

# Implementing Independent Village with Political Law's Reconstruction of Government Village in Indonesia

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**Abstract**— Law Number 6 of 2014 about Villages states that the purpose of village regulation is to create an independent village. As an effort to achieve this goal, village management in Indonesia is carried out using a self-governing community system that requires apparatus that has good capacity. On the other hand, the existence of village officials in Indonesia still does not have the capacity needed to organize the government to become an independent village. Therefore, it is necessary to do a legal political reconstruction to find a solution to the inequality of expectations of village regulation and the reality of the quality of village officials like this. Political law functions as a bridge to the goals to be achieved and is strongly influenced by the social reality of society. This research was conducted using a qualitative approach with the type of library research by reviewing data related to villages in Indonesia, especially village government. The results of this study revealed that only 5,606 (7.43%) were independent villages. This of course requires a solution through a series of solution policies so that the objectives of village regulation towards independent villages can be achieved so that the prosperous community can be achieved.

**Keywords:** *village, Independent, Political Law, government*

## I. BACKGROUND OF STUDY

Discussing the village is always interesting to do because of the various characteristics inherent in the region which is the largest part of Indonesia. Administratively, the Indonesia village is the smallest region that has the government equipment recognized in the political system adopted by Indonesia. In addition, according to data Central Statistics Agency the village is also home to the majority of Indonesia's population and is home to most of the country's natural resources.

The various characteristics above make the village always a concern of the government which was realized in the birth of various laws and rules, the latest is Law Number 6 Year 2014. These regulations were raised as a form of government attention to the village, while also intended to address the problems that arose in them. This latest village regulation manifests itself in the form of self-governing community and local self- government in the form of delegation of authority covering the affairs of the affairs of village administration, implementation of village development, community development, and empowerment of

rural communities [1]. According to Huda [2], village regulation in the form of various regulations is aimed at addressing issues surrounding the position of indigenous peoples, democratization, diversity, community participation, progress and equitable development, poverty and socio-cultural conditions that can disrupt the integrity of the nation.

Administratively, Law Village Number 6 Year 2014 is indeed better than previous similar regulations. It's just that, attention to the village should not only stop the birth of regulations like this, but the implications in the future must also be considered. The objective of the village regulation closely related to the quality of human resources which are the motor of village management, especially related to village officials. Human resources are acute problems of the village because their quality is still low, not only related to the community in general, but also village officials or village government [3]. The study by Sahi [4] and Nugroho etc. [5] also revealed that quality the village apparatus is still not optimal or is still very necessary for improved and the ability, willingness and potential of the village apparatus as well impacts and approaches to governance and implementation development has not been maximized because human resources are still limited. This phenomenon is of course closely related to other problems inherent in the domicile of the largest part of the Indonesian people, namely poverty, unemployment, education and health [6].

On this basis, there needs to be an effort to overcome the problem of limited human resources in the village to achieve the objectives of village regulation as contained in Law Number 6 Year 2014 about Village. Based on the legal perspective, the effort is manifested in legal politics which is interpreted as an official line of law that will be applied, both by making new laws and by replacing old laws, in order to achieve state goals [7]. Related to this, there needs to be reconstruction related to the existence of Law Number 6 Year 2014 about Village, which regulates the objectives of a very good village arrangement, but on the other hand human resources are still very limited. Through legal politics, the gap between the expectations (goals) of village regulation and the minimum quality of village resources can be minimized. This is in line with Nonet and Selznick [8] which states that society must play an active role in resolving the

problems it faces because justice is not achieved through miracles, but requires qualified figures in a variety of ways they can do it. This effort also seems to be in line with Fadli et al. [9] who stated that village management must pay attention to how the village apparatus adapted to the capacity needed to manage this important area in the modern world.

The purpose of this study is to analyze the legal politics of village governance and to find alternative solutions to the problems of village human resources that are still limited in an effort to realize independent villages.

## II. METHODOLOGY

This study uses a qualitative research approach to determine the legal politics of village governance in an effort to realize an independent village. The type of research is library research by reviewing data related to village government law politics in Indonesia. Data collection was carried out through village data survey activities in Indonesia, village human resource data and the results of studies related to village governance in Indonesia. After the data is collected, the data analysis is done qualitatively: reducing data, displaying data, and conclusion [10].

## III. FINDINGS / RESULTS

Based on BPS data throughout Indonesia there are 75.436 villages with various categories. The diversity of these village categories is based on the Village Development Index (IPD) level which is based on five dimensions, namely Basic Service Dimensions, Infrastructure Condition Dimensions, Transportation Dimensions, Public Service Dimensions, and Village Government Implementation Dimensions. As a result, the existence of villages in Indonesia emerged in three categories, namely villages with underdeveloped status as many as 14.461 villages (19,17%), developing villages as many as 55.369 villages (73,40%), and independent villages with 5.606 villages (7,43%). Based on data in 2018, all dimensions of IPD increased when compared to 2014, the highest increase (9,81 points) existed in the Implementation of Village Government dimensions, while the smallest increase occurred in the Basic Services dimension (0,92 points).

Based on the data above, it can be said that only a small proportion of villages (7,43%) in Indonesia have achieved the main objectives of their regulation, namely the realization of independent villages. Therefore, there needs to be a breakthrough effort that can lead villages in Indonesia to become independent villages, through increasing the capacity possessed by their apparatus. The efforts to improve the quality of village officials in Indonesia within the framework of legal politics, which is interpreted by Mahfud MD [7] as a policy breakthrough to overcome problems that hinder the achievement of the objectives of its regulation.

Based on the legal political perspective, efforts to overcome the problem of the low quality of village apparatus in carrying out management functions can be carried out in various forms. One of them can be done by optimizing the National Framework for Developing and Enhancing Government Capacity in Order to Support Decentralization, Policy of the Minister of Home Affairs and Head of National Development Planning Agency 2002. In this guide it is stated that the development and improvement of capacity includes three levels, namely: 1) System level, namely regulatory framework and policies that support or limit the achievement of certain policy objectives; 2) Institutional or entity level, namely organizational structure, decision making processes within the organization, work procedures and mechanisms, management instruments, relationships and networks between organizations, etc.; 3) Individual level, namely the level of skill, qualification, knowledge/insight, attitude, ethics and motivation of individuals working in an organization. Referring to Wahyudi et al. [11], there are several aspects that can be done to improve the ability of village officials. First, regulatory capacity (regulating), namely the ability of the village government to regulate village life and its contents (territory, wealth, and population) with village regulations, based on the needs and aspirations of the local community. Second, extraction capacity, namely the ability to collect, mobilize and optimize village assets to support the needs (interests) of the government and villagers. At least, there are six assets owned by the village: (a) Physical assets (village offices, hamlet halls, village roads, irrigation facilities, etc.); (b) Natural assets (land, rice fields, forests, plantations, fields, ponds, etc.); (c) Human assets (residents, human resources); (d) Social assets (harmony of citizens, social institutions, mutual cooperation, village barns, social gathering, etc.); (e) Financial assets (village treasury land, assistance from the district, village unit cooperatives (KUD), village-owned business entity (BUMDes) and (f) Political assets (village institutions, leadership, citizen forums, village representative board (BPD), village strategic plans, village regulations, etc.) Third, distributive capacity, namely the ability of the village government to divide village resources in a balanced and equitable manner in accordance with the priority needs of the village community. Fourth, responsive capacity, namely the ability to be sensitive or responsive to the aspirations or needs of the community as a basis for village development policy planning network capacity and collaboration, namely the ability of the government and residents of the village community to develop a network of cooperation with external parties in order to support extractive capacity.

According to Wahyudi's et al. [11] record, the optimization of the government's capacity building mechanism has proven to be able to improve the ability of village officials to carry out their functions. Village apparatuses who follow the stages of capacity building are provided with knowledge about village management, from planning, implementation to

evaluation. The same thing was also expressed by Nugroho etc. [5] who said that the participation of village officials in capacity building training enabled them to understand aspects surrounding village management, such as administration and planning and activity reports. Along with the increasingly complex problems that exist in the village, the development of the capacity of the village apparatus is certainly not just about administrative aspects. Moreover, village officials are required to have knowledge and capabilities of public services, asset management, finance and regulatory socialization. This is certainly related to several aspects listed in Law Number 6 of 2014 about Village as the most recent reference in village management. This means that efforts to overcome the problem of the quality of village apparatus which are still low in a legal political perspective are carried out by strengthening the training content by including material on village budget preparation, village funds (DD) management, village wealth management, and village-owned business entity (BUMDes) management.

#### IV. CONCLUSIONS

Efforts to overcome the problem of the quality of the apparatus can be done by means of optimizing the capacity building system by incorporating financial material about village funds and village-owned business entity. In this way it is expected that the quality of the village apparatus will increase so that the independence of the village can be realized.

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