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Community Participation Pattern in Communal Village Land Utilization

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Abstract: Customary land tenure associated with land administration systems have begun to receive attention through research. A recent study discusses the practice of land release to gain insight into the forces that underpin transformation of customary land rights. However, few studies address the ability to negotiate and adapt to customary land tenure. This study fills this gap, especially the utilisation of *Bengkok* land as village-owned land and explores the knowledge that drives changes in customary land management rights in Indrokilo sub-village. Data were collected through surveys and interviews addressed to respondents as *Bengkok* land users and key actors. The results of the study indicate that the change in *Bengkok Bayan's* land management rights to collective rights of farmer groups has been affected by four conditions, namely: the vacancy of the village official (*Bayan*), the village land leasing system, sanitation programme socialisation, and resident participation. The aspirations of the farmer groups are accommodated by the village government in the form of a village head's decree and the terms of land rent compensation. Adaptation of farmers, farmer groups and village government is manifested in the form of land use arrangements as *Kandang kawasan* (cattle pen), separation of cattle pens and houses, as well as *Bengkok* land rental systems. Changing the *Bengkok* land management rights for communal interests requires legal strengthening through regional regulations in order to recognise the existence of farmer groups, promote justice, and reduce poverty for the sustainability of suburban area development.

1. INTRODUCTION

Community participation has become the key element in the planning process (Brody, Godschalk, & Burby, 2003). The International Association of Public Participation believes that the capacity of a community's position as decision maker represents the highest level (in accordance with empowerment) in the community involvement spectrum (International Association of Public Participation (IAP2), 2014). This stage is categorised as empowerment existence. The society has to decide who it trusts and to whom it grants authority in making important decisions (Parkins & Mitchell, 2005). Community participation in making decisions intends to bring justice and equity to the process. Justice is the foundation of the decision-making process (Smith & McDonough, 2001).

[Arnstein \(1969\)](#) assumed that public involvement only fulfils an aspect of formality, where formality-based community involvement occurs in the third and fourth stages of the decision making process, namely, information and consultation. According to Arnstein, the level of citizen authority, which consists of partnerships, delegation of authority, and control, has the highest level of participation.

This aspect of formality can be seen from the planning process in several countries. In China, participation or the public's role is rarely involved in planning, including in the process of decision making ([Lin & Liu, 2006](#); [Zhang, 2007](#)). Three studies reported that the level of community participation, especially in China and Indonesia, is only at the third and fourth stages, of consultation and information ([Dinata, 2013](#); [Shan & Yai, 2011](#); [Prastiyo, 2016](#)). Newig and Ernoul assumed that public participation can be increased depending on the institution and the thematic and geographical context ([Ernoul, 2010](#); [Newig, 2007](#)).

Local community involvement in planning and decision making is problematic in practice, and the process of identification used by local governments to facilitate such involvement is extremely important ([Virtudes, 2016](#)). [Kardos \(2012\)](#) stressed the need for public involvement and interest to improve the coordination mechanism and disseminate good practices related to public consultation. In addition, a new model in government management has been studied to enhance public participation through a collaborative approach, better information, and communication to the community while delegating responsibilities in making decisions ([Bourgoin et al., 2012](#)).

Furthermore, [Bourgoin et al. \(2012\)](#) considered that transferring information through communication technology between the authorities and citizens greatly affected the government's ability to achieve satisfactory standards of information, democracy, and transparency. In this regard, Indonesia as a developing country has given attention to this issue through the provisions stipulated in Article 65 of Law Number 26/2007 on Spatial Planning and Government Regulation number 68/2010. In article 13f, Law 27/2007 mandates that local governments provide information and communication systems for guidance in spatial planning.

The performance of governments has been assessed critically to improve public services for sustainable development ([Kardos, 2012](#); [Rotberg, 2014](#)). In land use planning for public interest, the willingness or good intentions of the regional government to involve the role and aspirations of the community has received public scrutiny. [Fisher and Ury \(1981\)](#) found that people are not willing to accept a decision made by a person or only a few people, and according to [Cheung and Leung \(2007\)](#), a side-lined public role can result in a decline and low accountability of the government in the public eye. In fact, the living habits of sub-urban communities in Indonesia are still trying to prioritise the principle of deliberation and consensus in deciding an important matter (based on Syt interviews, 2018). This phenomenon can be seen in the process of utilising customary land as a village asset that is preceded by *rembug desa* (villager consultation), mainly in central Java, Indonesia.

2. RESEARCH BACKGROUND

Land tenure rights of people or a country could be applied to other regions by referring to a similar system or through adaptation ([Rudiarto,](#)

2006). However, land legislation differs depending on location and location characteristics. Therefore, recognition of land status should consider legitimation and legalisation. Payne (2002) reported five systems of land tenure, including customary land (community land), private tenure, public tenure, religious tenure, and non-formal tenure. This research focuses on customary land, which was owned by the community before Independence Day. All forms of land allocation, transfer, and land use must be approved by the community leader (Kartasaputra & Indonesia, 1985).

Customary land is under the influence and authority or customary rights of a customary law and receives protection and is controlled by the community (Wicaksono, 2016; Van Vollenhoven, 1909). Agrarian Law number 5 of 1960 established the status and customary land rights, which are converted from customary property rights into usage rights. In this condition, customary land becomes an asset of the village, which is managed by the village official with the status of usage rights. The position of *Bengkong* land is categorised as 'adat land' (Rusdianto, 2015; Tobing, 2009) or land owned by the customary group managed by the village; the allotment must be utilised for the benefit of village development or administration.

Village economic development is not only aimed at the process of socio-economic, cultural, and physical development of settlements based on individuals' interests and the social life of the community, but also focuses on socio-cultural values in maintaining natural resources as community assets (Harun, 2016). *Bengkong* land, a village land property and a community asset, is a place for villagers to make a living and has social order and value systems that have been rooted for generations. In the context of governance, village land can be allocated for the livelihood of village officials and managed as a substitute for wages in managing residents.

Studies in various countries have shown various factors that influence the existence, control and management of customary land. A study in Tanzania found that land development resulting from the existence of customary land had little recognition in the formal system of development, even that customary land rights had begun to disappear according to urban planning authorities (Magigi & Drescher, 2010). Other research in peri-urban Ghana precisely looks at the forces that underpin the transformation of customary land rights, finding in its management that an indication of the customary land ruling regime appears as an exclusion force and acts synergistically with market forces, displacing unstable customary stakeholders (Akaateba, 2019). The above research phenomenon shows that there is a threat to the existence of customary land.

Little is known about what limits local communities to playing a role in the collective management of customary land. Lack of community negotiation skills and adaptation of customary land tenure are the main concerns in this research. This research fills the gap by exploring knowledge that encourages the formation of the role of actors and participatory patterns in customary land utilisation.

3. METHODS

This study applied an exploratory approach through in-depth and structured interviews. Primary data included area and location of village land, groups of farmers who use the village land, types of buildings, and information of the time period of village land usage. Informal discussions were conducted to obtain important information from local figures, such as a

religious leader, village development volunteers, former village officials, and government staff who understood the history of village. Dialogues were held during the respondents' free time in the afternoon or evening in informal places to create a dynamic, intimate family atmosphere. This condition was expected to provide the valid and reliable data and sketches needed.

Respondents were selected by census from all farmers who used the village land. The respondents included 32 household heads as well as a religious leader who received *Bengkok* land as compensation for his dedication. The object of research is the village property land together with buildings built on *Bengkok Bayan* land or by the deputy village head. The focus of the study is the *Bengkok* land of ex-Bayan of Indrokilo sub-village with an area of 7,161 m². The study was conducted at Lerep village, an area of peri-urban Ungaran.

According to the Village regulation number 3 of 2007, the placement of livestock must be arranged on village land that functions as *Kandang kawasan* (livestock pen area). This study started from observing the condition of settlements in 2006/2007 to the present to obtain the participation pattern and role.

To explain the role of local actors, the discussion begins with the background of land use that results in partnerships in village land utilisation. Participation patterns are explained through the development process of the cattle pens and the contribution of farmers. Furthermore, the distance of the farmer's house to the *Kandang kawasan* are affected by the change of village land management rights.

4. RESULTS

4.1 The Partnership Process and Role of the Local Actor in Village Land Use

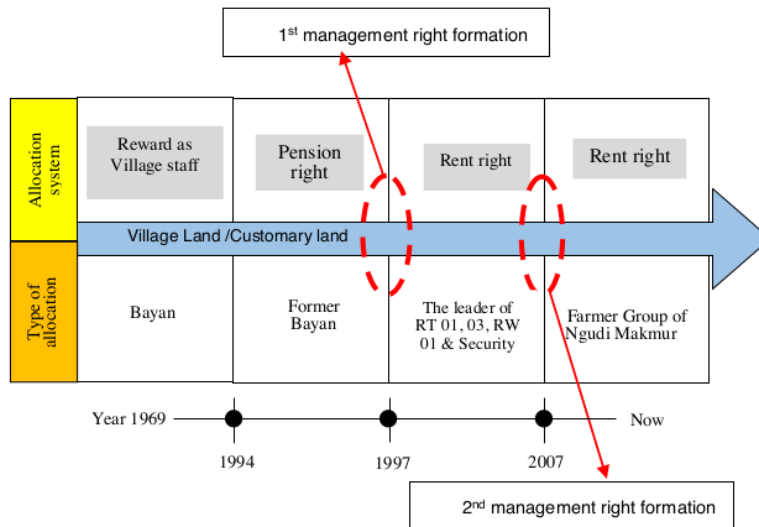


Figure 1. The transformation of management right of Bengkok land
(Source: Author 2018)

The pattern of community participation can be seen from the process of obtaining management rights and the use of village land by the residents of the Indrokilo village. This process started in 1997, when the Bayan (the deputy head of the sub-village) resigned as a village official and handed the managing rights of the *Bengkok* land to the village official of Lerep. As the position of Bayan was vacant, the *Bengkok* land's status became *Bondo Desa*, which was used by several local actors until 2006 through a rental system involving payment to village officials. They are the leaders of RT 01 (*Rukun Tetangga* or neighbourhood association) and RT 03, the leader of RW 01 (*Rukun Warga* or community association), and security staff. *Figure 1* below describes the transformation of management rights of *Bengkok* land.

In 2006, a health officer in West Ungaran conducted a social programme on hygiene and an assessment of environmental health in the sub-village. The assessment focussed on the presence of cattle sheds in each house and scattered cattle dung on the road. Such conditions led to a dirty, messy, smelly, and uncomfortable neighbourhood. This activity has raised awareness among residents.

This awareness also encouraged residents to relocate private cattle pens to places considered appropriate by village officials. Through consultation efforts, the location considered appropriate for cattle pens was the village-owned land, especially the land of *Bengkok Bayan* who had already retired. Furthermore, in early 2007, the farmers represented by the team leader requested of the village official the use of village-owned land as communal land that functioned as a cattle shed area. The village official conducted consultation with cattlemen, village officials, BPD (village consultative board), and LKMD (institution of community resilience), and decided that *Bengkok* land could be used by every farmer (cattleman). This decision was strengthened through Village Regulation number 3 of 2007, concerning the cattle location as *Kandang kawasan*. Village regulations stipulated three locations of village land as *Kandang kawasan* around Lerep village.

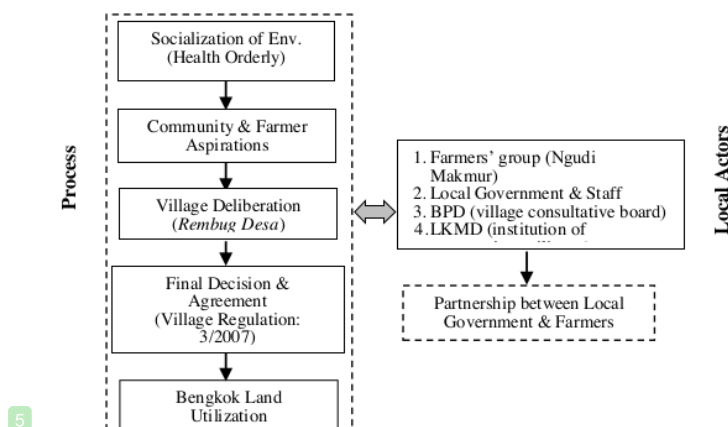


Figure 2. Stages of the consultation process and the actors involved in agreement on the management rights of *Bengkok* land in 2007 (Source: Author, 2018)

In October 2007, the management of the *Bengkok Bayan* land began to demonstrate a positive partnership between the village government and farmer groups, especially the cattle breeders, in utilising village land communally. From the partnership, participation level achieved 13.5% of all farmers in Indrokilo sub-village. The stages of the consultation process and

the actors involved in the *Bengkok* land agreement are shown in Figure 2 below.

Figure 3 explains the role of local actors in making changes to management rights of *Bengkok Bayan* land at Indrokilo sub-village. Participatory land management is seen in the transition of management rights from the local actor to the farmer group rights of *Ngudi Makmur*. At this stage, there were 32 farmers who had the opportunity to manage the cattle business in the role of the head of the farmer group. Some tasks have been carried out by the head of the farmer group, such as: communication and negotiation with village government staff; signing an agreement; and supervision of land use according to the agreement. This condition shows the importance of the ability of farmers to negotiate, communicate, and receive an opportunity to manage the village land, mainly the *Bengkok Bayan* land. Categories of actors and their role are shown in Figure 3.

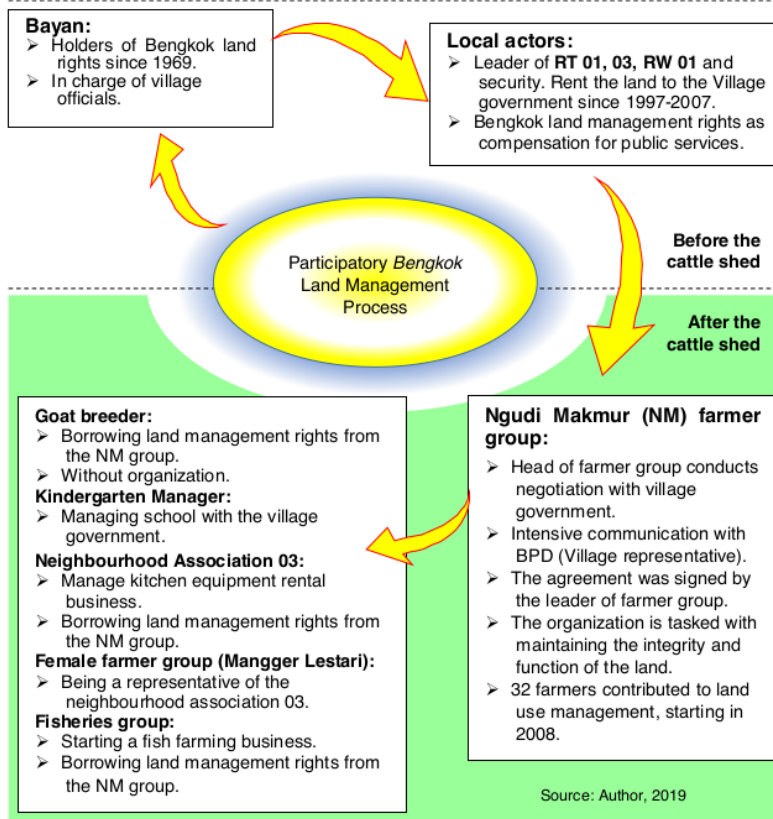


Figure 3. Categories of actors and their roles in the process of changing land management rights (Source: Author, 2019)

After the agreement, the Lerep official, through the act of the village head (Act number 141/026 of 2009) set a rate (Rp. 50,000/year) for cattlemen for ground rent on *Bengkok Bayan*. This decree is addressed to members of the *Ngudi Makmur* cattle breeders who apply for the use or maintenance of the land. In 2008/2009, the number of registered breeders that utilised the *Bengkok Bayan* land was 32 of 237 households (see Table 1). Furthermore, some cattle breeders asked permission of the group leader

to breed goats on the village land. However, each goat breeder was required to contribute only Rp. 25,000/year.

The two contributions were deposited by the treasurer of the farmer group to the village government as a rental fee for the use of the village land. In addition, farmers are given IDR 5,000/year as water installation equipment costs. Another type of contribution required from farmers is the 1% of the temporary contribution taken from the sale of each livestock (cow or goat). This fee is determined by the management of the Ngudi Makmur farmer group and is used for farmer groups' activities or interests, such as social activities (mutual assistance), member meetings, maintenance costs for lawn mowers, or costs for administering members.

Table 1. Contribution for Land Rental

Type of Contribution	Rent / Year (Rupiah)	Number of Breeders	Total (Rupiah)
A. Fixed Contribution:			
Cattle breeder	50,000	32	1,600,000
Goat breeder	25,000	3	75,000
Water and maintenance	5,000	35	175,000
Total per year			1,850,000
B. Temporary Contribution:			
Livestock sales	1%	32	tentative

Source: Author, 2019

Sources of income for farmer groups are currently increasing and sourced from kitchen equipment rentals and rent from fish farms. It is expected that the source of income of the residents from *Bengkok* land management can meet the land rent to the village government.

4.2 Participation Pattern and Development System of Cattle Pens

The stage of moving cattle pens from each house to *Kandang kawasan* (cattle pen areas) was conducted with the breeder. A communal working system and moving from one cattle-pen building to another building represented the pattern agreed upon by the breeder or members. The participative development pattern continued until all members helped to finish the building because of the social responsibility of each member of Ngudi Makmur. The worker's resources would be given in the form of free time, and the building materials were provided by each owner of the breeding shed. The tools were either provided by the owner of the shed or a group member.

In the early stage of utilising the village land, four farmer groups were formed by the residents of Indrokilo sub-district through the Wanatani programme. The focus of this group was divided based on activities, age, gender, and derivative products of the farm. At present, only two groups are left, while the existence of the groups' member and socio-economic activities still continue.

According to the village regulation of 03/2007, livestock pens and supplementary facilities are allowed. In fact, not only cattle pens, but also other public facilities are built on *Bengkok Bayan* land. These facilities were provided by village officials to support local people and included a

kindergarten, play rooms, and a meeting room. The other buildings were initially built by local people, such as a chopper area and a warehouse for kitchen tools. The compost house and biogas installations were established with the aid of an NGO. The layout of livestock pens are shown in *Figure 4*.

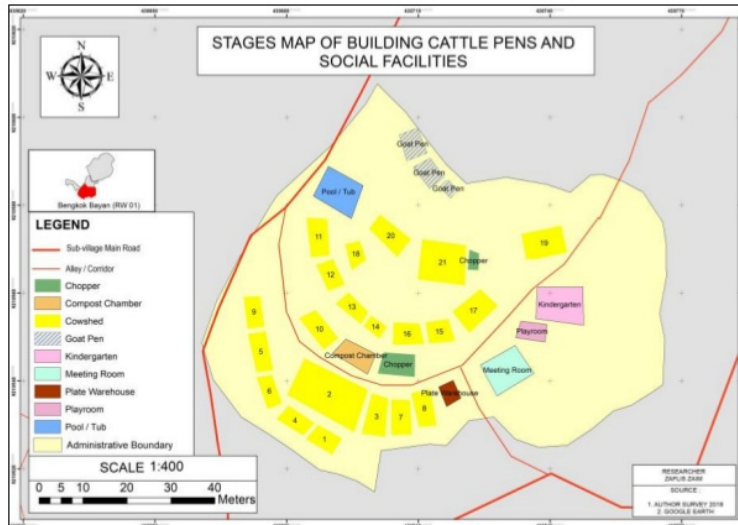


Figure 4. Layout of livestock pens, in particular cattle pens (cowsheds)

The building of cattle pens is carried out through a *Gotong-royong* pattern (mutual assistance), where each farmer gets a work schedule in rotation. This pattern was agreed upon by the members of the farmer group as a tradition of residents in building common facilities on village land such as *Bengkok Bayan* land. Furthermore, the radial construction pattern indicates the system and direction of building development by following the slope and contour of the land to facilitate water flow. This order of construction is shown above in *Figure 4*.

4.3 Distance of Houses to *Kandang Kawasan* Area

The area of *Kandang kawasan* used by breeders is about 7,161 m², with a slope contour condition of 3–5%. This condition is ideal for pen layout management for every breeder and also for the layout of irrigation, sanitation, and neighbourhood paths. According to the village regulation, grass planting and the building of pens and supporting facilities are allowed on the village land.

The houses of breeders are located around the *Bengkok Bayan* land or *Kandang kawasan* (pen area). Fourteen breeders' houses (52%) are within 100–500 m of the *Kandang kawasan* location. Eleven houses (41%) are less than 100 m from the *Kandang kawasan* location, and only two farmers' houses are located within 500–1000 m of the land.

Figure 5 shows the estimation of the distance of the farmers' houses to the *Kandang kawasan* location. Most of them are interested in participating in *Kandang kawasan*. These conditions show that the informal workers live close to their work location (Zaim, 2004).

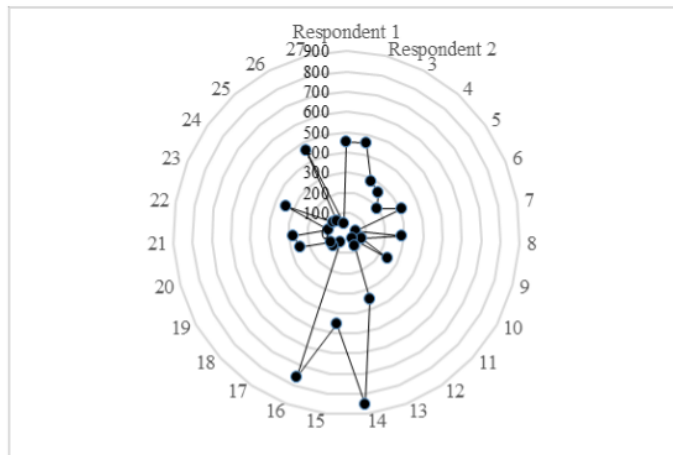


Figure 5. Estimation of the distance of a farmers' house to the *Kandang kawasan* location.

5. DISCUSSION

Indrokilo residents are accustomed to doing mutual work (*gotong-royong*), especially for facilities that concern common interests. The *Gotong-royong* pattern is conducted in stages, sequentially, and alternately. It is a participative work pattern based on a sense of mutual responsibility for the participative building of cattle pens by groups of farmers in the Indrokilo. The pattern becomes a local cultural entity and develops social capital that should be maintained and expanded. There is a wisdom in the form of state acknowledgement for customary land existence and the handling of its management by local farmer groups. Therefore, social capital becomes a strength for promoting development, especially sustainable development in agriculture.

The form of social capital that has developed in the Indrokilo sub-village includes a network structure with mutual norms and trust ([Putnam, Leonardi, & Nanetti, 1994](#)). The dimension of the network structure can be seen from the social relationship between the head of a farmer group with the village officer and BPD, or between the head of a farmer group and the former *Bayan*. The reciprocal dimension of norms and trust can be seen in the agreement of farmer members to collect cow milk for the heads of farmer groups to sell collectively, work coordination, and the division of tasks between farmer group members. This research also found two complementary elements of social capital, namely solidarity and equality of farmer women's groups through their participation in *Bengkok* land management.

The participation pattern of the Ngudi Makmur farmer group in obtaining village land management rights indicates the central role of local figures in conducting communication and reaching an agreement with the Lerep village government. Residents have appointed the head of the farmer group to undergo a village deliberation process regarding the management of *Bengkok* land since 2007. The appointment of local leaders is due to the social status held by the head of the Ngudi Makmur farmer group and the inability of citizens or groups to negotiate ([Irvin & Stansbury, 2004](#); [Roberts, 2004](#)), especially in the event of village deliberations.

The appointment of the farmer group head is a form of trust and support from citizens to obtain the management rights and the village land use. In this context, it appears that social capital is not only an input but also an output of the participatory planning process (Jones et al., 2012; Wagner & Fernandez-Gimenez, 2008) followed by norms and agreements between farmer group members. The participation process above shows the level of acceptance of Indrokilo citizens of the decision of the Lerep village government, BPD, and their representatives during the village deliberation process.

The role of local actors or figures is influenced by the limited insight of most citizens, disinclination (*ewuh pakewuh*), negotiation skills, confidence, and speech skills. Aware of this condition, Indrokilo residents appoint their representatives and give moral support to the head of the farmer group to negotiate with the village government. At this stage of the planning process, citizen participation is only aimed non-economically by utilising social capital (Habersetzer et al., 2019; Sabatini, 2008; Knack & Zak, 2003; Callois & Aubert, 2007; Neira, Vázquez, & Portela, 2009) to obtain land management and development rights. In this case, it appears that participation and social capital are mutually reinforcing (Jones et al., 2012; Menzel, Buchecker, & Schulz, 2013; Wagner & Fernandez-Gimenez, 2008).

After the land management rights are obtained by the Ngudi Makmur farmer group through a decree from the village head, the status or ownership of the land changes and includes economic elements for all parties, especially residents of the Indrokilo sub-village. At present, the *Bengkok* land management involves many parties: the Ngudi Makmur farmer group, the Mangger Lestari female farmer group, the fisheries group, the administrator of Neighbourhood Association 3, the kindergarten manager, and goat breeders. The involvement of various groups in the management of *Bengkok* land has encouraged collaborative efforts, especially in the procurement of equipment, start-up capital, material, time, and labour. The principle reason why people want collaboration in non-economic contexts is their readiness to work together to regulate activities that contain economic elements (Westlund & Adam, 2010). All members of the society would choose to participate if they saw the benefits of a proposed facility, if they had an economic interest in a decision's result, or if they needed protection to increase access to the use of public facilities or services (Sanoff, 1999; Creighton, 1994).

Through the decree of the village head, the farmer group receives social recognition and guarantees land management, thereby increasing access to sustainable utilisation of the *Bengkok* land resources. Increased access could involve more citizen participation through structuring information availability (Williamson et al., 2010). Thus, long-term community-based village land management requires a database, especially data on land users, building conditions, types of activities, and the area of land used by the residents.

6. CONCLUSION

This research concludes that changes in *Bengkok* land management rights are influenced by four factors: the vacancy of the village official (*Bayan*), the existence of the *Bengkok* land leasing system through a contract system by the village government, socialisation of the sanitation programme, and citizen participation. Another conclusion involves the existence of

complementary elements of social capital as a measure of hidden concepts inherent to the land use planning process. This can be seen from the role of farmer women's groups and all groups that appear as outputs during the participatory planning process.

The level of citizen participation is increasing through the role of local actors (heads of farmer groups) who are able to communicate and negotiate in order to open access to communal land use. The efforts and actions of local leaders have changed people's behaviour (Grusec, 1994), especially that of the farmers in Indrokilo sub-village, and provided examples through collective work patterns. The family relationship between the head of a farmer group and the former *Bayan* become a community reference, a work reference, and strengthen the figure's education level. In the above conditions, individual profiles, behaviour, and environment influence each other (Bandura, 1977). Indrokilo sub-village residents experience social learning through observation, imitation, and teaching aids as a centralised approach, especially in land management (Bandura, 1977). Daniels and Walker (1996) suggested that learning is the core element in making public policies.

Social capital in the community develops naturally, but the availability of village government systems and work tools influences the participatory development planning process. The principle of land administration prioritises the importance of information and public participation (Williamson et al., 2010), so the government must legislate land regulations related to its activities, including land use rights, supporting economic aspects of village land, and functions of land use control and development. Manual maps (billboard maps or bulletin boards) as a medium of information need to be offered in strategic locations and public places as a function of control, a forum for increasing participation in village land use, and social learning for villagers. In the context of an institution, village officials are expected to take the initiative in increasing the role of the public (Ernoul, 2010; Newig, 2007).

One of the principles of land administration is to support the efficiency and effectiveness of sustainable development through the establishment of a spatial data infrastructure platform that can connect the public to information sources (Williamson et al., 2010). However, due to limited resources, the structuring of village land information systems especially in developing countries can be started by providing a manual map. The map should be publicly available to the community as a village asset.

Structuring information systems related to village land use can increase citizen participation in the sustainable management of village land. This effort also lays the foundations for building a customary land tenure system promoting equal distribution of business opportunities and poverty alleviation (Toulmin & Quan, 2000; World Bank, 2003; Deininger, 2003; Deininger & Binswanger, 1999).

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