desa tentang Rencana Pembangunan Jangka Menengah Desa dan Rencana Kerja Pemerintah Desa merupakan satu-satunya dokumen Perencanaan di Desa.
(5) Rencana Pembangunan Jangka Menengah Desa dan Rencana Kerja Pemerintah Desa merupakan pedoman dalam penyusunan Anggaran Pendapatan dan Belanja Desa yang diatur dalam Peraturan Pemerintah.
(6) Program Pemerintah dan/atau Pemerintah Daerah yang berskala lokal Desa dikoordinasikan dan/atau didelegasikan pelaksanaannya kepada Desa.

(7) Perencanaan Pembangunan Desa sebagaimana dimaksud pada ayat (1) merupakan salah satu sumber masukan dalam Perencanaan pembangunan Kabupaten/Kota.

Pasal 80

(1) Perencanaan Pembangunan Desa sebagaimana dimaksud dalam Pasal 79 diselenggarakan dengan mengikutsertakan masyarakat Desa.
(2) Dalam menyusun Perencanaan Pembangunan Desa sebagaimana dimaksud pada ayat (1), Pemerintah Desa wajib menyelenggarakan musyawarah Perencanaan Pembangunan Desa.
(3) Musyawarah Perencanaan Pembangunan Desa menetapkan prioritas, program, kegiatan, dan kebutuhan Pembangunan Desa yang didanai oleh Anggaran Pendapatan dan Belanja Desa, swadaya masyarakat Desa, dan/atau Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota.
(4) Prioritas, program, kegiatan, dan kebutuhan Pembangunan Desa sebagaimana dimaksud pada ayat (3) dirumuskan berdasarkan penilaian terhadap kebutuhan masyarakat Desa yang meliputi:
    a. Peningkatan kualitas dan akses terhadap pelayanan dasar;
    b. Pembangunan dan pemeliharaan infrastruktur dan lingkungan berdasarkan kemampuan teknis dan sumber daya lokal yang tersedia;
    c. Pengembangan ekonomi pertanian berskala produktif;
    d. Pengembangan dan pemanfaatan teknologi tepat guna untuk kemajuan ekonomi; dan
    e. Peningkatan kualitas ketertiban dan ketenteraman masyarakat Desa berdasarkan kebutuhan masyarakat Desa.

Paragraf 2
Pelaksanaan

Pasal 81

(1) Pembangunan Desa dilaksanakan sesuai dengan Rencana Kerja Pemerintah Desa.
(2) Pembangunan Desa sebagaimana dimaksud pada ayat (1) dilaksanakan oleh Pemerintah Desa dengan melibatkan seluruh masyarakat Desa dengan semangat gotong royong.
(3) Pelaksanaan Pembangunan Desa sebagaimana dimaksud pada ayat (1) dilakukan dengan memanfaatkan Kearifan lokal dan sumber daya alam Desa.
(4) Pembangunan lokal berskala Desa dilaksanakan sendiri oleh Desa.
(5) Pelaksanaan program sectoral yang masuk ke Desa diinformasikan kepada Pemerintah Desa untuk diintegrasikan dengan Pembangunan Desa.

Paragraph 3

Pemantauan dan Pengawasan Pembangunan Desa

Pasal 82

(1) Masyarakat Desa berhak mendapatkan informasi mengenai Rencana dan pelaksanaan Pembangunan Desa.
(2) Masyarakat Desa berhak melakukan Pemantauan terhadap pelaksanaan Pembangunan Desa.
(3) Masyarakat Desa melaporkan hasil Pemantauan dan berbagai keluhan terhadap pelaksanaan Pembangunan Desa kepada Pemerintah Desa dan Badan Permusyawaratan Desa.

(4) Pemerintah Desa wajib menginformasikan Perencanaan dan pelaksanaan Rencana Pembangunan Jangka Menengah Desa, Rencana Kerja Pemerintah Desa, dan Anggaran Pendapatan dan Belanja Desa kepada masyarakat Desa melalui layanan informasi kepada umum dan melaporkannya dalam Musyawarah Desa paling sedikit 1 (satu) tahun sekali.
(5) Masyarakat Desa berpartisipasi dalam Musyawarah Desa untuk menanggapi laporan pelaksanaan Pembangunan Desa.

Bagian Kedua
Pembangunan Kawasan Perdesaan

Pasal 83

(1) Pembangunan Kawasan Perdesaan merupakan perpaduan pembangunan antar-Desa dalam 1 (satu) Kabupaten/Kota.
(2) Pembangunan Kawasan Perdesaan dilaksanakan dalam upaya mempercepat dan meningkatkan kualitas pelayanan, pembangunan, dan pemberdayaan masyarakat Desa di Kawasan Perdesaan melalui pendekatan pembangunan partisipatif.
(3) Pembangunan Kawasan Perdesaan meliputi:
    a. Penggunaan dan pemanfaatan wilayah Desa dalam rangka penetapan kawasan pembangunan sesuai dengan tata ruang Kabupaten/Kota;
    b. Pelayanan yang dilakukan untuk meningkatkan kesejahteraan masyarakat perdesaan;
    c. Pembangunan infrastruktur, peningkatan ekonomi perdesaan, dan pengembangan teknologi tepat guna; dan
    d. Pemberdayaan masyarakat Desa untuk meningkatkan akses terhadap pelayanan dan kegiatan ekonomi.
(4) Rancangan pembangunan Kawasan Perdesaan dibahas bersama oleh Pemerintah, Pemerintah Daerah Provinsi, Pemerintah Daerah Kabupaten/Kota, dan Pemerintah Desa.
(5) Rencana pembangunan Kawasan Perdesaan sebagaimana dimaksud pada ayat (4) ditetapkan oleh Bupati/Walikota sesuai dengan Rencana Pembangunan Jangka Menengah Daerah.

Pasal 84

(1) Pembangunan Kawasan Perdesaan oleh Pemerintah, Pemerintah Daerah Provinsi, Pemerintah Daerah Kabupaten/Kota, dan/atau pihak ketiga yang terkait dengan pemanfaatan Aset Desa dan tata ruang Desa wajib melibatkan Pemerintah Desa.
(2) Perencanaan, pelaksanaan, pemanfaatan, dan pendayagunaan Aset Desa untuk pembangunan Kawasan Perdesaan merujuk pada hasil Musyawarah Desa.
(3) Pengaturan lebih lanjut mengenai Perencanaan, pelaksanaan pembangunan Kawasan Perdesaan, pemanfaatan, dan pendayagunaan sebagaimana dimaksud pada ayat (2) diatur dalam Peraturan Daerah Kabupaten/Kota.

Pasal 85

(1) Pembangunan Kawasan Perdesaan dilakukan oleh Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota melalui satuan kerja perangkat daerah, Pemerintah Desa, dan/atau BUM Desa dengan mengikutsertakan masyarakat Desa.
(2) Pembangunan Kawasan Perdesaan yang dilakukan oleh Pemerintah, Pemerintah Daerah Provinsi, Pemerintah Daerah Kabupaten/Kota, dan pihak ketiga wajib

mendayagunakan potensi sumber daya alam dan sumber daya manusia serta mengikutsertakan Pemerintah Desa dan masyarakat Desa.

(3) Pembangunan Kawasan Perdesaan yang berskala lokal Desa wajib diserahkan pelaksanaannya kepada Desa dan/atau kerja sama antar-Desa.

Bagian Ketiga
Sistem Informasi Pembangunan Desa dan Pembangunan Kawasan Perdesaan

Pasal 86

(1) Desa berhak mendapatkan akses informasi melalui sistem informasi Desa yang dikembangkan oleh Pemerintah Daerah Kabupaten/Kota.
(2) Pemerintah dan Pemerintah Daerah wajib Mengembangkan sistem informasi Desa dan pembangunan Kawasan Perdesaan.
(3) Sistem informasi Desa sebagaimana dimaksud pada ayat (2) meliputi fasilitas perangkat keras dan perangkat lunak, jaringan, serta sumber daya manusia.
(4) Sistem informasi Desa sebagaimana dimaksud pada ayat (2) meliputi data Desa, data Pembangunan Desa, Kawasan Perdesaan, serta informasi lain yang berkaitan dengan Pembangunan Desa dan pembangunan Kawasan Perdesaan.
(5) Sistem informasi Desa sebagaimana dimaksud pada ayat (2) dikelola oleh Pemerintah Desa dan dapat diakses oleh masyarakat Desa dan semua pemangku kepentingan.
(6) Pemerintah Daerah Kabupaten/Kota menyediakan informasi Perencanaan pembangunan Kabupaten/Kota untuk Desa.

BAB X
BADAN USAHA MILIK DESA

Pasal 87

(1) Desa dapat mendirikan Badan Usaha Milik Desa yang disebut BUM Desa.
(2) BUM Desa dikelola dengan semangat kekeluargaan dan kegotongroyongan.
(3) BUM Desa dapat menjalankan usaha di bidang ekonomi dan/atau pelayanan umum sesuai dengan ketentuan peraturan perundang-undangan.

Pasal 88

(1) Pendirian BUM Desa disepakati melalui Musyawarah Desa.
(2) Pendirian BUM Desa sebagaimana dimaksud pada ayat (1) ditetapkan dengan Peraturan Desa.

Pasal 89

Hasil usaha BUM Desa dimanfaatkan untuk:

a. Pengembangan usaha; dan
b. Pembangunan Desa, pemberdayaan masyarakat Desa, dan pemberian Bantuan untuk masyarakat miskin melalui hibah, bantuan sosial, dan kegiatan dana bergulir yang ditetapkan dalam Anggaran Pendapatan dan Belanja Desa.

Pasal 90

Pemerintah, Pemerintah Daerah Provinsi, Pemerintah Daerah Kabupaten/Kota, dan Pemerintah Desa Mendorong perkembangan BUM Desa dengan:

a. Memberikan hibah dan/atau akses permodalan;
b. Melakukan pendampingan teknis dan akses ke pasar;
c. Memprioritaskan BUM Desa dalam pengelolaan sumber daya alam di Desa.

BAB XI
KERJA SAMA DESA

Pasal 91

Desa dapat mengadakan kerja sama dengan Desa lain dan/atau kerja sama dengan pihak ketiga.

Bagian Kesatu
Kerja Sama antar-Desa

Pasal 92

(1) Kerja sama antar-Desa meliputi:
    a. Pengembangan usaha bersama yang dimiliki oleh Desa untuk mencapai nilai ekonomi yang berdaya saing;
    b. Kegiatan kemasyarakatan, pelayanan, pembangunan, dan pemberdayaan masyarakat antar-Desa; dan/atau
    c. Bidang keamanan dan ketertiban.
(2) Kerja sama antar-Desa dituangkan dalam Peraturan Bersama Kepala Desa melalui kesepakatan musyawarah antar-Desa.
(3) Kerja sama antar-Desa dilaksanakan oleh badan kerja sama antar-Desa yang dibentuk melalui Peraturan Bersama Kepala Desa.
(4) Musyawarah antar-Desa sebagaimana dimaksud pada ayat (2) Membahas hal yang berkaitan dengan:
    a. Pembentukan lembaga antar-Desa;
    b. Pelaksanaan program Pemerintah dan Pemerintah Daerah yang dapat dilaksanakan melalui skema kerja sama antar-Desa;
    c. Perencanaan, pelaksanaan, dan Pemantauan program pembangunan antar-Desa;
    d. Pengalokasian anggaran untuk Pembangunan Desa, antar-Desa, dan Kawasan Perdesaan;
    e. Masukan terhadap program Pemerintah Daerah tempat Desa tersebut berada; dan
    f. Kegiatan lainnya yang dapat diselenggarakan melalui kerja sama antar-Desa.
(5) Dalam melaksanakan pembangunan antar-Desa, badan kerja sama antar-Desa dapat Membentuk kelompok/lembaga sesuai dengan kebutuhan.
(6) Dalam pelayanan usaha antar-Desa dapat dibentuk BUM Desa yang merupakan milik 2 (dua) Desa atau lebih.

Bagian Kedua Kerja
Sama dengan Pihak Ketiga

Pasal 93

(1) Kerja sama Desa dengan pihak ketiga dilakukan untuk mempercepat dan meningkatkan penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa.
(2) Kerja sama dengan pihak ketiga sebagaimana dimaksud pada ayat (1) dimusyawarahkan dalam Musyawarah Desa.

BAB XII
LEMBAGA KEMASYARAKATAN DESA DAN LEMBAGA ADAT DESA

Bagian Kesatu
Lembaga Kemasyarakatan Desa

Pasal 94

(1) Desa mendayagunakan lembaga kemasyarakatan Desa yang ada dalam membantu pelaksanaan fungsi penyelenggaraan Pemerintahan Desa, pelaksanaan pembangunan Desa, pembinaan kemasyarakatan Desa, dan pemberdayaan masyarakat Desa.
(2) Lembaga kemasyarakatan Desa sebagaimana dimaksud pada ayat (1) merupakan wadah partisipasi masyarakat Desa sebagai mitra Pemerintah Desa.
(3) Lembaga kemasyarakatan Desa bertugas melakukan pemberdayaan masyarakat Desa, ikut serta merencanakan dan melaksanakan pembangunan, serta meningkatkan pelayanan masyarakat Desa.
(4) Pelaksanaan program dan kegiatan yang bersumber dari Pemerintah, Pemerintah Daerah Provinsi, Pemerintah Daerah Kabupaten/Kota, dan lembaga non-Pemerintah wajib Memberdayakan dan mendayagunakan lembaga kemasyarakatan yang sudah ada di Desa.

Bagian Kedua
Lembaga Adat Desa

Pasal 95

(1) Pemerintah Desa dan masyarakat Desa dapat Membentuk lembaga adat Desa.
(2) Lembaga adat Desa sebagaimana dimaksud pada ayat (1) merupakan lembaga yang menyelenggarakan fungsi adat istiadat dan menjadi bagian dari Susunan asli Desa yang tumbuh dan berkembang atas prakarsa masyarakat Desa.
(3) Lembaga adat Desa sebagaimana dimaksud pada ayat (1) bertugas membantu Pemerintah Desa dan sebagai mitra dalam Memberdayakan, Melestarikan, dan Mengembangkan adat istiadat sebagai wujud pengakuan terhadap adat istiadat masyarakat Desa.

BAB XIII KETENTUAN KHUSUS DESA ADAT

Bagian Kesatu Penataan Desa Adat

Pasal 96

Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota melakukan penataan kesatuan masyarakat hukum adat dan ditetapkan menjadi Desa Adat.

Pasal 97

(1) Penetapan Desa Adat sebagaimana dimaksud dalam Pasal 96 memenuhi syarat:

a. Kesatuan masyarakat hukum adat beserta hak tradisionalnya secara nyata masih hidup, baik yang bersifat territorial, genealogis, maupun yang bersifat fungsional;
b. Kesatuan masyarakat hukum adat beserta hak tradisionalnya dipandang sesuai dengan perkembangan masyarakat; dan
c. Kesatuan masyarakat hukum adat beserta hak tradisionalnya sesuai dengan prinsip Negara Kesatuan Republik Indonesia.

(2) Kesatuan masyarakat hukum adat beserta hak tradisionalnya yang masih hidup sebagaimana dimaksud pada ayat (1) huruf a harus memiliki wilayah dan paling kurang memenuhi salah satu atau gabungan unsur adanya:
a. Masyarakat yang warganya memiliki perasaan bersama dalam kelompok;
b. Pranata pemerintahan adat;
c. Harta kekayaan dan/atau benda adat; dan/atau
d. Perangkat norma hukum adat.

(3) Kesatuan masyarakat hukum adat beserta hak tradisionalnya sebagaimana dimaksud pada ayat (1) huruf b dipandang sesuai dengan perkembangan masyarakat Apabila:
a. Keberadaannya telah diakui berdasarkan undang-undang yang berlaku sebagai pencerminan perkembangan nilai yang dianggap ideal dalam masyarakat dewasa ini, baik undang-undang yang bersifat umum maupun bersifat sectoral; dan
b. Substansi hak tradisional tersebut diakui dan dihormati oleh warga kesatuan masyarakat yang bersangkutan dan masyarakat yang lebih luas serta tidak bertentangan dengan hak asasi manusia.

(4) Suatu kesatuan masyarakat hukum adat beserta hak tradisionalnya sebagaimana dimaksud pada ayat (1) huruf c sesuai dengan prinsip Negara Kesatuan Republik Indonesia Apabila kesatuan masyarakat hukum adat tersebut tidak mengganggu keberadaan Negara Kesatuan Republik Indonesia sebagai sebuah kesatuan politik dan kesatuan hukum yang:
a. Tidak mengancam kedaulatan dan integritas Negara Kesatuan Republik Indonesia; dan
b. Substansi norma hukum adatnya sesuai dan tidak bertentangan dengan ketentuan peraturan perundang-undangan.

Pasal 98

(1) Desa Adat ditetapkan dengan Peraturan Daerah Kabupaten/Kota.
(2) Pembentukan Desa Adat setelah penetapan Desa Adat sebagaimana dimaksud pada ayat (1) dilakukan dengan memperhatikan factor penyelenggaraan Pemerintahan Desa, pelaksanaan Pembangunan Desa, pembinaan kemasyarakatan Desa, serta pemberdayaan masyarakat Desa dan sarana prasarana pendukung.

Pasal 99

(1) Penggabungan Desa Adat dapat dilakukan atas prakarsa dan kesepakatan antar-Desa Adat.
(2) Pemerintah Daerah Kabupaten/Kota memfasilitasi pelaksanaan Penggabungan Desa Adat sebagaimana dimaksud pada ayat (1).

Pasal 100

(1) Status Desa dapat diubah menjadi Desa Adat, kelurahan dapat diubah menjadi Desa Adat, Desa Adat dapat diubah menjadi Desa, dan Desa Adat dapat diubah menjadi kelurahan berdasarkan prakarsa masyarakat yang bersangkutan melalui Musyawarah Desa dan disetujui oleh Pemerintah Daerah Kabupaten/Kota.
(2) Dalam hal Desa diubah menjadi Desa Adat, kekayaan Desa beralih status menjadi kekayaan Desa Adat, dalam hal kelurahan berubah menjadi Desa Adat, kekayaan kelurahan beralih status menjadi kekayaan Desa Adat, dalam hal Desa Adat berubah menjadi Desa, kekayaan Desa Adat beralih status menjadi kekayaan Desa, dan dalam hal Desa Adat berubah menjadi kelurahan, kekayaan Desa Adat beralih status menjadi kekayaan Pemerintah Daerah Kabupaten/Kota.

Pasal 101

(1) Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota dapat melakukan penataan Desa Adat.
(2) Penataan Desa Adat sebagaimana dimaksud pada ayat (1) ditetapkan dalam Peraturan Daerah.
(3) Peraturan Daerah sebagaimana dimaksud pada ayat (2) disertai lampiran peta batas wilayah.

Pasal 102

Peraturan Daerah sebagaimana dimaksud dalam Pasal 101 ayat (2) berpedoman pada ketentuan sebagaimana dimaksud dalam Pasal 7, Pasal 8, Pasal 14, Pasal 15, Pasal 16, dan Pasal 17.

Bagian Kedua
Kewenangan Desa Adat

Pasal 103

Kewenangan Desa Adat berdasarkan hak asal usul sebagaimana dimaksud dalam Pasal 19 huruf a meliputi:

a. Pengaturan dan pelaksanaan pemerintahan berdasarkan Susunan asli;
b. Pengaturan dan pengurusan ulayat atau wilayah adat;
c. Pelestarian nilai sosial budaya Desa Adat;
d. Penyelesaian sengketa adat berdasarkan hukum adat yang berlaku di Desa Adat dalam wilayah yang selaras dengan prinsip hak asasi manusia dengan mengutamakan penyelesaian secara musyawarah;
e. Penyelenggaraan sidang perdamaian peradilan Desa Adat sesuai dengan ketentuan peraturan perundang-undangan;
f. Pemeliharaan ketenteraman dan ketertiban masyarakat Desa Adat berdasarkan hukum adat yang berlaku di Desa Adat; dan
g. Pengembangan kehidupan hukum adat sesuai dengan kondisi sosial budaya masyarakat Desa Adat.

Pasal 104

Pelaksanaan kewenangan berdasarkan hak asal usul dan kewenangan berskala lokal Desa Adat sebagaimana dimaksud dalam Pasal 19 huruf a dan huruf b serta Pasal 103 diatur dan diurus oleh Desa Adat dengan memperhatikan prinsip Keberagaman.

Pasal 105

Pelaksanaan kewenangan yang ditugaskan dan pelaksanaan kewenangan tugas lain dari Pemerintah, Pemerintah Daerah Provinsi, atau Pemerintah Daerah Kabupaten/Kota sebagaimana dimaksud dalam Pasal 19 huruf c dan huruf d diurus oleh Desa Adat.

Pasal 106

(1) Penugasan dari Pemerintah dan/atau Pemerintah Daerah kepada Desa Adat meliputi penyelenggaraan Pemerintahan Desa Adat, pelaksanaan Pembangunan Desa Adat, pembinaan kemasyarakatan Desa Adat, dan pemberdayaan masyarakat Desa Adat.
(2) Penugasan sebagaimana dimaksud pada ayat (1) disertai dengan biaya.

Bagian Ketiga
Pemerintahan Desa Adat

Pasal 107

Pengaturan dan penyelenggaraan Pemerintahan Desa Adat dilaksanakan sesuai dengan hak asal usul dan hukum adat yang berlaku di Desa Adat yang masih hidup serta sesuai dengan perkembangan masyarakat dan tidak bertentangan dengan asas penyelenggaraan Pemerintahan Desa Adat dalam prinsip Negara Kesatuan Republik Indonesia.

Pasal 108

Pemerintahan Desa Adat menyelenggarakan fungsi permusyawaratan dan Musyawarah Desa Adat sesuai dengan Susunan asli Desa Adat atau dibentuk baru sesuai dengan prakarsa masyarakat Desa Adat.

Pasal 109

Susunan kelembagaan, pengisian jabatan, dan masa jabatan Kepala Desa Adat berdasarkan hukum adat ditetapkan dalam peraturan daerah Provinsi.

Bagian Keempat
Peraturan Desa Adat

Pasal 110

Peraturan Desa Adat disesuaikan dengan hukum adat dan norma adat istiadat yang berlaku di Desa Adat sepanjang tidak bertentangan dengan ketentuan peraturan perundang-undangan.

Pasal 111

(1) Ketentuan khusus tentang Desa Adat sebagaimana dimaksud dalam Pasal 96 sampai dengan Pasal 110 hanya berlaku untuk Desa Adat.
(2) Ketentuan tentang Desa berlaku juga untuk Desa Adat sepanjang tidak diatur dalam ketentuan khusus tentang Desa Adat.

BAB XIV
PEMBINAAN DAN PENGAWASAN

Pasal 112

(1) Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota Membina dan Mengawasi penyelenggaraan Pemerintahan Desa.

(2) Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota dapat mendelegasikan pembinaan dan Pengawasan kepada perangkat daerah.
(3) Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota Memberdayakan masyarakat Desa dengan:
    a. Menerapkan hasil pengembangan ilmu pengetahuan dan teknologi, teknologi tepat guna, dan temuan baru untuk kemajuan ekonomi dan pertanian masyarakat Desa;
    b. Meningkatkan kualitas pemerintahan dan masyarakat Desa melalui pendidikan, pelatihan, dan penyuluhan; dan
    c. Mengakui dan memfungsikan institusi asli dan/atau yang sudah ada di masyarakat Desa.
(4) Pemberdayaan masyarakat Desa sebagaimana dimaksud pada ayat (3) dilaksanakan dengan pendampingan dalam Perencanaan, pelaksanaan, dan Pemantauan Pembangunan Desa dan Kawasan Perdesaan.

Pasal 113

Pembinaan dan Pengawasan yang dilakukan oleh Pemerintah sebagaimana dimaksud dalam Pasal 112 ayat (1) meliputi:

a. Memberikan pedoman dan standar pelaksanaan penyelenggaraan Pemerintahan Desa;
b. Memberikan pedoman tentang dukungan pendanaan dari Pemerintah, Pemerintah Daerah Provinsi, dan Pemerintah Daerah Kabupaten/Kota kepada Desa;
c. Memberikan penghargaan, pembimbingan, dan pembinaan kepada lembaga masyarakat Desa;
d. Memberikan pedoman penyusunan Perencanaan pembangunan partisipatif;
e. Memberikan pedoman standar jabatan bagi perangkat Desa;
f. Memberikan bimbingan, supervise, dan konsultasi penyelenggaraan Pemerintahan Desa, Badan Permusyawaratan Desa, dan lembaga kemasyarakatan;
g. Memberikan penghargaan atas prestasi yang dilaksanakan dalam penyelenggaraan Pemerintahan Desa, Badan Permusyawaratan Desa, dan lembaga kemasyarakatan Desa;
h. Menetapkan bantuan keuangan langsung kepada Desa;
i. Melakukan pendidikan dan pelatihan tertentu kepada aparatur Pemerintahan Desa dan Badan Permusyawaratan Desa;
j. Melakukan penelitian tentang penyelenggaraan Pemerintahan Desa di Desa tertentu;
k. Mendorong percepatan pembangunan perdesaan;
l. Memfasilitasi dan melakukan penelitian dalam rangka penentuan kesatuan masyarakat hukum adat sebagai Desa; dan
m. Menyusun dan memfasilitasi petunjuk teknis bagi BUM Desa dan lembaga kerja sama Desa.

Pasal 114

Pembinaan dan Pengawasan yang dilakukan oleh Pemerintah Daerah Provinsi sebagaimana dimaksud dalam Pasal 112 ayat (1) meliputi:

a. Melakukan pembinaan terhadap Kabupaten/Kota dalam rangka penyusunan Peraturan Daerah Kabupaten/Kota yang Mengatur Desa;
b. Melakukan pembinaan Kabupaten/Kota dalam rangka pemberian alokasi Dana Desa;

c. Melakukan pembinaan peningkatan kapasitas Kepala Desa dan perangkat Desa, Badan Permusyawaratan Desa, dan lembaga kemasyarakatan;
d. Melakukan pembinaan manajemen Pemerintahan Desa;
e. Melakukan pembinaan upaya percepatan Pembangunan Desa melalui bantuan keuangan, bantuan pendampingan, dan bantuan teknis;
f. Melakukan bimbingan teknis bidang tertentu yang tidak mungkin dilakukan oleh Pemerintah Daerah Kabupaten/Kota;
g. Melakukan inventarisasi kewenangan Provinsi yang dilaksanakan oleh Desa;
h. Melakukan pembinaan dan Pengawasan atas penetapan Rancangan Anggaran Pendapatan dan Belanja Daerah Kabupaten/Kota dalam pembiayaan Desa;
i. Melakukan pembinaan terhadap Kabupaten/Kota dalam rangka penataan wilayah Desa;
j. Membantu Pemerintah dalam rangka penentuan kesatuan masyarakat hukum adat sebagai Desa; dan
k. Membina dan Mengawasi penetapan Pengaturan BUM Desa Kabupaten/Kota dan lembaga kerja sama antar-Desa.

Pasal 115

Pembinaan dan Pengawasan yang dilakukan oleh Pemerintah Daerah Kabupaten/Kota sebagaimana dimaksud dalam Pasal 112 ayat (1) meliputi:

a. Memberikan pedoman pelaksanaan Penugasan urusan Kabupaten/Kota yang dilaksanakan oleh Desa;
b. Memberikan pedoman penyusunan Peraturan Desa dan Peraturan Kepala Desa;
c. Memberikan pedoman penyusunan Perencanaan pembangunan partisipatif;
d. Melakukan fasilitasi penyelenggaraan Pemerintahan Desa;
e. Melakukan evaluasi dan Pengawasan Peraturan Desa;
f. Menetapkan pembiayaan alokasi dana perimbangan untuk Desa;
g. Mengawasi pengelolaan Keuangan Desa dan pendayagunaan Aset Desa;
h. Melakukan pembinaan dan Pengawasan penyelenggaraan pendidikan dan pelatihan bagi Pemerintah Desa, Badan Permusyawaratan Desa,
i. Menyelenggarakan pendidikan dan pelatihan bagi Pemerintah Desa, Badan Permusyawaratan Desa, lembaga kemasyarakatan, dan lembaga adat;
j. Memberikan penghargaan atas prestasi yang dilaksanakan dalam penyelenggaraan Pemerintahan Desa, Badan Permusyawaratan Desa, lembaga kemasyarakatan, dan lembaga adat;
k. Melakukan upaya percepatan pembangunan perdesaan;
l. Melakukan upaya percepatan Pembangunan Desa melalui bantuan keuangan, bantuan pendampingan, dan bantuan teknis;
m. Melakukan peningkatan kapasitas BUM Desa dan lembaga kerja sama antar-Desa; dan
n. Memberikan sanksi atas penyimpangan yang dilakukan oleh Kepala Desa sesuai dengan ketentuan peraturan perundang-undangan.

BAB XV
KETENTUAN PERALIHAN

Pasal 116

(1) Desa yang sudah ada sebelum Undang-Undang ini berlaku tetap diakui sebagai Desa.

(2) Pemerintah Daerah Kabupaten/Kota menetapkan Peraturan Daerah tentang penetapan Desa dan Desa Adat di wilayahnya.
(3) Penetapan Desa dan Desa Adat sebagaimana dimaksud pada ayat (2) paling lama 1 (satu) tahun sejak Undang-Undang ini diundangkan.
(4) Paling lama 2 (dua) tahun sejak Undang-Undang ini berlaku, Pemerintah Daerah Kabupaten/Kota bersama Pemerintah Desa melakukan inventarisasi Aset Desa.

Pasal 117

Penyelenggaraan Pemerintahan Desa yang sudah dada wajib menyesuaikannya dengan ketentuan dalam Undang-Undang ini.

Pasal 118

(1) Masa jabatan Kepala Desa yang ada pada saat ini tetap berlaku sampai habis masa jabatannya.
(2) Periodisasi masa jabatan Kepala Desa mengikuti ketentuan Undang-Undang ini.
(3) Anggota Badan Permusyawaratan Desa yang ada pada saat ini tetap menjalankan tugas sampai habis masa keanggotaanya.
(4) Periodisasi keanggotaan Badan Permusyawaratan Desa mengikuti ketentuan Undang-Undang ini.
(5) Perangkat Desa yang tidak berstatus pegawai negeri sipil tetap melaksanakan tugas sampai habis masa tugasnya.
(6) Perangkat Desa yang berstatus sebagai pegawai negeri sipil melaksanakan tugasnya sampai ditetapkan penempatannya yang diatur dengan Peraturan Pemerintah.

BAB XVI
KETENTUAN PENUTUP

Pasal 119

Semua ketentuan peraturan perundang-undangan yang berkaitan secara langsung dengan Desa wajib mendasarkan dan menyesuaikan pengaturannya dengan ketentuan Undang-Undang ini.

Pasal 120

(1) Semua peraturan pelaksanaan tentang Desa yang selama ini ada tetap berlaku sepanjang tidak bertentangan dengan Undang-Undang ini.
(2) Peraturan Pemerintah sebagai peraturan pelaksanaan Undang-Undang ini harus ditetapkan paling lama 2 (dua) tahun terhitung sejak Undang-Undang ini diundangkan.

Pasal 121

Pada saat Undang-Undang ini mulai berlaku, Pasal 200 sampai dengan Pasal 216 Undang-Undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2004 Nomor 125, Tambahan Lembaran Negara Republik Indonesia Nomor 4437) sebagaimana telah diubah beberapa kali terakhir dengan Undang-Undang Nomor 12 Tahun 2008 tentang Perubahan Kedua atas Undang-Undang Nomor 32 Tahun 2004 tentang Pemerintahan Daerah (Lembaran Negara Republik Indonesia Tahun 2008 Nomor 59, Tambahan Lembaran Negara Republik Indonesia Nomor 4844) dicabut dan dinyatakan tidak berlaku.

Pasal 122

Undang-Undang ini mulai berlaku pada tanggal diundangkan.

Agar setiap orang mengetahuinya, memerintahkan pengundangan Undang-Undang ini dengan penempatannya dalam Lembaran Negara Republik Indonesia.

Disahkan di Jakarta
pada tanggal 15 Januari 2014

PRESIDEN REPUBLIK INDONESIA,

ttd.

DR. H. SUSILO BAMBANG YUDHOYONO

Diundangkan di Jakarta
pada tanggal 15 Januari 2014

MENTERI HUKUM DAN HAK ASASI MANUSIA
REPUBLIK INDONESIA,

ttd.

AMIR SYAMSUDIN

LEMBARAN NEGARA REPUBLIK INDONESIA TAHUN 2014 NOMOR 7

Appendix C
The Village Law no.6 2014 (in English)

Translation from: https://www.kemenkeu.go.id/sites/default/files/pdf-peraturan/16.pdf

LAW OF THE REPUBLIC OF INDONESIA

NUMBER 6 OF 2014

CONCERNING

VILLAGE

BY THE GRACE OF GOD ALMIGHTY

THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Considering:

a. that Village has the rights of origin and traditional rights to regulate and manage the interests of the local community and contribute for realising the ideals of independence based on the Constitution of the Republic of Indonesia Year 1945;

b. that in the course of state administration of the Republic of Indonesia, Village has developed in a variety of forms that needs to be protected and empowered in order to be strong, advanced, independent, and democratic so as to create a solid foundation in implementing governance and development towards a just, and prosperous society;

c. that Village in the composition and procedures of governance and development need to be governed separately by a law;

d. that based on the considerations set forth in paragraphs a, b, and c it shall be necessary to establish Law on Village;

In View of: Article 5 paragraph (1), Article 18, Article 18B paragraph (2), Article 20, and Article 22D paragraph (2) of the Constitution of the Republic of Indonesia Year 1945;

With the agreement between

THE HOUSE OF REPRESENTATIVES OF THE REPUBLIC OF

INDONESIA

and

THE PRESIDENT OF THE REPUBLIC OF INDONESIA

HAS DECIDED:

To stipulate:

Law on Village
PART I

GENERAL PROVISIONS
Article 1

Referred to herein as:

1. Village shall be village and traditional village or as referred to by other names, hereinafter referred to as Village, shall be a unit of community that has boundaries with the authority to regulate and manage the affairs of government, interests of the local communities based on the community's initiatives, right of origin, and/or traditional rights recognised and respected in the system of government of the Republic of Indonesia.
2. Village Administration shall be the implementation of government affairs and public interests in the governance system of the Republic of Indonesia.
3. Village Government shall be the Village Head or as referred to by any other names assisted the by the Village apparatus as parts of administrators of the Village.
4. Village Consultative Body or as referred to by any other name shall be a body carrying out the functions of government agencies whose members shall be representatives of the population of the Village based on the representation of regions and elected democratically.
5. Village Consultative Meeting or as referred to by any other name shall be a consultation between the Village Consultative Body to agree on matters of a strategic nature.
6. Village-owned Enterprises, hereinafter referred to as Village BUM, shall be a business entity of all or most of the capital owned by the Village through direct participation from the separated assets of the Village in order to manage assets, services, and other business for the greatest welfare of the Village community.
7. Village Regulation shall be legislations set by the Village Head after being discussed and agreed by the Village Consultative Body.
8. Village Development shall be efforts to increase the quality of life and life to the welfare of the Village community.
9. Village Areas shall be areas with mostly agricultural activities, including the management of natural resources with the composition of regional functions as the village settlements, government services, social services, and economic activity.
10. Village Finance shall be all the rights and obligations of a Village which can be valued in money and everything in the form of money and goods related to the implementation of the rights and obligations of the Village.
11. Village Asset shall be the property of the Village from the original wealth of the Village, purchased or obtained at the expense of the Village Budget or other legal rights.
12. Village Empowerment shall be efforts to develop the independence and well-being of the community by enhancing the knowledge, attitudes, skills, behaviour, ability, awareness, and utilising resources through the establishment of policies, programs, activities, and assistance in accordance with the essence of the problem and the priority needs of the Village community.
13. Central Government hereinafter referred to as the Government shall be the President of the Republic of Indonesia that holds the power to govern the Republic of Indonesia as stipulated in the Constitution of the Republic of Indonesia Year 1945.

14. Regional Administration shall be the Regional Government and the Regional House of Representatives that government affairs according to the principles of autonomy and assistance with the principle of broad autonomy within the system and principles of the Republic of Indonesia as defined in the Constitution of the Republic of Indonesia Year 1945.
15. Regional Government shall be the Governor, the Regent, or Mayor and the official elements of the Regional Government.
16. Minister shall be the minister in charge of Village.

Article 2

The implementation of Village Governance, Village Development, Village community development and Village Community empowerment shall be based on Pancasila, the Constitution of the Republic of Indonesia Year 1945, the Republic of Indonesia, and Unity in Diversity.

Article 3

The Village Regulation shall be based on:

a. Recognition;
n. Subsidiarity; (in politics) the principle that a central authority should have a subsidiary function, performing only those tasks which cannot be performed at a more local level.]
b. Diversity;
c. Togetherness;
d. Mutual cooperation;
e. Family/Kinship;
f. Deliberation/Discussion;
g. Democracy;
h. Independence;
i. Participation;
j. Equality;
k. Empowerment; and
l. Sustainability/Continuity.

Article 4

The Village Regulation aims to:

a. To give recognition and respect for the existing Village with its diversity before and after the formation of the Republic of Indonesia;
b. To provide clarity and legal certainty on the status of Village in the constitutional system of the Republic of Indonesia in order to bring justice for all Indonesian people:
c. To preserve and promote the customs, traditions, and culture of the Village community;
d. To encourage initiative, movement, and the participation of the Village community and the potential for the development of Village assets for public welfare;
e. To form a professional, efficient and effective, open, and accountable Village Administration;
f. To improve public services for the Village community in order to accelerate the realisation of general welfare;

g. To increase the social and cultural resilience of the Village community in order to realise a Village community that shall be able to maintain social cohesion as part of the national defence;
h. To improve the economy of the Village community and address the disparity of national development; and
i. To strengthen the Village community as a subject of development.

CHAPTER II
POSITION AND TYPE OF VILLAGE
Part One
Position
Article 5

A village shall be located in a regency/city

Part Two
Type of Village
Article 6

(1) Villages shall consist of Village and Traditional Village
(2) The mention of the Village or Traditional Village as referred to in paragraph (1) shall be adapted to the name in the local area.

CHAPTER III
VILLAGE REGULATION
Article 7

(1) The Government, Provincial Government, and Regency/City Government can introduce Village Regulation.
(2) The regulation as referred to in paragraph (1) shall be based on the results of the evaluation of the level of development of the Village Administration in accordance with the provisions of the legislation.
(3) The regulation as referred to in paragraph (1) shall aim to:
    a. Realise the effectiveness of the implementation of Village Administration;
    b. Accelerate the increase in welfare of the Village community;
    c. Accelerate the improvement of the quality of public services;
    d. Improve the quality of governance of Village Government; and
    e. Enhance the competitiveness of the Village.
(4) The regulation as referred to in paragraph (1) shall include:
    a. Formation;
    b. Dismissal;
    c. Incorporation;
    d. Change of status; and
    e. Determination of village.

Article 8

(1) The Establishment of Village as referred to in Article 7 paragraph (4) letter a shall be the act of forming a new Village outside the existing Village.
(2) The Establishment of Village as referred to in paragraph (1) shall be established by a Regulation of Regency/City by considering the initiative of the Village community, origins, customs, social and cultural conditions of the Village, as well as the capabilities and potential of the Village.

(3) The Establishment of Village as referred to in paragraph (1) shall meet the following requirements:
    a. The parent Village minimum age shall be 5 (5) years from the establishment;
    b. Population, namely:
        1) Java at least 6,000 (six thousand) people or 1,200 (one thousand two hundred households;
        2) Bali at least 5,000 (five thousand) people or 1,000 (one thousand) households;
        3) Sumatra at least 4,000 (four thousand) people or 800 (eight-hundred) households;
        4) South Sulawesi and North Sulawesi at least 3,000 (three thousand) people or 600 (six hundred) households;
        5) West Nusa Tenggara at least 2,500 (two thousand five hundred) people or 500 households;
        6) Central Sulawesi, West Sulawesi, Southeast Sulawesi, Gorontalo, and South Kalimantan at least 2,000 (two thousand) people or 400 (four hundred) households;
        7) East Kalimantan, West Kalimantan at least 1,500 (one thousand five hundred) people or 300 (three hundred) households;
        8) East Nusa Tenggara, Maluku and North Maluku at least 1,000 (one thousand) people or 200 (two hundred) households; and
        9) Papua and West Papua at least 500 (five hundred) people or 100 (one hundred) households.
    c. Work areas that have access to interregional transportation;
    d. Social culture that can create social harmony in accordance with the customs of the Village;
    e. The potential to include natural resources, human resources, and support economic resources;
    f. The village boundaries shall be expressed in the form of a map of the Village that has been established in the regulation of Regent/Mayor;
    g. Facilities and infrastructure for the Village Government and public services; and
    h. Availability of operational funds, fixed income and other benefits for the Village government in accordance with the provisions of the legislations
(4) In a Village area shall be formed hamlets or as referred to by any other names that shall be tailored to the origin, customs, and social and cultural value of the Village.
(5) The Establishment of Village as referred to in paragraph (1) shall be done through Provisional Village.
(6) The provisional Village shall be part of the parent Village
(7) The provisional Village as referred to in paragraph (5) can be upgraded to a Village within a period of 1 (one) to 3 (three) years.
(8) The upgraded status as referred to in paragraph (7) shall be implemented based on the results of evaluation.

Article 9

A Village can be dismissed by natural disasters and/or strategic interests of national programs.

Article 10

Two or more adjacent Villages can be combined into a new Village by agreements of the concerned with due observance to the requirement specified in this Law.

Article 11

(1) A Village may change its status to a Sub District by the Village government and the Village Consultative Body's initiatives through a Village Consultative Meeting with due regard to the advice and opinion of the Village community.
(2) All properties belonging to the Village and the Village revenue sources turned into a Sub District as referred to in paragraph (1) shall be the wealth/asset of the Regency/City Government used to improve the welfare of the people in the sub-district and the sub-district funding shall be charged to the Regency/City Budget.

Article 12

(1) The Regency/City Government can change the status of a sub district to be a Village based on the people's initiatives and by meeting the requirements specified in accordance with the provisions of the legislation.
(2) For a Sub District that changes its status to be a Village, its facilities and infrastructure shall belong to the Village and managed by the Village concerned for the benefit of the Village community.
(3) Funding of the Sub District whose status is changed as referred to in paragraph (1) shall be charged to the Regency/City Budget.

Article 13

The government can initiate the formation of a Village in the areas that shall be specific and strategic to the national interest.

Article 14

The formation, dismissal, merging, and/or changes in the status of a Village to be a sub district as referred to in Article 8, Article 9, Article 10, and Article 11 or a sub district to be a village as referred to in Article 12 shall be stipulated in a Regional Regulation.

Article 15

(1) The Draft Regional Regulation on the formation, dismissal, merging, and/or changes in the status of a Village to be a sub district or a sub district to be a village as referred to in Article 14 that have been jointly approved by the Regent/Mayor and the Regional Representatives Council shall be submitted to the Governor.
(2) The Governor shall conduct an evaluation on the Draft Regional Regulation on the formation, dismissal, merging, and/or changes in the status of a Village to be a sub district or a sub district to be a village as referred to in paragraph (1) based on the urgency, national interests, regional interests, interests of the Village community, and/or legislations.

Article 16

(1) The Governor shall give approval of the Draft Regional Regulation as referred to in Article 15 no longer than 20 (twenty) days after receiving the Draft Regional Regulation.

(2) If the Governor approves the draft Regional Regulation as referred to in paragraph (1), the Regency/City Government shall make refinement and confirmation into Regional Regulation within 20 (twenty) days.
(3) In the event that the Governor refuses to give its approval to the draft Regional Regulation as referred to in paragraph (1), the draft regional regulation cannot be authenticated and cannot be resubmitted within five (5) years after the rejection by the Governor.
(4) If the Governor does not give approval or rejection and does not provide rejection to the regional regulation as referred to in Article 15 within the period as referred to in paragraph (1), the Regent/Mayor may authorise the Draft Regional Regulation and the regional secretary shall promulgate it in a Regional Gazette.
(5) In the event that Regent/Mayor does not establish the Draft Regional Regulation approved by the Governor, the Draft Regional Regulation within a period of 20 (twenty) days after the date of approval of the Governor shall be declared valid automatically.

Article 17

(1) The Regency/City Regulation on the formation, dismissal, merging, and change in the status of a Village to be a sub district or a sub district into a Village shall be enacted after obtaining the registration number from the Governor and the Village code from the Minister.
(2) The Regency/City Regulation as referred to in paragraph (1) shall be enclosed with map of boundaries of the Village area.

CHAPTER 1V
VILLAGE AUTHORITY

Article 18

Village Authority shall include the authority in the field of implementation of Village Governance, implementation of rural Development, rural community development and empowerment of Village communities based on community initiatives, rights of origin, and Village customs.

Article 19

The Village Authority shall include:

a. Authority based on the rights of origin;
b. Village-scale local authority;
c. Authority assigned by the Government, Provincial Government, or Regency/City Government; and
d. Other powers assigned by the Government, Provincial Government or Regency/City Government in accordance with the provisions of the legislations.

Article 20

The exercise of authority based on the rights of origin and Village-scale local authority as referred to in Article 19, paragraphs a and b shall be set and maintained by the Village.

Article 21

The exercise of authority assigned and the exercise of other authority from the Government, Provincial Government, or the Regency/City Government as referred to in Article 19 c and d shall be taken care of by the Village.

Article 22

(1) Assignment from the Government and/or Regional Government shall include the organising of Village Administration, implementation of Village Development, village Community development and Village community empowerment.
(2) The Assignment as referred to in paragraph (1) shall be provided with costs.

CHAPTER V
VILLAGE ADMINISTRATION IMPLEMENTATION
Article 23

The Village Administration shall be organised by the Village Government.

Article 24

The Village Administration shall be based on the principles of:

a. Legal certainty;
b. Orderly governance;
c. Orderly public interest;
d. Openness;
e. Proportionality;
f. Professionalism;
g. Accountability;
h. Effectiveness and efficiency;
i. Local wisdom;
j. Diversity; and
k. Participatory.

Part One
Village Government
Article 25

The Village Government as referred to in Article 23 shall be the Village Head or as referred to by any other name and assisted by the Village apparatuses or as referred to by any other name.

Part Two
Village Head
Article 26

(1) The Village Head shall implement the Village Government, Village Development, Village community development and empowerment of Village community.
(2) In carrying out the duties as referred to in paragraph (1), the Village Head shall be authorised to:
    a. Lead the implementation of Village Government;
    b. Appoint and dismiss the Village apparatuses;
    c. Hold power for the management of Finance and Asset of the Village;
    d. Stipulate Village Regulations;

e. Establish Village Budget;
f. Foster Village community life;
g. Foster peace and order of the Village community;
h. Foster and improve the Village economy and integrate it in order to achieve scale economies productive to the overall prosperity of the Village community;
i. Develop sources of revenue for the Village;
j. Propose and accept the transfer of most of the country's wealth in order to improve the welfare of the Village community;
k. Develop social and cultural life of the Village community;
l. Utilise appropriate technology;
m. Coordinate participatory Village Development;
n. Represent the Village in and out of court or appoint legal counsel to represent him in accordance with the provisions of the legislation; and
o. Exercise other authority in accordance with the provisions of the legislation.

(3) In carrying out the duties as referred to in paragraph (2), the Village Head shall be entitled to:
a. Propose organisational structure and working procedures of the Village Government;
b. Submit draft and set Village Regulation;
c. Receive a fixed monthly income, allowances, and other legal revenue, as well as to be insured;
d. Obtain legal protection on the policies implemented; and
e. Mandate the implementation of duties and other obligations to the Village apparatuses.

(4) In carrying out the duties as referred to in paragraph (1), the Village Head shall be obliged to:
a. Uphold and practice Pancasila, implement the Constitution of the Republic of Indonesia Year 1945, as well as to maintain the integrity of the Republic of Indonesia, and Unity in Diversity;
b. Improve the welfare of the Village community;
c. Maintain peace and order in the Village community;
d. Obey and enforce laws and regulations;
e. Implement democratic and non-gender biased life;
f. Implement the principles of Village Government that is accountable, transparent, professional, effective and efficient, clean, and free from collusion, corruption, and nepotism;
g. Establish cooperation and coordination with all stakeholders in the Village;
h. Implement good Village Government;
i. Manage the Village's Finance and Asset;
j. Implement government affairs under the authority of the Village;
k. Resolve disputes in the Village community
l. Develop the economy of the Village community
m. Foster and preserve the Village community cultural values;
n. Empower communities and civil society in the Village;
o. Develop the potential of natural resources and protect the environment; and
p. Provide information to the Village community.

Article 27

In carrying out the duties, powers, rights, and obligations as referred to in Article 26, the Village Head shall:

a. Submit the implementation reports of Village Administration in the end of each fiscal year to the Regent/Mayor;
b. Submit the implementation reports Village Administration at the end of the term of office to the Regent/Mayor;
c. Give a description of the ad report in writing to the Village Consultative Body at the end of each fiscal year; and
d. Provide and/or disseminate information governance in writing to the Village at the end of each fiscal year.

Article 28

(1) The Village Head who does not carry out the obligations as referred to in Article 26, paragraph (4) and Article 27 shall be subject to administrative sanctions in the form of verbal warning and/or written warning.
(2) In the case the administrative sanctions referred to in paragraph (1) has not been implemented, he shall be suspended and can be followed by dismissal.

Article 29

The Village Head shall be prohibited to:

a. Be detrimental to the public interest;
b. Make decisions that benefit himself, family members, other parties, and/or a particular group;
c. Misuse authority, duties, rights and/or obligations;
d. Commit acts of discrimination against citizens and/or certain segments of society;
e. Disturb the Village community;
f. Commit collusion, corruption, and nepotism, receiving money, goods, and/or services of other parties that may influence the decisions or actions to be performed;
g. Take charge of political parties;
h. Become a member and/or administrator of banned organisations;
i. Double as head and/or members of the Village Consultative Body, member of the House of Representatives of the Republic of Indonesia, the Regional Representative Council of the Republic of Indonesia, the Provincial or Local House of Representative and other positions specified in laws and regulations;
j. Participate and/or be involved in the election campaign and/or local elections;
k. Violate the oath/pledge of office; and
l. Leave the task for 30 (30) working days in a row for no apparent reason and accountable reasons.

Article 30

(1) The Village Head who violates the prohibition as referred to in Article 29 shall be subject to administrative sanctions in the form of verbal warning and/or written warning.
(2) In the case the administrative sanctions as referred to in paragraph (1) has not been implemented, he shall be suspended and can be followed by dismissal.

Part Three
Election of Village Head
Article 31

(1) The Election of Village Head shall be held simultaneously in the entire territory of the Regency/City.
(2) The Regional Government of Regency/City set policies on Village Head elections simultaneously as referred to in paragraph (1) by Regulation Regency/City.
(3) Further provisions on the procedure for simultaneous Village Head election as referred to in paragraph (1) and paragraph (2) shall be regulated by or under a Government Regulation.

Article 32

(1) The Village Consultative Body shall notify the Village Head about the expiration of the term of office of Village Head in writing 6 (six) months before his term expires.
(2) The Village Consultative Body shall form the Village Head election committee.
(3) The election committee Village Head as referred to in paragraph (2) shall be independent and impartial.
(4) The election committee of Village Head as referred to in paragraph (3) shall consist of elements of the Village, community organisations, and community leaders of the Village.

Article 33

Village Head candidates must fulfil the following requirements:

a. Citizens of the Republic of Indonesia;
b. Fear of God Almighty;
c. Upholds and practices Pancasila, implement the Constitution of the Republic of Indonesia Year 1945, as well as maintains the integrity of the Republic of Indonesia and Unity in Diversity;
d. At least finished junior high school or the equivalent;
e. Aged at least 25 (twenty-five) years at the time of registering;
f. Is willing to be nominated to be Village Head;
g. Is registered as resident and domiciled in the local Village of at least 1 (one) year prior to the registration;
h. Is not serving a sentence of imprisonment;
i. Has never been sentenced to imprisonment by a court decision that has had permanent legal force for a criminal offense punishable by imprisonment for a minimum of 5 (five) years or more, except for 5 (five) years after completion of a sentence in prison announced openly and honestly to the public that he has been convicted but not as a repeated offender;
j. Is not being deprived of right to vote in accordance with a court decision that has been legally enforceable;
k. Is able-bodied;
l. Has never taken office as the Village Head for three (3) terms; and
m. Other requirements stated in a Regional Regulation.

Article 34

(1) The Village Head shall be directly elected by the Village community.
(2) The Village Head Election shall be direct, general, free, confidential, honest, and fair.
(3) The Village Head Election shall be implemented through nomination, voting, and determination stages.
(4) In carrying out the Village Head election as referred to in paragraph (2), the Village Head election committee shall be formed.
(5) The election committee as referred to in paragraph (4) shall select and screen candidates based on specified requirements, hold voting, determine the elected Village Head candidate, and report the Village Head elections.
(6) The costs of Village Head election shall be charged to the Regency/City Budget.

Article 35

The Village community as referred to in Article 34 paragraph (1) that on the polling day of Village Head have been 17 (seventeen) years or have been married shall be defined as voters.

Article 36

(1) Village Head candidates who have met the requirements as referred to in Article 33 shall be set as candidates for Village Head by the Village Head election committee.
(2) The Village Head candidates who have been determined as referred to in paragraph (1) shall be announced to the Village community in a public place in accordance with the socio-cultural conditions of the Village community.
(3) The Village Head candidates can do campaigns in accordance with the socio-cultural conditions of the Village community and the provisions of legislations.

Article 37

(1) The Village Head candidate elected shall be the candidate with the most votes.
(2) The election committee shall establish the Village Head candidate elected as the Village Head.
(3) The election committee Village Head submit names of candidates elected Village Head Consultative Board no later than 7 (seven) days after the determination of candidate elected as Village Head as referred to in paragraph (2).
(4) The Village Consultative Board no later than 7 (seven) days after receiving a report of the election committee shall submit name of the elected Village Head candidate to the Regent/Mayor.
(5) The Regent/Mayor shall approve the elected Village Head candidate as referred to in paragraph (3) to be the Village Head more than 30 (thirty) days from the date of receipt of the submission of the results of the election of Village Head election committee in the form of decision of Regent/Mayor.
(6) In the event of a dispute over the Village Head election results, the Regent/Mayor shall settle the dispute within the period as referred to in paragraph (5).

Article 38

(1) The elected Village Head candidate shall be inaugurated by the Regent/Mayor or his representative not later than 30 (thirty) days after the issuance of the decision of the Regent/Mayor.
(2) Before taking office, the elected Village Head shall take oath/promise.
(3) The oath/pledge as referred to in paragraph (2) is as follows:

"By Allah/God, I swear/affirm that I will fulfil my duty to the village as properly, honestly, and fairly as possible; that I will always obey in practice and maintain Pancasila as the state principle; and that I will uphold democracy and the Constitution of the Republic of Indonesia Year 1945 and to implement all legislation with righteously that apply to the Village, the region, and the Republic of Indonesia".

Article 39

(1) The Village Head shall hold position for six (6) years from the date of appointment.
(2) The Village Head as referred to in paragraph (1) may serve at most three (3) consecutive terms in a row or not consecutive.

Part Four
Dismissal of the Village Head
Article 40

(1) The Village Head shall terminate because of the following:
a. Demise;
b. Upon his own request; or
c. Is dismissed.

(2) The Village Head shall be dismissed as referred to in paragraph (1) letter c because:
a. His tenure has ended;
b. Is unable to carry out duties on an ongoing basis or remains absent for 6 (six) consecutive months.
c. No longer qualifies as a Village Head candidate; or
d. Violates the prohibition as the Village Head.
(3) The termination of Village Head as referred to in paragraph (1) shall be determined by the Regent/Mayor
(4) Further provisions regarding the dismissal of the Village Head as referred to in paragraph (1) shall be regulated in a Government Regulation.

Article 41

The Village Head shall be suspended by the Regent/Mayor after being declared as a defendant punishable by imprisonment for 5 (five) years based on the register of court case.

Article 42

The Village Head can be suspended by the Regent/Mayor if once named as a suspect in a corruption, terrorism, treason and/or criminal offenses against state security case.

Article 43

The suspended Village Head as referred to in Article 41 and Article 42 shall be dismissed by the Regent/Mayor after being declared as a convict based on a court decision that has had permanent legal force.

Article 44

(1) The suspended Village Head as referred to in Article 41 and Article 42 after going through the judicial process is proved not guilty by a court decision that has had permanent legal force, no later than 30 (thirty) days from the determination of the court decision is received by the Village Head, the Regent/Mayor shall rehabilitate and reactivate the concerned Village Head as the Village Head until the end of his term.
(2) If the tenure of the suspended Village Head as referred to in paragraph (1) has ended, the Regent/Mayor shall rehabilitate the good name of the concerned Village Head.

Article 45

In case the Village Head is suspended as referred to in Article 41 and Article 42, the Village secretary shall carry out the duties and obligations of the Village Head up to the issuance of a court decision that has had permanent legal force.

Article 46

(1) In the event that the remaining term of the Village Head who was dismissed as referred to in Article 43 is not more than 1 (one) year, the Regent/Mayor shall appoint a civil servant of the Regency/City Government as the acting Village Head up to the election of the Village Head.
(2) The Acting Village Head shall hold the duties, powers, duties, and rights of the Village Head as referred to in Article 26.

Article 47

(1) In case the remaining term of the dismissed Village Head as referred to in Article 43 is more than 1 (one) year, the Regent/Mayor shall appoint a civil servant of the Regency/City Government as the acting Village Head.
(2) The Acting Village Head as referred to in paragraph (1) shall carry out the duties, powers, duties, and rights of the Village Head as referred to in Article 26 until the determination of the Village Head.
(3) The Village Head as referred to in paragraph (2) shall be elected through the Village Consultative Meeting upon the requirements as referred to in Article 33.
(4) The Village Consultative Meeting as referred to in paragraph (3) shall be a maximum of six (6) months from the Village Head is dismissed.
(5) The Village Head elected from the Village Consultative Meeting as referred to in paragraph (3) shall carry out duties Village Head to run out the remaining term of the dismissed Village Head.
(6) Further provisions on the Village Consultative Meeting as referred to in paragraph (3) Government Regulation.

Part Five
Village Apparatuses
Article 48

The Village Apparatuses shall consist of:

a. Village Secretariat;
b. Regional executives; and

c. Technical implementation agency.

Article 49

(1) The Village apparatuses as referred to in Article 48 shall assist the Village Head in carrying out duties and powers.
(2) The Village apparatuses as referred to in paragraph (1) shall be appointed by the Village Head after consultation with the Head of District on behalf of the Regent/Mayor.
(3) In carrying out its duties and authorities, the Village apparatuses as referred to in paragraph (1) shall be responsible to the Village Head.

Article 50

(1) The Village apparatuses as referred to in Article 48 shall be elected from Village community who meet the following requirement:

a. At least finished high school or its equivalent;
b. Aged 20 (twenty) years up to 43 (forty-two) years;
c. Are registered as residents of the Village and lived in the Village for at least one (1) year prior to registration; and
d. Other requirements specified in Regency/City Regulation.

(2) Further provisions on the Village Apparatuses as referred to in Article 48, Article 49, and Article 50 paragraph (1) regulated in Regency/City Government Regulation.

Article 51

The Village Apparatuses shall be prohibited to:

a. Be detrimental to the public interest;
b. Make decisions that benefit themselves, family members, other parties, an/or a particular group;
c. Misuse authority, duties, rights and/or obligations;
d. Commit acts of discrimination against citizens and/or certain segments of society;
e. Disturb group of Village community;
f. Commit collusion, corruption, nepotism, receiving money, goods and/or services of other parties that may influence the decisions or actions to be performed;
g. Take charge of political parties;
h. Become members and/or administrators of banned organisations;
i. Double as head and/or members of the Village Consultative Body, member of the House of Representatives of the Republic of Indonesia, the Regional Representative Council of the Republic of Indonesia, the Provincial or Local House of Representatives, and other positions specified in laws and regulations;
j. Participate and/or be involved in the election campaign and/or local elections;
k. Violate the oath/pledge of office; and
l. Leaving the task for 60 (sixty) consecutive working days for no apparent and accountable reasons.

Article 52

(1) The Village Apparatuses in violation of the prohibition as referred to in Article 51 shall be subject to administrative sanctions in the form of verbal warning and/or written warning.
(2) In case the administrative sanctions as referred to in paragraph (1) has not been implemented, they shall be suspended and can be followed by dismissal.

Article 53

(1) The Village Apparatuses shall terminate because of the following:
    a. Demise;
    b. Upon own request; or
    c. Are dismissed.
(2) The Village Apparatuses shall be dismissed as referred to in paragraph (1) letter c because:
    a. Their ages have been 60 (sixty) years;
    b. They are permanently incapacitated;
    c. No longer qualify for the Village apparatus; or
    d. Violate the prohibition as the Village apparatuses.
(3) The termination of Village apparatuses as referred to in paragraph (1) shall be determined by the Village Head after consultation with the District Head on behalf of the Regent/Mayor.
(4) Further provisions regarding the dismissal of the Village apparatuses as referred to in paragraph (3) shall be regulated by Government Regulation.

Part Six
Village Consultative Meeting
Article 54

(1) The Village Consultative Meeting shall be a consultative forum followed by Village Consultative Body, Village government, and elements of the Village community to deliberate on the strategic nature in the administration of the Village Government.
(2) The strategic nature as referred to in paragraph (1) shall include:
    a. Village structuring;
    b. Village planning;
    c. Village cooperation;
    d. Plan of investment into the Village;
    e. Village BUM formation;
    f. Village Asset additions and disposals; and
    g. Extraordinary events.
(3) The Village Consultative Meeting as referred to in paragraph (1) shall be conducted at least once every 1 (one) year.
(4) The Village Consultative Meeting as referred to in paragraph (1) shall be financed from the Village Budget.

Part Seven
Village Consultative Body
Article 55

The Village Consultative Body shall have the function to:

a. Discuss and agree on Draft Village Regulation along with the Village Head;
b. Obtain and share their aspirations of the Village community; and
c. Supervise the performance of the Village Head.

Article 56

(1) Members of the Village Consultative Body shall be representatives of the citizen of the Village based on regional representation to be elected democratically.
(2) The term of service of the Village Consultative Body shall be 6 (six) years from the date of taking oath/pledge.
(3) The members of the Village Consultative Body as referred to in paragraph (1) may be elected for a membership at most 3 (three) times in a row or not consecutively.

Article 57

Requirements to be Village Consultative Board Member Candidates Shall be:

a. To fear God Almighty;
b. To uphold and practice Pancasila, implement the Constitution of the Republic of Indonesia Year 1945, as well as to maintain the integrity of the Republic of Indonesia and Unity in Diversity;
c. To be aged minimally 20 (twenty) years or have got married;
d. To have the minimum education of junior high school or equivalent;
e. Not serving as the Village government;
f. Is willing to be nominated as members of the Village Consultative Body; and
g. Representative of the Village resident elected democratically.

Article 58

(1) The number of members of the Village Consultative Body shall be odd in number, at least 5 (five) and at most 9 (nine), with attention to the region, female population, total population, and the financial capacity of the Village.
(2) The inauguration of the Village Consultative Council member as referred to in paragraph (1) shall be determined by a decision of the Regent/Mayor.
(3) Members of the Village Consultative Body prior to taking office shall take oath/make solemn pledge together before the community and guided by the Regent/Mayor or his representative.
(4) The wording of the oath/pledge of the Village Consultative Board members shall be as follows: "By Allah/God, I swear/affirm that I will fulfil my obligations as a member of the Village Consultative Board with the best ability, as honestly, and fairly as possible, that I will always obey in practice and maintain Pancasila as the state foundation, and that I will uphold democracy and the Constitution of the Republic of Indonesia Year 1945 and to righteously implement all legislation that apply to the Village the region, and The Unitary State of the Republic of Indonesia".

Article 59

(1) The Village Consultative Body Leadership shall consist of 1 (one) Chairperson, 1 (one) Vice-chairperson, and 1 (one) secretary.
(2) The Village Consultative Body Leadership as referred to in paragraph (1) shall be selected from and by the Village Consultative Body members directly in the Village Consultative Council meeting held specifically.
(3) The Village Consultative Body leadership election meeting for the first time shall be led by the oldest member and assisted by the youngest member.

Article 60

The Village Consultative Body shall prepare disciplinary rules of the Village Consultative Body.

Article 61

The Village Consultative Body shall be entitled to:

a. Supervise and inquire the implementation of Government Village to the Village Government;
b. Express an opinion on the implementation of Village Government, the implementation of Village Development, Village community development and empowerment of Village community; and
c. Be given duties and functions operational costs of from the Village Budget.

Article 62

The Village Consultative Council members shall be entitled to:

a. Propose draft Village regulations;
b. Ask questions;
c. Submit proposals and/or opinion;
d. Elect and be elected; and
e. Receive benefits from Village Budget.

Article 63

The Village Consultative Council members shall:

a. Uphold and practice Pancasila, implement the Constitution of the Republic of Indonesia Year 1945, as well as to maintain the integrity of the Republic of Indonesia and Unity in Diversity;
b. Implement gender-equitable democratic life in the Village administration;
c. Absorb, accommodate, collect, and follow the aspirations of the Village community;
d. Put the public interest above personal, groups, and/or class interests;
e. Respect the socio-cultural values and customs of the Village community; and
f. Maintain norms and ethics in a working relationship with the Village community institutions.

Article 64

The Village Consultative Board members shall be prohibited to:

a. Be detrimental to the public interest, unsettle group of Village community, and discriminate citizens or Village community groups;
b. Corruption, collusion, and nepotism, receiving money, goods, and/or services of other parties that may influence the decisions or actions to be performed;
c. Misuse authority;
d. Violate the oath/pledge of office;
e. Double as the Village Head and Village apparatuses apparatus;
f. Double as member of the House of Representatives of the Republic of Indonesia, the Regional Representative Council of the Republic of Indonesia, the Provincial or Regency/City House of Representatives, and other positions specified in laws and regulations;

g. Double as the Village project manager;
h. Take charge of political parties; and/or
i. Become members and/or administrators of banned organisations.

Article 65

(1) The mechanism of deliberation of the Village Consultative Body shall be as follows:
    a. The Village Consultative Body meetings shall be chaired by the Village Consultative Body Head;
    b. The Village Consultative Body deliberation shall be declared valid if attended by at least 2/3 (two-thirds) of the members of the Village Consultative Body;
    c. Decision-making shall be done by means of deliberation to reach consensus;
    d. If consensus is not reached, the decision-making shall be done by voting;
    e. The voting as referred to in paragraph d shall be declared valid if approved by at least ½ (one-half) plus 1 (one) of the members of the Village Consultative Body present; and
    f. The Consultative Board meeting results shall be set by the resolution of the Village Consultative Body and attached by minutes of deliberation made by the secretary of the Village Consultative Body.
(2) Further provisions on the Village Consultative Council shall be regulated in a Regency/City Regulation.

Part Eight
Village Government Income
Article 66

(1) The Village Head and Village apparatuses shall earn a fixed income every month.
(2) The fixed income of the Village Head and Village apparatus as referred to in paragraph (1) shall be derived from the balance of funds in the State Budget received by the Regency/City and defined in the Budget of the Regency/City.
(3) In addition to fixed income as referred to in paragraph (1), the Village Head and Village apparatuses shall receive benefits derived from the Village Budget.
(4) In addition to regular income as referred to in paragraph (1), the Village Head and Village obtain health insurance and can obtain other legal acceptance.
(5) Further provisions on the amount of fixed income as referre3d to in paragraph (1) and allowances as referred to in paragraph (3) as well as other legal incomes as referred to in paragraph (4) shall be regulated in a Government Regulation.

CHAPTER VI
RIGHTS AND OBLIGATIONS OF A VILLAGE AND
THE VILLAGE COMMUNITY
Article 67

(1) The Village shall be entitled to:
    a. Organise and manage the interests of the community based on rights of origin, customs and cultural values of the Village community;
    b. Establish and manage the Village institution; and
    c. Get a source of income.
(2) The village shall be obliged to:
    a. Protect and maintain unity, concordance, and harmony of the Village community for the national harmony and unity of the Republic of Indonesia;

b. Improve the quality of life of the Village community;
c. Develop democracy;
d. Develop the Village community empowerment; and
e. Provide and improve services to the Village community.

Article 68

(1) The Village Community shall be entitled to:
   a. Request and obtain information from the Village Government and to oversee the implementation of the Government Village activities, Village Development, Village community development and empowerment of Village community.
   b. Obtain the same and fair services;
   c. Express their aspirations, suggestions, and opinions orally or in writing in a responsible manner on the implementation of activities of Village Government, the implementation of Village Development, Village community development and empowerment of Village community;
   d. Elect, be elected, and/or set to be the:
      a) Village Head;
      b) Village apparatus;
      c) Members of the Village Consultative Body;
      d) Members of the Village community institutions; or
      e) Obtain shelter and protection from interference, peace, and order in the Village.
(2) The Village Community shall:
   a. Build themselves and maintain Village environment;
   b. Encourage the good implementation of Village Government, Village Development, Village community development and empowerment of Village community;
   c. Encourage the creation of a situation that shall be safe, comfortable, and quiet in the Village;
   d. Maintain and develop values of deliberation, consensus, kinship, and mutual cooperation in the Village; and
   e. Participate in various activities in the Village.

CHAPTER VII
VILLAGE REGULATION
Article 69

(1) Types of Village regulation shall consist of Village Regulation, joint Village Head regulation and Village Head Regulation.
(2) The Regulations as referred to in paragraph (1) shall not be contrary to the public interest and/or the provisions of the superior legislations.
(3) The Village Regulation shall be set by the Village Head after being discussed and agreed by the Village Consultative Body.
(4) The draft Village Regulation on the Village budget, levies, layout, and organisation of Village government shall get an evaluation of the Regent/Mayor before being passed into a Village regulation.
(5) The results of the evaluation as referred to in paragraph (4) shall be submitted y the Regent/Mayor maximally 20 (twenty) working days from the receipt of the draft regulation by the Regent/Mayor.

(6) In case the Regent/Mayor has given the results of the evaluation as referred to in paragraph (5), the Village Head shall revise it.
(7) The Village Head shall be given a period of 20 (twenty) days of receipt of the results of the evaluation to make corrections.
(8) In the event that the Regent/Mayor does not provide evaluation results within the time limit as referred to in paragraph (5), the Village Regulation shall take effect automatically.
(9) The draft Village Regulation shall be consulted to the Village community.
(10) The Village Community reserves the right to provide input to the Draft Regulation of the Village.
(11) The Village Regulations and Village Head Regulation shall be promulgated in the Village Gazette by the Village secretary.
(12) In the implementation of the Village Regulations as referred to in paragraph (1), the Village Head shall set a Village Head Regulation as the rules procedure.

Article 70

(1) A joint Village Head Regulation shall be a regulation set by the Village Head of 2 (two) or more Villages in cooperation.
(2) The joint Village Head Regulation as referred to in paragraph (1) shall be a fusion of the interests of each Village in the inter-Village cooperation.

CHAPTER VIII
VILLAGE FINANCE AND VILLAGE ASSET
Part One
Village Finance
Article 71

(1) The Village Finance shall be all the rights and obligations of the Village that can be valued in money and everything in the form of money and goods related to the implementation of the rights and obligations of the Village.
(2) The rights and obligations as referred to in paragraph (1) shall give rise to revenues, expenditures, financing, and management of the Village Finance.

Article 72

(1) The Village Revenue as referred to in Article 71 paragraph (2) shall be derived from:
   a. The village original revenue from operations, results of assets, self-help and participation, mutual aid, and other Village revenue;
   b. Allocation of the State Budget;
   c. Part of the local taxes and levies of Regency/City
   d. Allocation of Village funds that shall be part of the equalization funds received by the Regency
   e. Financial assistance from the Provincial Budget and Regency/City Budget;
   f. Grants and donations shall not be binding on third parties; and
   g. Other legitimate Village revenue.
(2) The budget allocations as referred to in paragraph (1) letter b shall be sourced from Central Expenditure with by making effective Village-based programs that on an equitable and fair basis.

(3) The proceeds of Regency/City local taxes and levies as referred to in paragraph (1) c of at least 10% (ten percent) of the taxes and levies.
(4) The allocation of Village funds as referred to in paragraph (1) letter d shall be at least 10% (ten percent) of the balance funds received by the Regency/City in the State Budget less the Special Allocation Fund.
(5) For the Village finance management, the Village Head shall delegate part of the authority to the designated Village apparatuses.
(6) For Regency/City that does not provide funding allocation Village as referred to in paragraph (4) the Government may delay and/or cut off the allocation of balance funds after deducting the Special Allocation Fund that should be channelled to the Village.

Article 73

(1) The Village Budget shall consist of revenue, expenditure, and financing of the Village.
(2) The draft Village Budget shall be submitted by the Village Head and Village Consultative Body discussed together.
(3) In accordance with the results of consultation as referred to in paragraph (2), the Village Head shall set the Village budget every year by a Village regulation.

Article 74

(1) The Village Expenditure shall be prioritised to meet the needs of the development agreed in the Village Consultative Meeting in accordance with the priorities of the Government and Regency/City Government, Provincial Government, and the Government.
(2) The need for development as referred to in paragraph (1) shall include, but not be limited to primary needs, basic services, environmental, and Village community development activities.

Article 75

(1) The Village Head shall hold the Village Finance management authority.
(2) In exercising the powers as referred to in paragraph (1), the Village Head shall delegate some of its power to the Village apparatuses.
(3) Further provisions on the Village Finance shall be regulated in a Government Regulation.

Part Two
Village Asset
Article 76

(1) The Village Assets can be Village land, communal land, Village markets, animal market, mooring, Village building, fish auction, agricultural product auction, forest belonging to the Village, Village owned springs, public baths, and other assets belonging to the Village.
(2) The other assets belonging to the Village as referred to in paragraph (1), shall be among others:
    a. The Village's assets purchased or obtained at the expense of the State Budget, Regional Budget, as well as the Village Budget;
    b. The Village's assets obtained from grants and donations or similar;
    c. The Village's assets acquired as the implementation of an agreement/contract etc in accordance with the provisions of the legislations;

d. Result of Village cooperation; and
e. Village assets derived from legitimate acquisition.

(3) Village-scaled Assets owned by the Government and Regional Government in the Village can be granted to the Village.
(4) Assets belonging to the Village in the form of land shall be certified to the Village.
(5) Assets belonging to the Village that have been taken over by the Regency/City Government shall be returned to the Village, except those used for public facilities.
(6) Buildings belonging to the Village must be equipped with proof of ownership status and administered in an orderly manner.

Article 77

(1) The management of Village assets shall be held by the principle of common interests, functional, legal certainty, transparency, efficiency, effectiveness, accountability, and the certainty of economic value.
(2) The Village asset management shall be done to improve the welfare and living standards of the Village community as well as increase Village revenue.
(3) The Village asset management as referred to in paragraph (2) shall be discussed by the Village Head along with the Village Consultative Body based on the Village asset management procedures set out in the government regulation.

CHAPTER IX
VILLAGE DEVELOPMENT AND DEVELOPMENT OF VILLAGE AREA

Part One
Village Development
Article 78

(1) Village Development aims to improve the welfare of the Village community and the quality of human life and reduce poverty through the fulfilment of basic needs, development of Village infrastructure, local economic development potential, as well as the use of natural resources and the environment in a sustainable manner.
(2) The Village Development shall include planning, implementation, and supervision.
(3) The Village Development as referred to in paragraph (2) shall emphasise togetherness, kinship, and mutual cooperation in order to realise the mainstreaming of peace and social justice.

Paragraph 1
Planning
Article 79

(1) The Village Government shall prepare the Development Village planning in accordance with the authority with respect to development planning of Regency/City.
(2) The Village Development Plan as referred to in paragraph (1) shall be prepared in time including;
a. Village Mid-term Development Plan for a period of 6 (six) years; and

b. Village Annual Development Plan or referred to as Village Government Work Plan, which is the elaboration of the Village Mid-term Development Plan for a period of 1 (one) year.

(3) The Village Mid-term Development Plan and the Village Government Work Plan as referred to in paragraph (2) shall be determined by a Village Regulation.
(4) The Village Regulation on the Village Mid-term Development Plan and Village Government Work Plan shall be the only Village planning document.
(5) The Village Mid-term Development Plan and the Village Government Work Plan shall be a guideline in preparing the Village Budget set in a Government Regulation.
(6) Government and/or Village-scaled Government Programs shall be coordinated and/or delegated to the Village.
(7) The Village Development Plan as referred to in paragraph (1) shall be one source of inputs into the Regency/City development planning.

Article 80

(1) The Village Development Plan as referred to in Article 79 shall be held by including the Village community.
(2) In preparing the Village Development Plan as referred to in paragraph (1), the Village Government shall convene a Village Development plan Consultative Meeting.
(3) The Village Development Plan Consultative Meeting shall set the priorities, programs, activities, and the need for Village Development, funded by the Village Budget, Village community, and/or Regency/City Budget.
(4) The priorities, programs, activities, and Village Development requirements as referred to in paragraph (3) shall be formulated based on an assessment of the needs of the Village community that includes:
   a. For improving the quality of and access to basic services;
   b. Construction and maintenance of infrastructure and environment based on the technical capabilities and local resources available;
   c. Development of large-scale productive agricultural economy;
   d. Development and utilisation of appropriate technology for economic progress; and
   e. Order and improvement of peace of the Village community based on the needs of the Village community.

Paragraph 2
Implementation
Article 81

(1) The Village Development shall be carried out in accordance with the Work Plan of the Village Government.
(2) The Village Development as referred to in paragraph (1) shall be implemented by the Village government to involve the entire Village community in a spirit of mutual cooperation.
(3) The implementation of Village Development as referred to in paragraph (1) shall be done by utilising local knowledge and natural resources of the Village.
(4) Local-scale Village Development shall be carried out by the Village.
(5) The implementation of sectoral programs that go into the Village shall be informed to the Village Government to be integrated with the Village Development.

Paragraph 3
Monitoring and Control of Village Development
Article 82

(1) The Village Community has the right to obtain information regarding the Village Development Plan and implementation.
(2) The Village Community has the right to monitor the implementation of Village Development.
(3) The Village Community reports the results of monitoring and various complaints against the implementation of Village Development to the Village Government and the Village Consultative Body.
(4) The Village Government is obliged to inform the Planning and implementation of the Village Medium Term Development Plan, Village Government Work Plan, and Village Income and Expenditure Budget to the Village community through information services to the public and report it in Village Deliberations at least once a year.
(5) Village Communities participate in Village Deliberations to respond to reports on the implementation of Village Development.

Part Two
Development of Village Areas
Article 83

(1) Development of Village Areas shall be a mix of inter-Village development in one (1) Regency/City.
(2) The Development of Village Areas shall be implemented in an effort to speed up and improve the quality of service, development, and Village community development in Village Areas through participatory development approach.
(3) The Development of Village Areas shall include:
    a. Use and utilisation of the Village Area in the establishment of development in accordance with the Regency/City spatial layout;
    b. Services carried out to improve the welfare of the Village community;
    c. Infrastructure development, improvement of village economy, and development of appropriate technology; and
    d. The Village community empowerment to improve access to services and economic activity.
(4) The design of the development of Village Areas shall be discussed jointly by the Government, the Provincial Government, Regency/City Government, and Village Government.
(5) The Village Area development plan as referred to in paragraph (4) shall be determined by the Regent/Mayor in accordance with the Regional Mid-term Development Plan.

Article 84

(1) The Development of Village Areas by the Government, Provincial Government, Regency/City Government, and/or third party related to the use of assets and spatial layout of the Village shall engage the Village Government.
(2) The planning, implementation, utilisation, and asset utilisation for the development of Village Areas shall refer to the results of the Village Consultative Meeting.

(3) Further provisions on the planning, implementation of Village Regions development, utilisation, and utilisation as referred to in paragraph (2) shall be regulated in a Regency/City Regulation.

Article 85

(1) The Development of Village Areas carried out by the Government Provincial Government and Regency/City Government through local work unit, Village Government, and/or Village BUM by Village community participation.
(2) The Development of Village Areas done by the Government, Provincial Government, Regency/City Government, and third-party shall use the potential natural resources and human resources as well as involve the Village Government and the Village community.
(3) Village-scaled Development of Village Areas shall be delegated to the Village and/or inter-Village cooperation.

Part Three
Village Development and Development of Village Area Information Systems

Article 86

(1) The Village shall be entitled to access information through the Village information system developed by the Regency/City Government.
(2) The Government and Regional Government shall develop the Village information systems and development of Village Areas.
(3) The Village information system as referred to in paragraph (2) shall include hardware and software facilities, network, and human resources.
(4) The Village information system as referred to in paragraph (2) shall include data of the Village, Village Development, Village Areas, as well as other information relating to the Village Development and development of Village Areas.
(5) The Village information system as referred to in paragraph (2) shall be managed by the Village authorities and may be accessed by the Village community and all stakeholders.
(6) The Regency/City Government shall provide development the Regency/City planning information to the Village.

CHAPTER X
VILLAGE ENTERPRISE

Article 87

(1) The Village can establish Village-owned enterprises referred to as Village BUM.
(2) The Village BUM shall be managed by the spirit of brotherhood and mutual cooperation.
(3) The Village BUM can engage in the economic and/or public services in accordance with the provisions of the legislation.

Article 88

(1) The establishment of the Village BUM shall be agreed to by a Village Consultative Meeting.
(2) The establishment of Village BUM as referred to in paragraph (1) shall be determined by a Village Regulation.

Article 89

The results of operations of the Village BUM shall be used for:

a. Business development; and
b. Village Development, Village community development, and the provision of assistance to the poor through grants, social assistance, and activities of a revolving fund set out in the Village Budget.

Article 90

The Government, Provincial Government, Regency/City Government, and Village Government shall encourage the development of the Village BUM by:

a. Providing grants and/or access to capital;
b. Conducting technical assistance and access to markets; and
c. Prioritising Village BUM in the management of natural resources in the Village.

CHAPTER XI
VILLAGE COOPERATION
Article 91

A Village may cooperate with other Villages and/or collaborate with third parties.

Part One
Inter-Village Cooperation
Article 92

(1) Inter-Village Cooperation shall include:
    a. Development of joint venture owned by the Village to achieve competitive economic value;
    b. Community activities, services, development, and inter-Village community empowerment; and/or
    c. Security and order.
(2) The inter-Village cooperation shall be set forth in a Joint Regulation of Village Heads through an Inter-Village Consultative Meeting.
(3) The inter-Village cooperation agency is formed by a Joint Regulation of Village Heads.
(4) The inter-Village Consultative Meeting as referred to in paragraph (2) shall discuss issues related to:
    a. Establishment of inter-Village institutions;
    b. Implementation of government programs and Regional Government schemes that can be implemented through cooperation between Villages;
    c. Planning, implementation, and monitoring of inter-Village development programs;
    d. Budget allocation for Village Development, inter-Village, and Village Areas;
    e. Inputs to the program of the Regional Government where the Village is located; and
    f. Other activities that can be organised through inter-Village cooperation.
(5) In implementing the inter-Village development, inter-agency cooperation Village can form groups/organisations as needed.
(6) In the inter-Village service, enterprises can be formed Village BUM that belongs to two (2) 3
(7) Villages or more.

Part Two
Cooperation with Third Parties
Article 93

(1) Village Cooperation with Third Parties shall be done to speed up and improve the implementation of Village Government, implementation of Village Development, Village community development and empowerment of Village community.
(2) The Cooperation with Third Parties as referred to in paragraph (1) shall be discussed in the Village Consultative Meeting.

CHAPTER XII
VILLAGE COMMUNITY INSTITUTIONS AND
TRADITIONAL VILLAGE
INSTITUTIONS
Part One Village
Community Institutions
Article 94

(1) The Village shall utilise the existing community organisations in assisting the implementation of the functions of the organisation of Village administration, implementation of Village administration, implementation of Village development, Village social development, and Village community empowerment.
(2) The Village community institutions as referred to in paragraph (1) shall be a place for Village community participation as partners of the Village government.
(3) The Village social institution shall empower the Village community, participate to plan and implement development, as well as improve public services in the Village.
(4) The implementation of programs and activities sourced from the Government, Provincial Government, Regency/City Government, and non-government institutions shall empower and utilise existing social institutions in the Village.

Part Two
Village Traditional Institution
Article 95

(1) The Village Government and the Village community can form a Village traditional Institution.
(2) The Village Traditional Institution as referred to in paragraph (1) shall be an institution that performs functions of customs and becomes part of the original composition of the Village that grows and develops on the initiative of the Village community.
(3) The Village Traditional Institution as referred to in paragraph (1) shall be an institution assigned to assist the Village Government and to be a partner in empowering, preserving, and developing custom functioning a form of recognition of the customs of the Village community.

CHAPTER XIII
SPECIAL PROVISIONS OF TRADITIONAL VILLAGE
Part One
Traditional Village Structuring
Article 96

The Government, Provincial Government, and Regency/City Government shall structure the local customary law community unit and shall determine it to be a Traditional Village.

Article 97

(1) The Determination of Traditional Village as referred to in Article 96 shall meet the requirements as follows:
    a. Its unity of customary law community and traditional rights still actually exist, whether they shall be territorial, genealogical, or functional;
    b. Its unity of customary law community and traditional rights are deemed in accordance with the development of society; and
    c. Its unity of customary law community and traditional rights are in accordance with the principles of the Republic of Indonesia.
(2) The unity of customary law community and traditional rights that still actually exist as referred to in paragraph (1) letter a must have at least the area and meet one or a combination of elements of the existence of:
    a. Communities whose citizens have a shared feeling in the group;
    b. Traditional governance institutions;
    c. Custom wealth and/or custom objects; and/or
    d. Norms of customary law.
(3) The unity of customary law community and traditional rights as referred to in paragraph (1) letter b shall be deemed in accordance with the development of society if:
    a. Its existence has been recognised under the law applicable as a reflection of the development of values that shall be considered ideal in today's society, both laws that shall be general and sectoral; and
    b. The substance of the traditional rights is recognised and respected by the community unit and the wider community and not in conflict with human rights.
(4) An entity of customary law community and its traditional rights as referred to in paragraph (1) letter c is in accordance with the principles of the Republic of Indonesia if the customary law community unit does not interfere with the existence of the Republic of Indonesia as a political and legal entity:
    a. That does not threaten the sovereignty and integrity of the Unitary State of the Republic of Indonesia; and
    b. The substance of customary law norms fits and is not contrary to the provisions of legislations.

Article 98

(1) Traditional Village shall be defined by a Regency/City Regulation.
(2) The Establishment of Traditional Village after the Traditional Village determination as referred to in paragraph (1) shall be done by taking into account the implementation of Village Government, Village Development, Village community development and empowerment of Village community and the supporting infrastructure.

Article 99

(1) The merger of Traditional Villages can be done on the initiative and an agreement between the Traditional Villages.
(2) The Regency/City Government shall facilitate the implementation of the merger of traditional Villages as referred to in paragraph (1).

Article 100

(1) The Status of a Village can be converted into a traditional Village, a traditional Village can be converted into a Village, a Traditional Village can be converted into a Sub-District, and a Traditional Village can be converted into a Sub-District by the relevant communities' initiatives through a Village Consultative Meeting and approved by the Regency/City Government.
(2) In the event that a Village is changed into a Traditional Village, the assets of the Village shall be switched to be the assets of the Traditional Village, when a sub-district is turned into a Traditional Village, the asset of the sub-district shall switch into the assets of the Traditional Village, in the event that a Traditional Village is turned into a Village, the assets of the Traditional Village shall switch into the assets of the Village, and in the event that a Traditional Village is turned into a sub-district, the assets of the Traditional Village shall switch into the assets of the Regency/City Government.

Article 101

(1) The Government, Provincial Government, and the Regency/City Government can make Traditional Village Structuring.
(2) The Traditional Village Structuring as referred to in paragraph (1) shall be determined in a regional regulation.
(3) The Regional Regulation as referred to in paragraph (2) is enclosed with the map boundaries.

Article 102

The Regional Regulation as referred to in Article 101 paragraph (2) shall be based on the provisions as referred to in Article 7, Article 8, Article 14, Article 15, Article 16, and Article 17.

Part Two
Authority of Traditional Village
Article 103

The authority of a Traditional Village based on the rights of origins as referred to in Article 19 letter a shall include:

a. Structuring and implementation of government;
b. Based on the original composition;
c. Setting and management of customary or indigenous territories;
d. Preservation of cultural values of the Traditional Village;
e. Customary dispute resolution based on customary law in the Traditional Village in the area shall be in line with the principles of human rights with emphasis on consensual settlement;
f. The implementation of customary law community court hearing shall be in accordance with the provisions of the legislations;
g. The maintenance of peace and order in the customary law community village shall be based on the customary law applicable in the Traditional Village; and
h. Development of customary law life in accordance with social and cultural conditions of the Traditional Village.

Article 104

The exercise of authority based on the rights of origin local-scale authority of the Traditional Village as referred to in Article 19 letters a and b as well as Article 104 shall be governed and administered by the Traditional Village based on the principle of diversity.

Article 105

The exercising of the authority assigned and exercising the other authority designed by the Government, Provincial Government, or the Regency/City Government as referred to in Article 19 c and d shall be taken care of by the Traditional Village.

Article 106

(1) The Assignment of the Government and/or Regional Government to the Traditional Village shall include the implementation of Traditional Village Government, implementation of Traditional Village Development, Traditional Village community development, and Traditional Village community empowerment.
(2) The assignment as referred to in paragraph (1) shall be accompanied by costs.

Part Three
Traditional Village Government
Article 107

The regulation and structuring of Traditional Village Government shall be carried out in accordance with the rights of origin and customary law in the Traditional Village that are still alive and in accordance with the development of society and not contrary to the principles of the implementation of Traditional Village Government in principle of the Republic of Indonesia.

Article 108

The Traditional Village Administration shall hold the consultative function and Consultation of the Traditional Village according to the original composition or the Traditional Village formed in accordance with the community initiatives of the Traditional Village.

Article 109

The institutional structuring, filling of positions, and term of office of the Head of the Traditional Village based on customary law shall be set out in a Provincial Regional Regulation.

Part Four
Traditional Village Regulation
Article 110

Traditional Village Regulation shall be tailored with the prevailing traditional laws and customs in the Traditional Village to the extent not inconsistent with the provisions of the legislations.

Article 111

(1) The special provisions concerning Traditional Village as referred to in Articles 96 through Article 110 shall apply only to Traditional Villages.

(2) The provisions on Village shall also apply to Traditional Villages to the extent not regulated under specific provisions of the Traditional Village.

Article 112

(1) The Government, Provincial Government, and Regency/City Government shall direct and supervise the Village Administration.
(2) The Government, Provincial Government, and Regency/City Government may delegate the supervision to the local apparatuses.
(3) The Government, Provincial Government, and Regency/City Government shall empower the Village community by:
    a. Applying the results of the development of science and technology, effective technology, and new findings for the economic and agricultural progress of the Village community.
    b. Improving the quality of government and Village communities through education, training, and counselling; and
    c. Recognising and functioning the original and/or existing institutions in the Village community.
(4) The empowerment of Village community as referred to in paragraph (3) shall be implemented with the assistance in the planning, implementation, and monitoring of Village Development and Village Areas.

Article 113

The development and supervision by the Government as referred to in Article 112 paragraph (1) shall include:

a. To provide guidelines and standards of the management of Village Administration;
b. To provide guidance on funding support from the Government, Provincial Government, Regency/City Government to the Village;
c. To give rewards, mentoring, and coaching to the Village community institutions;
d. To provide guidelines for participatory development planning;
e. To provide standard guidelines for the Village apparatuses;
f. To provide guidance, supervision, and consultation organisation of the Village Administration, Village Consultative Body, and Village social institutions;
g. To give awards for the achievements in the implementation of Village Administration, Village Consultative Body, and Village social institutions;
h. To establish direct financial assistance to the Village;
i. To conduct specific education and training to the apparatus of the Village Government Village Consultative Body;
j. To conduct research on the implementation of the Village Government in a particular Village;
k. To accelerate Village Development;
l. To facilitate and conduct research in order to determine the unity of indigenous peoples as a Village; and
m. To prepare and facilitate technical guidance for Village BUM and Village cooperation agencies.

Article 114

The development and supervision by the Provincial Government as referred to in Article 112 paragraph (1) shall include:

a. To provide guidance to Regency/City in the context of preparing Regency/City Regulations governing Village;
b. To develop the Regency/City in order to award the Village Fund allocation;
c. To develop an increase in the capacity of the Village Head and Village Apparatuses, Village Consultative Body, and social institutions;
d. To develop Village Government management;
e. To develop efforts to accelerate the Village Development through financial aid, assistance, and technical assistance;
f. To conduct technical guidance in specific areas that cannot be done by the Regency/City Government
g. To conduct the inventory of provincial authority held by the Village;
h. To provide guidance and oversight for establishing the Draft Regency/City Budget for Village financing;
i. To provide guidance to the Regency/City for the structuring of the Village Area;
j. To assist the Government in determining the customary law community unit as a Village; and
k. To develop and oversee the establishment of Regency/City Village BUM and inter-Village agency cooperation.

Article 115

The development and supervision carried out by the Regency/City Government as referred to in Article 112 paragraph (1) shall include:

a. To provide guidelines for the assignment of the affairs of the Regency/City conducted by the Village;
b. To provide guidance on the preparation of Village Regulation and Village Head Regulation;
c. To provide guidelines for participatory development planning;
d. To facilitate the implementation of Village Government;
e. To conduct the evaluation and supervision of Village regulation;
f. To establish financing equalisation fund allocation for the Village;
g. To oversee the management of Village Finance and Village Asset utilisation;
h. To conduct training and supervision of Village Administration;
i. To educate and hold training for Village Government, Village Consultative Body, community organisations, and traditional institutions;
j. To give awards for achievements in the implementation of Village Administration, Village Consultative Body, community organisations, and traditional institutions;
k. To undertake efforts to accelerate Village Development;
l. To do Village Development acceleration efforts through financial aid, assistance, and technical assistance;
m. To do Village BUM capacity building and inter-village cooperation institution; and
n. To impose sanctions for irregularities committed by the Village Head in accordance with the provisions of the legislations.

CHAPTER XV
TRANSITIONAL PROVISIONS

Article 116

(1) Villages that have existed before this Law applies shall continue to be recognised as Villages.

(2) The Regency/City Government shall establish a Regional Regulation on the determination of the Village and the Traditional Village in the region.
(3) The determination of Village and Traditional Village as referred to in paragraph (2) no later than 1 (one) year from the promulgation of this law.
(4) At least 2 (two) years since the Law applies, the Regency/City Government and the Village Government shall take inventory of the Village Assets.

Article 117

The implementation of the existing Village Government shall adjust with the provisions of this Law.

Article 118

(1) The term of office of the existing Village Head that at this time shall remain until the end of the term.
(2) The term of periodicity of Village Head shall follow the provisions of this Law.
(3) Members of the Village Consultative Body that exist at present shall remain to serve until their membership period expires.
(4) The periodicity of membership of the Village Consultative Body shall follow the provisions of this Law.
(5) Village apparatuses that are not civil servants still have to work until the end of their term.
(6) Village apparatuses that are civil servants shall carry out their duties until the determination of the placement regulated by a Government Regulation.

CHAPTER XVI

CLOSING
Article 119

All provisions of laws and regulations that relate directly to the Village shall base and adjust the regulation with the provisions of this Law.

Article 120

(1) All implementing regulations on Village currently so long as applicable to the contrary in this Law.
(2) A government regulation as the implementing regulations of this Law shall be established no later than 2 (two) years from the date of this Law is enacted.

Article 121

At the time this Law comes into force, Article 200 to Article 216 of Law No. 32 of 2004 concerning Regional Government (State Gazette of the Republic of Indonesia of 2004 Number 125, Supplement to the State Gazette of the Republic of Indonesia Number 4437) as amended by Law No. 12 of 2008 regarding the Second Amendment Law No. 32 of 2004 concerning Regional Government (State Gazette of the Republic of Indonesia of 2008 Number 59, Supplement to State Gazette of the Republic of Indonesia Number 4844) shall be revoked and declared invalid.

Article 122

This Law shall take effect on the date of promulgation.

For public cognizance, hereby ordering the promulgation of this Law by placing it in the Official Gazette of the Republic of Indonesia.

Enacted in Jakarta
on the 15 January 2014
THE PRESIDENT OF THE REPUBLIC OF INDONESIA,

Signed,

DR. H. Susilo Bambang Yudhoyono

Promulgated in Jakarta
on 15 January 2014
THE MINISTER OF LAW AND HUMAN RIGHTS OF THE REPUBLIC OF INDONESIA,

Signed,

AMIR SYAMSUDIN
STATE GAZETTE OF THE REPUBLIC OF INDONESIA OF 2014
NUMBER 7

Issued as a true copy
THE STATE SECRETARIAT MINISTRY OF THE REPUBLIC OF INDONESIA