

Democracy and Customary Power: Potential Exclusion of Village Fund Access for East Timorese Ex-Refugees

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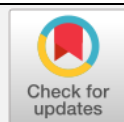
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ABSTRACT

This research aims to reveal the relations between democracy and customary power in handling the East Timorese ex-refugees in Belu Regency, East Nusa Tenggara Province, Indonesia, related to democratic practices. More specifically, democracy is limited to the context of potential exclusion access of the Village Fund for new residents. This research used a qualitative and case studies approach to reveal democratic practices related to the implementation of Village Funds that are intertwined with the local culture. The subjects in this research were new residents in Fatuba'a Village which is geographically close to the cross-border between Indonesia and East Timor. Nearly half of Fatuba'a's populations are new residents who are East Timorese ex-refugees. A large number of new residents have become a complex social problem for Fatuba'a Village. The data collection techniques consist of observation, in-depth interviews, and focus group discussions. The results showed that customary institutions play a significant role in distributing power both in aspects of government and village development, including the distribution of village funds-use. The Liudasik tribe is a successful dominant tribe obtaining legitimacy of the new residents by granting customary land as a place to live and farming for their contribution to elect the village head from the Liudasik tribe. In the context of the Village Fund, its use also shows the interdependence between new residents and the Liudasik tribe. Consequently, the new residents have an access to village funds. There is no exclusion of new residents for the

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Fatuba'a's Village Fund-use. The dependence of new residents on customary institutions has perpetuated the customary power of the Liudasik tribe.

Keywords: Customary Law; Customary Institution; Customary Power; Democracy; Ex-Refugees; Timor-Leste; Village Fund

1. Introduction

Refugees are a global phenomenon that has been going on for centuries and continues to this day (Heather, 2017). The refugee issue received critical attention from academics in practical, conceptual, and methodological approaches (Kleist, 2017). Generally, refugees come from certain countries and move to other countries.

The trend of forced migration or forced displacement has decreased in the last few decades. The United Nations High Commissioner for Refugees (UNHCR) data showed that the number of refugees has decreased from 16.3 million people in 1993 to 12.7 million people in 2005. At the end of 2005, there were more than 9.2 million cross-border refugees (UNHCR, 2006, as cited in Czaika, 2009). However, the phenomenon of refugees seems to cause various problems such as socio-political and economic exclusion. In general, refugees face four main problems including access to basic services, housing, land, and employment (Kuswardono, 2014).

In Indonesia, one of the ethnic refugees who are still exclusion both socio-political and economic is ex-refugees of East Timor in the province of East Nusa Tenggara. Since the conflict before and after the referendum on August 30, 1999, there were 450,000 victims of referendum conflict. As many as 240,000 victims were cross-border refugees who migrated to West Timor (East Nusa Tenggara Province), and 210,000 other victims experienced socio-political exclusion in the East Timor region and were classified as Internally Displaced Persons (IDPs) (Wassel, 2014; United Nations High Commissioner for Refugees, 2001).

A large number of refugees were beyond the estimation of the East Nusa Tenggara provincial government. This had an impact on the handling of refugees in various refugee camps, one of which was in Belu Regency, East Nusa Tenggara Province, Indonesia, which borders the Democratic Republic of Timor-Leste (formerly known as the province of East Timor, one of the provinces in Indonesia) (Achmad, 2003).

The exodus of East Timorese refugees to the Belu Regency caused many problems. According to a report by the United States Committee for Refugees and Immigrants (2001), there were reached about 250,000 refugees in 1999, and had decreased to 132,000 refugees in Indonesia as a result of the repatriation program and continues to decline. According to a report by the Ministry of Social Welfare of the Republic of Indonesia (1999) as cited in Achmad (2003), there were reached about 27,120 heads of families in Belu regency in 1999 or around 135,689 refugees.

With the significant number of refugees, the potential for conflict between refugees in Belu Regency can occur at any time. Therefore, local governments and donor agencies as well as 1605/Belu Military District Command carried out resettlement construction and mobilized several ex-refugees out of the refugee camps. Besides, several ex-refugees take the initiative to move out of refugee camps individually or in groups (self-independent resettlement) (Lado, 2014). East Timorese refugee resettlements in Belu Regency were generally in villages whose social situation was mixed with local tribes.

Accessing land is one of the capitals for refugees to move away from refugee camps. But the issue of exclusion and limited access to land has the potential to lead to social and multidimensional conflicts between refugees and local peoples as landowners. In 2017, many ex-refugees faced the issue of their legitimacy on occupied land for resettlement. Local tribes through customary institutions play an important role in enforcing customary laws and protecting their respective tribal lands. Customary institutions have strong legitimacy and have land protection mechanisms for the benefit of local tribal citizens. In general, customary laws can determine which outsiders can access local tribal lands (customary lands), even limiting, blocking, or expelling the existence of refugees in their territories, as happened to groups of East Timorese ex-refugees in Matabesi and Liudasik tribal lands in Belu Regency (Alkatiri, 2018).

Land ownership status and social position in a multidimensional manner will determine political power and a person's access to strategic aspects in the community (Dhosa, 2018). It will have a serious impact on the East Timorese refugees in Belu Regency to have access to public resources, such as public services consist of health and education services as well as development resources such as access to empowerment activities, and access to other development activities.

The handling of refugees is a matter of state policy domains, yet the village, as the smallest government unit, has a very strategic position in managing the handling of refugees. The village has a budget and policies based on the Law of the Republic of Indonesia No. 6 of 2014 concerning Villages (Village Law), which regulated village authority in policies and budgets (Republik Indonesia, 2014). In the context of refugees, villages can handle refugee issues. But without state interventions, the villages are threatened to become vulnerable to various social issues such as violent acts, social conflict, criminality, and so on.

The Village Law aims to be a legal foundation in improving the living standards and welfare of villagers through broader village authority in policies and budgets. The Village Law has placed the village as the subject of development through the Village Fund. Recognition of some village authorities, both based on the right of the origin and the scale (scope) of the local area becomes a new strategy in development (Bachtiar et al., 2019).

The priority of the use of Village Fund is stipulated in the Regulation of the Minister of Village, Development of Disadvantaged Regions and Transmigration of the Republic of Indonesia No. 21 of 2015 concerning the Determination of Priority of the Use of Village Fund in 2016 (Menteri Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia, 2015), Regulation of the Minister of Village, Development of Disadvantaged Regions and Transmigration of the Republic of Indonesia No. 22 of 2016 concerning the Determination of Priority of the Use of Village Fund in 2017 (Menteri Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia, 2016), Regulation of the Minister of Village, Development of Disadvantaged Regions and Transmigration of the Republic of Indonesia No. 4 of 2017 concerning Changes to the Regulation of the Minister of Village, Development of Disadvantaged Regions and Transmigration No. 22 of 2016 concerning the Determination of Priority of the Use of Village Fund in 2017 (Menteri Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia, 2017a), Regulation of the Minister of Village, Development of Disadvantaged Regions and Transmigration of the Republic of Indonesia No. 19 of 2017 concerning the Determination of Priority of the Use of Village Fund in 2018 (Menteri Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia, 2017b), and Regulation of the Minister of Village, Development of Disadvantaged Regions and Transmigration of the Republic of Indonesia No. 16 of 2018 concerning the Priority of the Use of

Village Fund 2019 ([Menteri Desa, Pembangunan Daerah Tertinggal, dan Transmigrasi Republik Indonesia, 2018](#)). In general, the Village Fund is allocated to the main activities namely development (infrastructure) and empowerment for all village communities.

The transfer of the Village Fund to the village continues to increase every year. In 2015, the Village Fund transferred to the village amounted to 20.7 trillion Rupiah. The transfer of Village Fund to villages increased in 2016 to 46.9 trillion Rupiah and in 2017 Village Fund transferred to villages amounted to 60 trillion Rupiah. Starting in 2016, the basic allocation for each village amounted to 565,640 million Rupiah and in 2017 amounted to 720,442 million Rupiah ([Bachtiar et al., 2018](#)). Meanwhile, in East Nusa Tenggara Province, the transfer of the Village Fund continues to increase every year. In 2015, Village Fund transfers amounted to 812.87 billion Rupiah and increased to 1.89 trillion Rupiah in 2016 and 2.32 trillion Rupiah in 2017. Each village in East Nusa Tenggara Province had a basic allocation of 638.40 million Rupiah in 2015 and 720.44 million Rupiah in 2017 ([Kementerian Keuangan Republik Indonesia, 2017](#)). With such a large amount of funds, it is important to examine the benefits for the welfare and quality of life of the people (especially in East Nusa Tenggara Province), as well as the village development goals as regulated in the Village Law.

Based on refugee issues and the allocation and availability of the Village Fund, this research chose Fatuba'a Village in Belu Regency as the research location. This is due to the strong implementation of customary law in Fatuba'a Village and the dominance of land ownership by the Liudasik people. Besides, there are indications of fraud in the use of Village Fund by local village head in cattle procurement, as well as protests from former refugees who do not get assistance and benefits from the Village Fund ([kilastimor.com, 2018](#)).

Thus, the portrait of the political legitimacy crisis of the East Timorese ex-refugees to access the Village Fund in the public sphere is an interesting exclusion issue. The distinction of political and cultural positions will be a novelty in research that combines issues of democracy and customary power in the case of Village Fund access which is currently in the spotlight.

2. Research Methodology

This research used a qualitative approach with a case study method that emphasizes the involvement of the researcher with the research target subject as a unique case ([Moleong, 2017](#)). The subjects of this research were ex-refugees/new residents in Fatuba'a Village, Belu Regency, East Nusa Tenggara Province, Indonesia. This research was conducted in Fatuba'a Village since many ex-refugees lived in resettlement that socially mixed with the local people of the Liudasik tribe. The local tribes play a significant role in regulating all forms of access to public resources in the village.

The data collection techniques consist of observation, in-depth interviews, and focus group discussions. Observations were made on the demographic conditions, community behavior, bureaucracy, and customs in Fatuba'a Village. Observations were made by living at the research location (at the house of the Fatuba'a Village Head). In-depth interviews were conducted with several informants, including community leaders represented by Na'i, the Head of Fatuba'a Village (Emiliana M. Koffi), village officials, sub-village heads, and representatives of ex-refugees who were considered to understand the issues of Village Fund. In addition to in-depth interviews with key actors in Fatuba'a Village, this research also interviewed informants representing the Regency Government consisting of the Regent of Belu and the Head of the Village Community Empowerment Office of Belu Regency and its officials. Focus Group Discussions were held at the Fatuba'a Village Office by involving new residents and Fatuba'a Village officials.

3. Results and Discussion

East Timorese ex-refugees, now known as new residents, are located in various regions of East Nusa Tenggara Province. However, most of the new residents are located in the border area with the Democratic Republic of Timor-Leste such as Fatuba'a Village.

New residents (East Timorese ex-refugees) migrated in three refugee waves. The first refugee wave was before the independence of the Republic of Indonesia. The second refugee wave was during the integration of East Timor with Indonesia in 1979. The third wave was during the independence of East Timor from Indonesia in 1999. Among the three waves, the last wave in 1999 was the largest refugee wave which brought various problems.

Based on the results of interviews with the Regent and Head of the Village Community Empowerment Office of Belu Regency, the arrival of refugees (especially in 1999) to Belu Regency caused problems considering that the refugees came without land ownership, while the productive economic practices they could develop were generally agriculture and plantations. Although the burden of poverty in the Belu Regency is increasing, the Regent and Head of the Village Community Empowerment Service in Belu Regency admit that the new residents and indigenous people integrate quite well.

"The involvement of the new residents is also high because those in the village do not differentiate between new people and native people, because they may be the first here ... because of cultural similarities. In Belu Regency, there are similarities in language, culture, and religion. So, there seems to be no difference", (Interview, Head of the Village Community Empowerment Office of Belu Regency).

The assimilation process is going well due to the similarities. Their bond is getting tighter after amalgamation or in the local context of Belu Regency is known as "kawin mawin" between the two groups. The impact of the smooth integration between the two groups has implied in political aspects, one of which is the winning of the village head by new residents in several villages in Belu Regency.

The political aspect is interesting to be studied considering villages in East Nusa Tenggara Province are generally different from villages in Java Island, whose government functions are limited to carrying out administrative tasks. In East Nusa Tenggara Province, in general, especially in Fatuba'a Village, the implementation of the administrative functions of the village government cannot be separated from the influence of the customary institution of the village. The existence of customary institutions has influenced the political processes in each village.

The complexity of socio-political problems occurs in villages in Belu Regency, including in Fatuba'a Village. Fundamentally, the village is influenced by the existence of customary institutions that have existed first compared to the village itself. Despite the issues of customary institutions, although integration between indigenous and new residents has been well underway, there are still many problems arises, including the problem of poverty.

The socio-political context of rural areas is influenced by internal and external conditions in the village. Law of the Republic of Indonesia No. 6 of 2014 concerning Village has changed the position of villages to be more autonomous (Republik Indonesia, 2014). A form of implementation of this autonomy is through the additional sources of village income, namely the Village Fund. The implementation of the use of the Village Fund in Fatuba'a Village is inseparable from cultural negotiations concerning the identity and existence of its citizens.

3.1. Customary Power in Fatuba'a Village

In general, Village Fund access is a complex problem, especially in the context of the community that is sociologically bound to the customary institution. For the issue of Village Fund access in Belu Regency, the customary institution uses the power of legitimacy (customary power) in the implementation of Village Fund which is supported by applicable laws and regulations.

Customary law communities are recognized in the 1945 Constitution of the Republic of Indonesia in Article 18B Paragraph 2, Article 28I Paragraph 3, and Article 32 Paragraphs 1 and 2 (Republik Indonesia, 2002). Then in the Regulation of the Minister of Home Affairs of the Republic of Indonesia No. 18 of 2018 concerning Village Community Institution and Village Customary Institution, which regulates the rights of customary law communities related to the development of customary values in the settlement of disputes over inheritance, land, and conflicts in human interaction and protection of forests or customary land, otherwise known as *ulayat* rights (Menteri Dalam Negeri Republik Indonesia, 2018).

Customary land is also regulated in the Regulation of the State Minister for Agrarian Affairs/Head of the National Land Affairs Agency No. 5 of 1999 concerning Guidelines for Resolving Customary Rights Issues of Customary Law Community in Article 1 (Menteri Negara Agraria/Kepala Badan Pertanahan Nasional, 1999). In this regulation, customary land is considered as land which is the *ulayat* right of certain customary law communities. Meanwhile, the customary law community is a group of people who are bound by the legal system and have the same place of residence. With the recognition of customary land in several laws and regulations, the customary institution as one of the social institution have the legitimacy to regulate, protect customary lands, and maintain customary forests and customary lands for the benefit and preservation of customs, which then impacts on development practices including development practices funded by the Village Fund.

The authority of customary institutions as described above can be viewed in the implementation of the Village Fund in Fatuba'a Village. Customary leaders otherwise referred to as *Na'i*, actually have cultural and political ties to the head of the village. Culturally the head of the village and *Na'i* are bound because both come from the same tribe (Liudasik tribe). As a result, this similarity of tribe origin has political implications for the performance of the head of the village as the head of government who manages village finances, including the Village Fund. Therefore, both the customary and administrative processes that exist in the village, including policy decision making are a discussion between the two institutions with different sources of legitimacy.

According to da Silva et al, (2016), political culture is the values and political conduct of individual or collective agents. Culture is widely defined as a way of daily life and has a significant influence on the political practices of democracy.

The practice of implementing Village Funds in Fatuba'a Village administratively runs according to the applicable procedures. The procedure referred to includes activities that may be carried out and funded by the Village Fund based on government regulations. However, various problems related to the aspect of determining priority activities involve the interests of the Liudasik tribe Customary Institution. This can happen considering that the Liudasik tribe has the legitimacy to use the land in Fatuba'a Village.

The customary institutions also influence access to the Village Fund at the resettlement location in Taeksoruk Sub-village, Fatuba'a Village. This is because Belu Regency is an area of refugee camps where the majority of the refugees are landless, which forces them to remain on

the land of the original villagers. Ownership of the land then determines the political position of the ex-refugees in the village, including in accessing the Village Fund.

Resettlement land in Fatuba'a Village was a "temporary gift" from the Lidausik tribe to the Belu Regency Government in 2000, which was used for the benefit of refugees for three years. However, until now the resettlement is still inhabited by former East Timorese refugees. The main issue of resettlement is the status of land belonging to the Liudasik tribe, but new residents also claim the land as part of the local transmigration program, where East Timorese refugees have lived for 17 years (Alkatiri, 2018; Focus Group Discussion, June 25, 2019). Various ways have been taken by new residents to own land, including through political and cultural approaches.

The political approach coincided with the election of Fatuba'a Village head in 2016 where a resident from Liudasik tribe became a candidate for the village head. Both sides took an approach so that an agreement was reached that all new residents groups vote mobilized to win candidates from local tribes. On the other hand, if elected, then the land status issue is resolved through a land certification mechanism or land ownership recognition for East Timorese ex-refugees. Although the new group of residents has become a political "commodity", this opportunity is utilized by them to clarify the status and ownership of resettlement land in Taeksoruk Sub-Village Fatuba'a Village that has been inhabited.

The vote count results showed the victory of the candidate from the Liudasik tribe, especially at the polling station for new residents. This result made the local tribe candidate seven votes ahead of the other candidates. Thus, the elected village head won the village election with the support of the East Timorese ex-refugees group. The elected village head and his family acknowledged that the victory was determined by the East Timorese ex-refugees group as a relationship of reciprocity between them and the refugee group based on solidarity and cohesiveness between the two groups.

Political deals were confirmed to the elected village head, although the village head argued that his victory was not based on exchanging interests between power and land status. Based on the new institutionalism approach, political practices that occur between these two groups is in the category of sociological institutionalism where customary institutions have a dominant influence on political practice/public policy and are categorized as Rational Choice Institutionalism (RCI), where political processes are based on transactional practice rooted in cost and benefit considerations (Peters, 2000).

The elected village head could not make decisions beyond his authority because the resettlement land belonged to the Liudasik tribe. The transfer of land ownership status must go through a mechanism of customary institutions or known as *sirih pinang*, which is a friendly compensation process. Due to the unclear settlement process and the failure to fulfill the deal, one of the East Timorese refugees who were a member of the Regional People's Representative Council of Belu Regency suggested buying the land to avoid future problems.



Figure 1. Portrait of East Timorese ex-refugee in Fatuba's Village

Source: Research Documentation

To avoid evictions and other social problems, new population groups used cultural approaches such as marriage and politics to the Liudasik tribe. This approach is believed to be a “bond” between them and the local tribe. Likewise, the Liudasik tribe needs to strengthen and expand its legitimacy in the village as the main ruler. This transactional relationship appears to benefit both parties. As a result, apart from the elected village head that came from the Liudasik tribe, this new group of residents was successfully accepted as residents of the Liudasik tribe through customary oaths.

In general, cultural approaches can bind and strengthen related parties who have the same ethnic background and are also accompanied by sanctions or cultural norms for offenders. In the view of the ex-refugees in the Taeksoruk Sub-Village in Fatuba's Village, the cultural approach can be a guarantee that they will not be evicted by the Liudasik tribe. On the other hand, the cultural approach is considered to provide opportunities for ex-refugees to own resettlement land.

3.2. Democracy, Customary, and Village Fund in Fatuba's Village

Strengthening democracy in the village is an important substance of the Village Law that gives hope for a better future of the village. Democracy in the Village Law is realized in the accommodation of the principles of good governance, such as the principle of openness, the principle of participation, and the principle of accountability of the Village government which is one of the benchmarks of democratization at the village level.

Fatuba's Village consists of six sub-villages including Taeksoruk Sub-Village, Mauk Liman Sub-Village, Oe'Oan Sub-Village, Debubot Sub-Village, Halimea Sub-Village, and Manumutin Sub-Village. Two sub-villages consist of East Timorese ex-refugees (or new residents) such as Halimea Sub-Village which consists of 237 inhabitants, and Manumutin Sub-Village which consists of 364 inhabitants.

Although it is officially not a customary village as government recognition, however, the sociopolitical life of people in Fatuba's Village cannot be separated from the existence of the customary institution. This happens since the customary institution dominates social practices so that it's become local cultures. In Fatuba's Village, 34 tribes live together with the Liudasik

tribe as the biggest one among others. The head of the village, Emiliana M. I. Kofi, is a part of the Liudasik tribe. This tribe owns the largest land, including the land occupied by new residents (land resettlement) in Halimea Sub-Village and Manumutin Sub-Village.

The winning of Emiliana M. I. Kofi as the head of the village is political economy rationality due to the biggest vote for him came from the two sub-villages that were inhabited by a majority of new residents. After Emiliana was elected as the head of the village, the Liudasik tribe issued the rights of land use certificates to them. The kindness of the Liudasik tribe to new residents has resulted in loyalty, to the point that new residents often call themselves the second of the Liudasik tribe.

There was a patronage practice conducted by one of the tribes in Fatuba'a Village, which in turn gave rise to a clientelistic attitude from the new residents towards them. The political process of "interdependence" that occurred before and during the village head election then influenced development practices in Fatuba'a Village. Democracy in the context of Fatuba'a Village has the potential to be "hijacked" to become the goal of the majority, the goal of one tribe which takes advantage of new residents to preserve their power.

The assimilation process in Fatuba'a Village is not only from the socio-cultural aspect but also from the political aspect. In the village government structure, new residents also get the opportunity to become village officials considering that currently, two officials are from new residents. The choice of village officials depends on the village head, in the context of Fatuba'a Village, the presence of new residents in the position of village officials, on the one hand, shows the acceptance towards new residents, while on the other hand, the political aspect behind appointing village officials needs to be examined.

Based on the Rational Choice Institutionalism (RCI) approach, individual humans act based on the encouragement of rational interests, including the calculation of profit and loss where humans will try to achieve maximum benefits (Peters, 2000, p. 3). This rational choice thought is the key so that the practice of government governance in Fatuba'a Village has more or less shown a symbiotic mutualism between the new residents and the Liudasik tribe. As long as the Liudasik tribe still leads the village, the potential for conflict among villagers tends to be latent.

Based on the theory of Rational Choice Institutionalism (RCI), there are two possibilities in the rational choice approach, namely the prisoner's dilemma and the tragedy of the commons. In the context of the research in Fatuba'a Village, the tragedy of the commons seems to best represent the situation. According to [Hardin \(1968\)](#), "The Tragedy of the Commons is unrestricted access to communal resources would inevitably lead to over-exploitation". In Fatuba'a Village, there is a tendency for the practice of sharing or utilizing development and government resources in favor of the Liudasik tribe and new residents. In the long term, the tragedy of the commons can get worse, especially if the relationship between the new residents and the Liudasik tribe fades, which can affect the socio-political stability in Fatuba'a Village.

However, so far the manifest conflicts that have occurred are not between new residents and indigenous people but have occurred between indigenous people due to a struggle for the position of the village head. The conflicts that occurred among the indigenous people indicated the fragile social ties between them. This fragility is possible considering that in Fatuba'a Village, as in other villages in the Belu Regency, there are various tribe groups.

"In 2016, the head of the village ended his tenure and according to the rules we must appoint a new official, the official was from the regency, the civil servant was the one. His acting position at that time was supposed to be a neutral position. However, at that time the official was more likely to side with one of the candidates. Well, it just so

happened that the candidate who was supported by this position lost. The winner has to be a kind of revenge for the official, in the end, we look for the mistakes of the official at that time", (Interview, Official of the Village Community Empowerment Office of Belu Regency).

In 2016, the conflict became a concern of the regency government and was covered by local media. Is there an exclusion of new residents on the governance aspect of Fatuba'a Village? The political situation in Fatuba'a Village allows new residents to be appointed in the village government and have the authority to participate in regulating aspects of government and village development.

Then, how do these asymmetric political conditions (including policy-making conditions) impact the allocation of the Village Fund? Village Fund are funds allocated to all villages in Indonesia. The amount of Village Fund is determined based on four things, including the number of inhabitants of a village, the poverty level of a village, the area of a village, and the degree of geographical difficulty of the village (Kementerian Keuangan Republik Indonesia, 2017, p. 15).

Table 1. Village Fund of Fatuba'a Village

No	Year of Disbursements	The Number of Funds (in IDR)
1	2015	900 million
2	2016	1.4 billion
3	2017	1.5 billion
4	2018	1.6 billion
5	2019	2.1 billion

Source: Primary Data (2019)

Since 2015, Fatuba'a Village has received Village Funds with an increasing amount every year. Based on **Table 1**, it shows the government's commitment to facilitate village development, and on the other hand, the amount of Village Fund indicates the poverty level of a village. The larger the Village Fund received, the more the number of poor people in the village.

Based on *Indeks Desa Membangun* or IDM (Build Village Index) data, the status of Fatuba'a Village in 2015 (the initial period of Village Fund allocation) was an underdeveloped village. However, in 2016 the status of Fatuba'a Village increased from an underdeveloped village to a developing village (Kementerian Desa, Percepatan Daerah Tertinggal, dan Transmigrasi Republik Indonesia, 2018). The improvement of the status of Fatuba'a Village shows the achievements of the village government in village development supported by the Village Fund. Development activities in Fatuba'a Village in the last three years funded by the Village Fund are as follows:

Table 2. Development activities in Fatuba'a Village in 2017 - 2019

Infrastructure Development	Empowerment Activities
Establishment of early childhood education programs	Supplementary feeding for pregnant women and free Ultrasonography (USG) examinations

Infrastructure Development	Empowerment Activities
Construction of irrigation channels	Foods to accelerate the growth of malnourished children programs
Construction and Maintenance Agricultural Roads	Weaving training for women and providing weaving tools and materials
Construction of livable houses	Providing agricultural tools
Construction of retention basin	Procurement of livestock
	Village-owned enterprises funding programs

Based on **Table 2**, the use of the Village Fund has followed regulations that focus on funding for infrastructure development and community empowerment activities. The number of empowerment activities is more than infrastructure development. However, in terms of costs, infrastructure development has the largest budget, reaching 80 percent of the total Fatuba'a Village Fund each year.

Based on the Village Medium Term Development Plan document, development sectors consist of 1) village administration sector, 2) village development implementation sector, 3) village community development sector, and 4) village community empowerment sector. The village development implementation sector or infrastructure in Fatuba'a Village is the sector with the largest budget allocation compared to the other three sectors.

The amount of income received by the village is in line with the village authority. In terms of the implementation of the authority, there is a tendency in the view of the village government to measure success based on infrastructure development compared to the village community development and empowerment activities. Village Fund is more focused on infrastructure development such as road construction, retention basin construction, irrigation channels, and so on.

In the context of access of new residents (ex-refugees) to development practices in Fatuba'a Village, the practice of exclusion of new residents in the process and results of development did not occur. The political process at the time of the village head election seemed to benefit the new residents of Halimea Sub-Village and Manumutin Sub-Village, including the construction and maintenance of agricultural roads and the construction of livable houses programs.

The agricultural road is one of the programs implemented following the results of the Village Development Plan Deliberation. A large budget allocation for building agricultural roads is because most of the residents of Fatuba'a Village are farmers. Several sub-villages still have difficulties in the process of transporting agricultural and plantation products because there is no road access. As a result, the transportation costs for agricultural and plantation products in certain sub-villages were higher than in other sub-villages. Among the sub-villages that also needed agricultural roads, the ones that had the most bypassed agricultural roads were Halimea Sub-Village and Manumutin Sub-Village, which were mostly inhabited by new residents.

Similarly, in the construction of livable houses program, based on the Development Work Plan of Fatuba'a Village, in 2019 10 houses will be repaired with funding from the Village Fund, mostly in Halimea Sub-Village and Manumutin Sub-Village. This was described by Emiliana, Head of Fatuba'a Village, as follows:

"Yes in Halimea. There are 4 houses in Halimea Sub-Village, 4 houses in Manumutin Sub-Village, 2 more in another sub-village" (Interview, Head of Fatuba'a Village).

The two infrastructure development activities show that new residents in Fatuba'a Village did not experience the exclusion process, but instead gain access rights to benefit from development activities. Likewise in village community empowerment activities, for example in weaving training for women and providing weaving tools and materials, the majority of participants were residents of Halimea Sub-Village and Manumutin Sub-Village.

But innovation in the process of implementing development in Fatuba'a Village is still lacking. Except for construction and maintenance agricultural road programs, the development activities listed in the Village Medium Term Development Plan document have something in common and have been done by many other villages, as well as fewer development results have not been able to overcome social problems in Fatuba'a Village.

The geographical position of Fatuba'a Village, which is close to the border between the Republic of Indonesia and the Democratic Republic of Timor-Leste, raises problems including the issue of crime. However, this issue is not a priority for the village administration because no program in the Village Medium Term Development Plan targets this issue.

The Village Law has given a relatively broad space of authority to villages. However, in general, villages do not have the confidence to carry out anything outside the provisions of supradesa government (Regency/City Government, Provincial Government, and Central Government).

Development practices in Fatuba'a Village did not involve third parties. These results in a slow transformation process and some activities fail (for example, an underused agricultural road). Cooperation with third parties is not only with the private sector but also with the neighboring village government or with supradesa government.

The concept of governance emphasizes the participation of multi actors in governance. [Stoker as cited in Solekhan \(2012\)](#) argued that there are important propositions in governance such as governance regarding the network of various independent and autonomous actors and governance recognizes the interdependence between institutions involved in collective action.

This proposition shows how the concept of governance relies on network work, multi-stakeholder participation, and delegation of authority. However, in Fatuba'a Village, this kind of governance practice has not been implemented well. So when referring to the concept of hybridity between self-government community and local self-government ([Rofiq et al., 2016](#)), many problems arise in the implementation of Village Fund that makes villages tend to become local self-government, and lack initiative and innovation in implementing self-governing communities.

4. Conclusion

Apart from the geographical location of Fatuba'a Village which is close to the cross-border between countries, almost half of the Fatuba'a population is new residents. These two things caused Fatuba'a Village to experience various complex social problems. It is not only the problem of poverty, but also the problem of cross-border human beings, and includes the possibility of crossing borders of illegal goods. However, these issues have not been considered in development and governance practices in Fatuba'a Village.

Consideration of rational choice further underlies the socio-political practice in Fatuba'a Village becomes a transactional practice. On the one hand, the new residents need security over the land they live in (the land of the Liudasik Tribe), while, the Liudasik tribe needs to strengthen and expand their legitimacy. The interdependence between new residents and the Liudasik tribe has become the mainstream, thus affecting the socio-political life in Fatuba'a Village, including the use of Village Fund for development and governance in Fatuba'a Village.

Political practices that occurred before and during the election of Village Head have influenced governance and development practices in Fatuba'a Village. Political practices that occurred before, during, and after the election of Village Head show that new residents get privileges to access government and development activities. The practice of exclusion Village Fund for new residents was not found in Fatuba'a Village, however, exclusion of social class among new residents may occur considering that the decision-making process for activities in Halimea Sub-Village and Manumutin Sub-Village was decided by a handful of elites.

The large dependence of the village government on the customary institution, namely the Liudasik Tribe has brought consequences. First, that access to the use of the Village Fund is given asymmetrically; greater access is given to new residents. Second, this dependence on customary institutions has no positive implications for the effectiveness of the use of the Village Fund in Fatuba'a Village.

So based on the approach of Rationalism Choice Institutionalism, the tragedy of commons best reflects the situation in Fatuba'a Village. As a result of the practice of sharing or utilizing development resources and siding, thus eliminating the access of residents outside the new residents and the Liudasik tribe in the practice of development and village governance.

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