

# Sustainable Village Development in Indonesia: Shaping Participatory Sub-local Government through Human Rights-based Approach

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**Keywords:** Human Rights, Local Government, Sustainable, Village Development.

**Abstract:** Village in Indonesia, so-called Desa, in recent years has been becoming a favourable study since the issuing of the Act No. 6 Year 2014 on Village, in which village authority can organize financial resources from central, provincial, and municipal government allocated for village development. It is challenging legal policy of this Act in boosting the welfare in village. Therefore, this paper aims to emphasize the human right approach in shaping sustainable village development as a sub-local government in decentralization policy. To support, several legal instruments, legal theories, and samples of phenomenon in society are observed. This paper finds that there are some legal instruments supporting the village development, for instance in utilizing human capacity and fiscal decentralization regarding the interaction with environment. Legal policy of the Act on Village can emerge public participation in making of planning although it has some challenges, such as the tendency in over land use and or limited capacity of inhabitants. Additionally, human rights perspective inspires some substances, such as the right to participate, the right to the city, in attempt to enhance democracy, the aim of decentralization, the target of SDGs, equality and inclusion in development.

## 1 INTRODUCTION

A changing comes to the portrait of inhabitant distribution around the world, unexceptionally Indonesia, that urbanization phenomenon reduces the dwellers' volume of village to city or changing the village into the city. Surely, it is influenced by the uneven of development between urban and rural areas across regions, which is risky to the economic production located in the village. Convincingly, an Indonesia scholar considers that the Indonesia welfare relates to the village welfare along with the idea on the national endurance which depends on strategic sectors, such economy, communication, transportation, macro industries, etc., are under government control (Marbun, 1976). Indonesian development, at least in Marbun's sense, is meaningless without village development (Marbun, 1976). In regard to development, it would not be logical denial that development should not be separated from human rights. This platform is promoted particularly by National Commission for Human Rights of Indonesia (Komnas HAM) encouraging that development shall be based on strong correlation between development strategy and process and the efforts in attempt to human rights

enjoyment (Firdaus and et.al, 2013). Moreover, the right to development should open for citizens to widen participate, contribute and enjoy the resultant of development in all aspects supporting the fulfilment of human rights values, either civil and political rights or economic, social and cultural rights (Firdaus and et.al, 2013).

Clearly, the fulfilment of human rights through development requests public participation which has constitutional admission according to N. Douglas Lewis (1999). As a broader sense of political rights which is not only a choice in terms of to vote, but the deeper is that participation as linked aspects of human agency which, as Lewis shall claim, has important implications for social and economic rights and to an equality which is not limited to sex, religion or nationality (Lewis, 1999). When it is going local, what linkages emerge between greater autonomy for local government and encouragement for intermediary bodies is representing a wide range of citizen interests. This aside, there are other aspects to citizen participation which could be pursued. Constitutional regulation has, in the view of Lewis, an important and innovative part to play in encouraging genuine local partnerships among the government, voluntary organisations, the private

sectors, and an active citizenry (Lewis, 1999). It indicates that participative experiments have been conducted closer to home (Lewis, 1999). Lewis, then, mentions a closer examination pointing participation as something of an umbrella concept, and embraces a number of other cherished values. Explicitly said that “... it has periodically conferred rights of a ‘participative’ sort in arrange of political and administrative settings” (Lewis, 1999).

Through a procedure for moderating collective freedom and wellbeing, decisions on the merits to the political/administrative process do not forfeit the right to participate. Local political processes but by facilitating association in a variety of ways. Lewis, inspired by Gewirth further explains that “... just as human rights, through mutuality, entail community, so community, in order to be morally justified, requires human rights. The relation of rights and community, then, is one of mutual support”. That opinion leads Lewis to state that voluntary associative conduct is an elemental form of civil participation, which mentioning that building societies, housing associations, cooperative enterprises, trades unions, credit unions, and such organisations as the Open Space Society and the National Trust all emerged through collective non-governmental efforts (Lewis, 1999). Constitutionally, Lewis convinces that fundamental principles can be translated, through exhortation, experiment, research, and novelty, into the whole range of publicly approved and/or facilitated activities. This obviously involves an expanded role for the legal order (Lewis, 1999). Strictly said, that participation posited at the core of human personality and, as such, lay special claim to constitutional status (Lewis, 1999). How to define public participation is particular issue in not only on the state-citizen relationship, but also on constitutional decision making of how to translate constitutional rights.

Taking the aspect of socio-economic rights, Marius Pieterse (2010) enlightens the nature of such translation through paraphrasing Lucy William’s view on the actualization of a socio-economic right. Pieterse, then, classifies two dimensions as the translation: a) a substantive entitlement needs to be legally articulated and defined; and b) legal and/or administrative mechanisms must be established through which the entitlement may be claimed or through which wrongful non-delivery of the objects of the entitlement may be challenged (Pieterse, 2010). Nevertheless, Pieterse noted several factors that impact negatively on the quality and effectiveness of legislative or executive translation. Explained that legislatures and executives face

constraints of time, capacity and competing priorities, can retard translation and undermine its effectiveness. Pieterse states that translation to be fail where the legislature or executive is unsuccessful to define socio-economic entitlements or to operationalize them (Pieterse, 2010). These challenges then have regard to the importance of the right holder to be aware of their rights as well as of the mechanisms through which to enforce them and must practically be able to utilize the above mechanisms in order to secure actual enjoyment of the goods or services guaranteed by the entitlement. In this point, the participation, either personally or collectively, plays a key point in defining and operating the entitlements.

### 1.1 Understanding “Sustainable Village Development”

Uchendu Eugene Chigbu (2012) has perception that people enjoy sustainable bonding to the history, culture, and general rural character of their place (Chigbu, 2012). Yet, he notes, measures are done to regulate and develop village land for better living condition (Chigbu, 2012). For Indonesia, it could be a crucial thing that is how to enjoy the fundamental rights. The option to preserve rural area for not to boost urbanization is the government interest, whereas dwellers only concern about the idea to encourage their wellbeing. Surely, in attempt to maintain cultural rights, some particular tribals always struggle for their traditional life. Indeed, B.N. Marbun considers that naturally village in the past has autonomy and “*autarki*”, or in other words, “a little state” in modest scale, characterized by the existence of own inhabitants, self-government, territory, and resources (Marbun, 1976). This thought leads to the variety of measures on rural or village. In Germany, for instance, village renewal is popular for a long time, whereas in the US and Canada revitalization or regeneration for urban is more known. Surely, it is not the same character as Chigbu distinguished: village renewal in Germany is not the same as “urban renewal” or “urban village renewal”. Generally, village renewal in Europe is about the rural –not the urban (Chigbu, 2012). Identifying the village only in its rural sense, which I agree with, Chigbu promotes village renewal is meant to address. In this concept, “Renewal”, in the context of village renewal, does not imply making or to make the village become new or making it become a city or urban center. Rather, it implies making the village retain or gain back its original rural identity. It demands for social, physical, and environmental improvements that do not negatively affect its identity as a rural place.” In

paraphrasing Hody, Chigbu priors the spatial structure of a village which shall be collaborated by public and private space and designed by various elements of different functions (Chigbu, 2012).

In the other phrase stated by Sutiyo and K.L. Maharjan (2017), it has similar substance as rural development, which is broadly defined as a general development program conducted in rural areas (Sutiyo and Maharjan, 2017). In such area, until the 1970s, rural development was mainly regarded as agricultural development with the aim to increase crop production. Further, Sutiyo and Maharjan classify that currently a particular element found in academia aiming to elaborate a concept of rural development the objective of rural development is particularly to improve the quality of life of villagers, which includes income, housing, education, health, and access to other public services (Sutiyo and Maharjan, 2017).

In short, Sutiyo and Maharjan situate several fundamental objectives of rural development, such to improve villager's income and agriculture productivity and enhancing the quality of life of inhabitants (health, education, physical infrastructure, environment, and gender) (Sutiyo and Maharjan, 2017). Those are covering dimension of economy, of which people can get benefits from economic growth, as well as in social dimension in embodying the equality and politically, to aspire public participation in decision making. The third dimension can also be called as thinking politically, for it is inspired by Thomas E. Patterson that *"political thinking citizens to act responsibly, whether in casting a vote, forming an opinion about a public policy, or contributing to a political cause"* (Patterson, 2011).

As I agree mention earlier, *desa* sometimes is called as village in this paper, is identified only in rural area, as a sub-local government in Indonesia has two tiers system. In Indonesia legal framework, regencies (*kabupaten*) and municipalities (*kota*) exist in coordinating *kecamatan* and, narrower, *"kelurahan"* (urban area) and/or *"desa"* (rural area). Constitutionally, *desa* is not textually a legal entity which has autonomy defined in the Constitution of Republic of Indonesia 1945 post amendment, distincted to provinces, regencies and municipalities. Its autonomy comes from recognition of the Art. 18B section (2) on the traditional communities along with their traditional customary rights with some conditionals, as long as these remain in existence and are in accordance with the societal development and the principles of the Unitary State of the Republic of Indonesia and shall be regulated by law. However, the

legal policy in this constitution in boosting the welfare in village must be emerged. Therefore, this paper aims to emphasize the human right approach in shaping sustainable village development as a sub-local government in decentralization policy.

Based on explanation above, sustainable village development is understood as the efforts to improve villager's life of inhabitants, covering economic, social, traditional -in which inherent wisdom and political dimensions through enhancing income and agriculture productivity that meets the needs of the present and future generation. The nature of sustainability is taken from the view promoted by University of California, LA (UCLA) Sustainability when quotes definition from the UN World Commission on Environment and Development on sustainable development: *"... development that meets the needs of the present without compromising the ability of future generations to meet their own needs"* (Sustainability: UCLA). Eventually, it will be helpful to highlight two main criteria of legal instruments that can prospect sustainable village development, which will be examined further. Firstly, the existing legal instrument and policy allow village to become livelier and people enjoy sustainable bonding to the history, culture, and general rural character of their place (Chigbu, 2012). Secondly, the existing legal instrument that enables environmental improvements that do not negatively affect its identity as a rural place, in which, according to Chingbu, reached the harmonious relation between public and private space (Chigbu, 2012).

## 1.2 Defining Participatory Sub-Local Government

*Desain* Indonesia, in recent years has been becoming a favorable study since the issuing of the Act No. 6 Year 2014 on Village, in which village authority can organize some financial resources from central, provincial and municipal government allocated for village development. What will be focused in this study is that widen public participation comes to a necessity in decentralization taking devolution as a choice. The main reason, inspired by Muhammad Syakil Ahmad and Noraini Bt. Abu Talib (2011), is that the involvement of people in the development process ensures sustainable development, along with the great efforts of developing countries to improve the lives of the deprived communities (Ahmad and Talib, 2011). It is more needed in the scope of village as the most local entity, which is in-line with Keith R. Emrich's opinion that is quoted by Ahmad and Noraini, that *"development must begin in the very*

*lowest tier or level. There must be real opportunities for participative decision making for the target groups and those decisions must relate to their future development*”(Ahmad and Talib, 2011). Moreover, Ahmad and Noraini enumerate the aim of the participatory development is to accomplish following three functions: 1) communities should identify and implement projects for themselves for need based development; 2) improve the capacity of the local peoples to organize themselves as community; and 3) enable community organization to work together for common purpose(Ahmad and Talib, 2011). Since the village is understood as rural area that I have mentioned earlier, the concept of sub-local government in this paper is addressed to village as the autonomous entity under the Act No. 6 Year 2014 on Village. Two questions then are addressed, 1) to what extent the village development can be sustainable within the existing legal framework? 2) Which perspective of human rights can approach the participatory sub-local government exercise in attempt to encourage sustainable village development?

## 2 MATERIALS AND METHODS

The qualitative method is used in this paper with the juridical-normative and socio-legal approaches, with observing several legal instruments, theories and supporting documents. Additionally, human rights literatures inspire some substances, such as the right to participate, the right to the city, the right to good and health environment, in attempt to enhance democracy, the aim of decentralization, the target of SDGs, equality and inclusion in development.

## 3 DISCUSSION

### 3.1 The Extend of Sustainability of Village Development within Indonesia Legal Framework

The 1945 Constitution of Republic of Indonesia indicates the legal policy that extend Sustainability of Village Development distributed in several provisions. Inevitably, those are correlated with the human rights guarantee, as conceived in Art. 28H section (1) covering the right to live in physical and spiritual prosperity, to have a home and to enjoy a good and healthy environment, and shall have the right to obtain medical care which must be read in one

breath. Additionally, it constitutes the cultural identities and rights of traditional communities which shall be respected in accordance with the development of times and civilisations(Art.28I(3), 1945). Those provisions meet the first criteria of sustainable village development that enabling village to become livelier, and people enjoy sustainable bonding to the history, culture, and general rural character of their place. Unseparated, with the second criteria, that is mandating environmental improvements that do not negatively affect its identity as a rural place, reaching the harmonious relation between public and private space, the foundation is addressed by the Art. 28I section (3) that the cultural identities and rights of traditional communities shall be respected in accordance with the development of times and civilisations. Moreover, the Art. 33 section (1) frames the economy which shall be organized as a common endeavour based upon the principles of the family system. In translating those entitlements, the Article 28H section (5) constitutes the guarantee of human rights which shall be regulated and set forth in laws and regulations, for the purpose of upholding and protecting human rights in accordance with the principle of a democratic and law-based state.

### 3.2 Translation of Sustainability of Village Development

The dimension of the translation has been already touched as Marius Pieterse systemizes, a) substantive entitlement needs to be legally articulated and defined; and b) legal and/or administrative mechanisms must be established through which the entitlement may be claimed or through which wrongful non-delivery of the objects of the entitlement may be challenged(Pieterse, 2010). In this part, such translation will be measured through the form of Act, Presidential Regulation, Ministry Regulation, leading to the context of sustainable village development base on human rights approach.

To begin, it is important in bringing human rights to local legitimated by the Act No. 23 Year 2014 on Local Government -so called The LGA 2014, constituting the central government to determine the norm, standard, procedure and criteria (*norma, standar, prosedur, dan kriteria -NSPK*) in order to exercise government matters(Art.16(1), 2014). This authority is “hand in hand” with the responsibility of central in supervising local government (Art.16(2), 2014) through ministries and government agencies(Art.16(3), 2014). In regard to human right implementation and enjoyment, there are several

instruments emerging its actualization at local level. The polarized one is National Action Plan which is currently embodied in President Regulation No. 75 Year 2015 for 2014-2019 period, in which the particular success indicator is the availability of data at central and local government agencies as regularly report matter on the implementation of human rights international law. More specifically, Ministry of Law and Human Rights issues the regulation on Criteria on Human Right City, currently by No. 34 Year 2016, in which there are several aspects of basic rights. Through the previous study, I argue that it is less contextual with the village level, surely, because of the distinction of authority, financial resources, human resources, and social character (Junaenah and Lailani, 2017).

The more mainstreaming law is the Act No. 32 Year 2009 on Environmental Protection and Management. For the environment protection and management is aimed to raise the sustainable development (Art.3, 2009), there is spirit in this Act that sustainable development as the conscious effort and by design integrating environment, social and economy into development strategy in attempt to guarantee environmental unity, safety, ability, prosperity and quality of life of current and next generation. It has some message that the resource utility must in harmony and balance with the function of living environment. Consequently, the development policy, planning, and program shall be spirited by the obligation to preserve living environment and actualize sustainable development (Art.3, 2009). Crucially, the Act obliges both central and local government to materialize such kind of strategic living environment study (*kajian lingkungan hidup strategis-KLHS*), in ensuring sustainable development principle. Another connected instrument is Presidential Regulation number 59 Year 2017 on the Implementation of Sustainable Development Goals (SDGs). In this regards, central government has interest on local government, since many issues in SDGs (UN, 2015) lay on local level. Substantially, human rights issues are inherent, as well as distributed, in obligatory local government affairs. Therefore, for local government "SDGs is us". In materializing those ingredients, the Act No. 6 Year 2014 on Village enables SDGs and National Action Plan on Human Rights to be emerged through strengthening village institutional and social empowerment, moreover, by adjusting fiscal decentralization (*Dana Desa dan Alokasi Dana Desa*).

Purposely, several Ministries launch each criteria concerning human rights promotion, thematically, to

local, situational village as the target program. For instance, the Joint Regulation of Ministry of Home and Affairs and Ministry of Health Number 34 Tahun 2005 and Number 1138/Menkes/PB/VIII/2005 on Exercising Healthy Regencies/Municipalities, in which Healthy Village is oriented to support Healthy Regencies/Municipalities (Attachment4, 2005). Dwellers and institutional empowerment play the key points in this purpose with regarding physical, economic, social, and cultural conditions (Attachment4, 2005). So as other modes, such *Kampung KB*, *DesaSiaga*, *DesaWisata*, *Desa Sejahtera Mandiri*, *DesaInovasi*, *DesaPesisir Tangguh*, *DesaSakinah*, etc., are the web of options that can be adapted by each village. In this view, leading to the human rights village will be sufficient to answer those policies. With colliding many modes of government policies, three directions of human rights village covering a) the effort of bridging government policy that is adaptable for village environment; b) women economic empowerment; c) family strengthening; d) accessibility of for disables; e) security and f) the actualization of local wisdom and spiritual prosperity. It seems to me that several basic legal instruments display the legitimation forwarding the sustainable village development. However, it remains the challenge in implementation covering in budgeting and organizing, which cannot be measured in this limited study.

### **3.3 Human Rights Perspective to the Participatory Sub-local Government to Encourage Sustainable Village Development**

As argued earlier on the importance of public participation in the decision making that processing the fulfilment of the rights, the right to participation is also inherent, not only by giving vote, but also in defining public policy. In other words, everyone should be able to participate in society, to defend her/his interests, to help create a society, and also to fulfil her/his interests and desires (Icelandic-Human-Rights-Centre, 2018), which is laying the foundations of the right to participation are being shaped by the possibility of any individual to be involved in decision-making which affects her/his interests. That is the reason why the sustainable village development must be based on participatory process, that will be viewed simultaneously forward. It is interesting to pay attention to Sutiyo and K.L. Mahardjan that in the context of rural development decentralization has the potential to enhance participation, mobilize resources

efficiently, build institutional capacity and increase accountability(Sutiyo and Maharjan, 2017).

### 3.3.1 Relationship between Participation and Human Rights

International Covenant on Civil and Political Rights stipulates the State ratifying this Covenant to respect every citizens' right and opportunity, without any of the distinctions, to take part in the conduct of public affairs, directly or through freely chosen representatives(Art.25(a)-ICCPR, 1966). It brings the two ways of citizens participation whether to define in public policy making in person or to channel their aspiration through representatives(Mendes, 2011). Obviously, the participation is the human right itself. Turning to the national law, as also acknowledged universally, the 1945 Indonesia Constitution further admits every person's right "*to communicate and to obtain information for the purpose of the development of his/her self and social environment, and shall have the right to seek, obtain, possess, store, process and convey information by employing all available types of channels.*"(Art.28F, 1945). Unlimited to personal right, the Art. 28C section (2) unlocks collective participation through the right to improve every person in developing his/her society, nation, and state. Completely, there are its canal with the implementation of freedom to associate and to assemble, to express written and oral opinions, etc., shall be regulated by law, notwithstanding that the Art. 28 is entitled before the amendment of constitution. This systematization leads to the second relation between participation and human rights, that is participation is the path to other rights (Unicef-no mentioned year), since the right to participation is relevant to the exercise of all other rights, within the family, the school and the larger community context. Moreover, participation is at the core of a human rights-based approach to development and to poverty reduction where the poor must be considered as the principal actors and strategic partners for development.

Bringing those rights "home", local government plays the key point as the local arm of democratic government, which has been identified with participation as mentioned earlier. If local government could in reality transform itself into the local arena for 'citizenship', connecting the triangle of individuals, community, and government within the locality through processes of participation, in the view of Lucy Gaster, this would give it a strong defence against attacks on its legitimacy in the future(Gaster, 1999). It must be noted, that a real shift

is taking place, not just in 'sponsored participation' (that is, participation/consultation initiated by governmental organisations), but also in local government's ability to respond and work with unsponsored (spontaneous?) user, community, and pressure groups wishing to engage with the policy process.

### 3.3.2 Best Practices of Participation in Village Development

It has been discussed previously, that with the appropriate potential of *Desa*, villages in Indonesia is enable to embody programmed village in whatever the authority would like to be. However, in this paper, the recommended concept is human right village as the spirit of sustainable village development. Through the limited space of writing, this paper takes two models of village development movement as the inspiration for Indonesia, viewing Weyarn village program in Germany and *Saemaul Undong* Movement in South Korea.

a. Weyarn's village renewal program in Germany

As Uchendu Eugene Chigbu writes Community Development Journal, which will be adopted in this part, the ide of Weyarnis is that "*the best way towards rural development is the activation of rural identity and utilization of collective intelligence guided by experts*" (Uchendu Eugene Chigbu, 2012, p. 218). Three main key factors finding the community's vision is the first thing, proving such planning was actively done by citizens through public workshops and work-groups for discussing critical local issues. The second one is the innovative use such to concrete plans for agriculture and cooperative use with professionals and other municipalities comes to the third factor(Chigbu, 2012). The result, main achievements are including reverting to rural identity and making affordable living space for its citizens through land management, the main gain is such preservation of rural culture being(Chigbu, 2012). Despites, the improvement of rural living conditions (Chigbu, 2012) and human resources and capacities(Chigbu, 2012). However, there are some constraints that is inevitable. Participation makes the process of decision making longer than it can be taken by pure bureaucracy. This is influenced by three main factors that are hard to adopt to other municipalities around world: 1) it depends on legal and institutional frameworks available in each country, 2) local councils have no strong positions within the framework of development project and 3) long office period, regarding the Mayor of the municipality has been in once for a period of 20 years(Chigbu, 2012).

In some parts of the world, particularly Indonesia, the third precedent can be considered as less democracy, while in the era of general election of public office in five-years period it is kind of “sacred”. Nevertheless, it is considerable due to in such political settings, breaks in tenure and changes in leadership may not encourage stability and sustainability in the project execution.

#### b. Saemaul Undong Movement

Rural development remains a major challenge for developing countries in Africa, Asia and Latin America (Reed, 2010). One of these past programs was the Saemaul Undong, or New Community Movement, initiated by President Park Chung Hee in South Korea in the early 1970s (Reed, 2010). What this means is that by the time SMU was introduced, the Korean economy had already entered a period of sustained and rapid expansion. Edward considers that The Role of Saemaul Undong was a national campaign that positively branded the government’s major program of rural modernization and development and mobilized every village, and nearly every villager in Korea to participated, but this was not superficial political dressing (Reed, 2010). Most of the Korean government’s initiatives for improving agricultural productivity and increasing rural incomes could have been implemented without a Saemaul Undong through a) positive political and social environment b) new farmer-government relationship c) new village leadership d) enhanced economic role of women; and e) development-oriented cooperation. Nevertheless, Saemaul Undong cannot be considered a model for other countries, if by model we mean a package that can be transferred more or less intact to a different context with the expectation of similar results (Reed, 2010). All in all, there are two important points to consider in applying lessons from SMU: the local context and the level of program intervention. That’s why rural development, according to Cho Whan-bok, is essential not only for realizing poverty eradication in rural areas but also for achieving balanced national development (Whan-bok, 2013). It can be learned that developing countries should be able to adopt new approaches to address their rural development problems. Consciously, there are opportunity and simultaneous challenges, for village development to deal with the capacity of public and village authority, fiscal decentralization policy and power euphoria that is risky to moral hazard.

### 3.4 Sharing Responsibility among Parties

As mentioned earlier, there is something good from the village renewal concept. It reminds the reader to the doctrine of the right to the city. United Nation recognized the right to the city as firstly articulated by French philosopher Henri Lefebvre as the right of population of the city, including whoever have an interest on the city, to be considered on the decision concerning the local public life (UN, 2015). Convincingly, the Global Platform of The Right to The City, committed by several organizations working on the theme, affirms this arrangement (International-Organizations, 2014). Lefebvre admits that the right to the city does not release human rights as the substance of right, and it does not impose the new rights as well. In short, this concept is relatively identified as citizenship rights of local dwellers and the users of the city, unrestricted to rural and urban areas, to participate in generating and enhancing the quality of a liveable city. Evenly, the World Charter on the Right to The City systemizes the city “... *commit themselves to adopt measures to maximum extent ... appropriate steps, in particularly by legislative measures, to progressively make more fully effective the enjoyment of universal economic, social, cultural and environmental rights, ...*” (Art.1(3), 2004). For the purpose, the term of “city” in this Charter is adaptable to “*any town, village, city, capital, locality, suburb, settlement or similar ...f whether it is urban, rural or semi-rural*” (Art.1(4), 2004). For those reasons, what I call as “spirit” of RTC is noted as a body of principles which has to be assessed with the local context thereby traditional, religious, social, and political values live in present or in the past and need to be strengthened. In implementing the scope of the RTC under this Charter to village, the inner principles can support village development.

It comes to an argue, that sustainable village development which is recommended in this paper is the human rights village renewal. Adapting the spirit of SDGs that “no one left behind”, which means that no one being marginalised to participate, there are some sharing responsibilities among multi stakeholders. First, provincial government is able in determining the standard of human rights village and supervise regencies/municipalities in implementing human rights village. The second layer, regencies/municipalities can facilitate and supervise village and people empowerment program. The main actors, village authority, can actualize, which must be with many suggestions from multi stakeholders, the

specific program of human right village gradually by design. As non-government actors, civil society both as personal and organization member can conduct some advocacy works in bridging people interests, corporation's will, and even university to local government and village authority, in such synergy steps. In turn, the spirit of SDGs called "no one left behind" can lead to eradication of marginalization.

## 4 CONCLUSION

To conclude, the extend of sustainable village development covered by several basic legal instruments display the legitimation forwarding the sustainable village development. This paper finds that there are some legal instruments enabling development, for instance in utilizing human capacity and fiscal decentralization regarding the interaction with environment. Legal policy of the Act on Village can emerge public participation in making of planning. However, it remains the challenge in implementation covering in budgeting and organizing, which cannot be measured in this limited study. Additionally, the expectation of development in human rights perspective, which is directed by State, through local government and shifted village level, desires a development not by charity, but as the fulfilment of human rights. Adding the spirit of the right to the city to village level, the inner approach is doable to encourage village development.

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