

BPD Empowerment Program in Optimizing Village Financial Implementation (Perspective Law No. 6 of 2014)

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Abstract

Village government played an important role because it is considered as a basic element that directly interacts with the society and the policy or decision issued felt by the society directly. The issues studied were how is the BPD empowerment in optimizing village financial implementation as perspective Law No.6 of 2014? And how is the model of BPD empowerment in optimizing village financial implementation as perspective Law No.6 of 2014? The results showed that (1) BPD empowerment of Pringsari village is not optimal in conducting village finances related to activities in Pringsari village, (2) The model of BPD empowerment to the society has not been held optimally and still not transparent. The conclusion of the BPD empowerment in optimizing village financial implementation Pringsari village is not optimal yet. The model of BPD empowerment in Pringsari village that found is the achievement of APBDes planning process. Suggestion for the villager head and BPD in Pringsari village is realize the roles, jobs, functions and positions respectively.

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INTRODUCTION

THE Principle of regional autonomy held by the regional government is not only to the provincial and Regency/city levels only, but also applied to the Sub-Regency level, Urban communities level, and Village level. The village Government as the element of the most basic government in the region plays an active role in implementing the principle of regional autonomy provided by the central government to local governments in this case autonomous regions (Widjaja 2002: 9)

Village government is said play an active role because it is considered as a basic element that directly interacts with the society and the policy or decision issued felt by the society directly. It has an active role in conducting the village development. In the development process, the village government is given full authority in its implementation, it is called village autonomy because the village has rights and authority to their own households implementation. Carrying out the matters that concerning the public interest,

the villager head is responsible to the society through the Village Deliberation Institution and then delivers a report on the execution of its duties to the existing government above it either the Sub-Regency government or Regency/City government (Nurcholis 2005: 25)

The Village Deliberation Institution has several functions and authority to supervise, such as supervision in the implementation of village regulations, the village government's budget and the villagers head decision and development conducted by Village. The Village Deliberation Institution members based on the representation of the territories that choosed democratically have a full responsibility to the society also implement a transparent supervision to the society (Soekanto 2004: 29)

Regulation of the Minister of Home Affairs Number 113 of 2014 concerning Financial Management of the Village asserted that BPD held village consultation in the framework of village development plan preparation which become the guideline for village government to arrange village's RKP (Village Government Work Plan) design and list of village's RKP proposal.

The villager head of Pringsari Village Pringapus Sub-Regency Semarang Regency explains that the interaction between the village governments and the village deliberation Institution cannot be separated and related to each other in the village government system. The problem faced by the villagers head and BPD in building democratic governance are the lack of educated villagers who do not understand what the program wants by the village.¹

Pringsari village arranges the development planning as its authority with references to the Regency/City development planning. The Village Development plan document is the only planning document in the village and as the basis for preparing the village government budget. The main basis of the programs and activities in the Village is the village deliberation and the village development planning deliberation which established priorities for development programs and activities based on village needs assessment.²

This paper has two main issues, *first*, is concerning to how is the BPD empowerment in optimizing village financial implementation as perspective Law No.6 of 2014, and *second*, concerning to how is the model of BPD empowerment in optimizing village financial implementation as perspective Law No.6 Year 2014. The paper used qualitative methods in a phenomenon that serves to more easily understand the phenomena that occur in society that has not been known. A qualitative approach is an approach that construct a knowledge statement based on constructive perspectives (eg, meanings derived from individual experience, social and historical values, with the aim of building a particular theory or knowledge politics), or from a participatory perspective (eg orientation against politics, issues, collaboration, or change), or both (Creswell 2014: 6).

¹ Interview with Mr. Zaenal on July 19th 2017

² Interview with the chief of BPD, Mr. Supriyanto S.Tp on July 19th 2017

The qualitative aspect using case study research on optimizing the empowerment of BPD in terms of village finances, activities that have been implemented or planned in Pringsari Village. It starts with the first step of the interview with the Pringsari's villager head about village development, village finance and the BPD participation as village government in the development process and so forth in managing the village finance in Pringsari village. Interview with the head of BPD to find out the job and the main function it and participation as the village government in the village development.

Interview with the member of BPD related to BPD membership in arranging the village financial management and the activities that have been implemented for Pringsari village in terms of plans for the village, the members' participation in the preparation of village finance management to the village development, also the relationship between the village governments to each other and the interaction with society. Interview with the villager about the village government transparency in village financial management and activities in Pringsari village. Interview with the villager officials about their job and function.

Furthermore, this paper also recognized as a sociological juridical legal research (socio-legal research). A sociological law research, then researched first is secondary data, to then to then proceed with research on primary data in the field, or to society (Soekanto 1986: 52). In this law research, the writer do research by obtaining information from the authorities of Pringsari village (Villager head, BPD head, BPD members, and the villagers), then conduct an analysis of the results of the study with the legislations that are the 1945 constitution, Law No.6 of 2014 on Villages, Presidential Regulation No.43 of 2014 on The Implementation of Law no. 6 of 2014 on Villages, Regulation of the Minister of Home Affairs No.13 of 2014 on Village Financial Management, Law No.23 of 2014 on Regional Government, Law No.14 of 2008 on Public Information Openness, Minister Regulation No.72 of 2006 on General Guidelines on Village Arrangement, Minister Regulation No.72 of 2005 on Villages. The sociological aspect of this research is that the Law is applied in the practice of the BPD empowerment model in managing the village finance management, the optimization of BPD and the village head to prepare an activity plan in accordance with the financial arrangement based on the applicable law.

SOCIETY EMPOWERMENT: BEYOND THEORY AND TECHNIQUE

This concept is developed by experts and practitioners, among others by Friedman (1992). Empowerment can be interpreted as alternative development, which desires inclusive democracy, economic growth equality, gender equality and intergenerational equality appropriate, gender equality and intergenerational equations) (Kartasasmita, 1997: 21)

There are 3 main components to understand empower according to *Page and Czuba* (Bakti 2003: 42):

1. Empowerment is multi-dimensional, in which involved dimensions of sociology, psychology, economics and other dimensions. Empowerment can take place at various levels, such as individuals, groups and communities
2. Empowerment is a social process
3. Empowerment is a process similar to a journey for a developing party

The theory of society empowerment used in the process of empowerment, such as:

Power Dependency Theory

Power is the key concept to understanding the empowerment process. Modern thinking about power begins in the writings of Nicollo Machiavelli (*The Prince*, early 16th century) and Thomas Hobbes (*Leviathan* century, mid-17). The purpose of power is to prevent the group from participating in the decision-making process and also to obtain the group's passive approval for this situation. Power is an integral part of social interaction. Power is an integral feature of social life (Craig and May, 1995 in Hikmat, 2004)

Furthermore, in the context of empowerment, the theory of dependence is associated with the usual power in the form of ownership of money / capital, to achieve a condition of power / strong / independent, then a group of people must have a strong financial / capital. In addition to money / capital, the science / knowledge and aspects of people / a large group of people / mass must also be owned so that the group has the power. Groups that have power then the group will be empowered. (Syahyuti 2006:45)

The Social System Theory

Talcott Parsons (1991) made the functional theory of change quoted by Sumodiningrat Gunawan 2002. Parsons also analogized social change in society as well as growth in living things. The main component of Parsons thinking is the process of differentiation. Parsons assumes that every society is composed of a different set of subsystems based on its structure and its functional significance for the wider society. When society changes, generally the society will grow with better ability to cope with life problems. It can be said that Parsons belongs to a group that views the optimism of a process of change. (Sumodiningrat, Gunawan 2002: 31)

If included in the aspect of society empowerment, then the theory of this social system leads to one of the strengths that must be owned by a group in order that the group is empowered that is having a group of people/mass. If the group has a large mass and can survive and grow larger, then the group can be said to be empower (Khairuddin 2000: 25).

Conflict Theory

Ralf Dahrendorf's conflict theory emerges as a reaction to the theory of structural functionalism that is less concerned with the phenomenon of conflict in society. Conflict Theory is a perspective that views society as a social system consisting of different interests where there is an attempt to conquer other components in order to fulfill other interests or to maximize their interests (Beilharz, Peter 2003: 53)

Conflict is not defined from the aspect of the perpetrators of the conflict, but it is a problem in social interaction. Conflict becomes the main thing of association that always arise dynamics in society. There are known several theoretical approaches to explain conflict. As a social reality. Among the disparity approaches in the economic world that explain that the emergence of conflict due to the imbalance between demand and availability that creates scarcity. On the other hand, the individual is individualistic, self-absorbed in getting the surplus. The existence of similarities between individuals opens opportunities for seizure on one commodity and vice versa also opens the cooperation among the actors (Chalid 2005: 41).

There are also three models explanation can be used to analyse conflict in society. The first is the cultural explanation, the second is economical explanation, and the third is political explanation. The cultural perspective explains that conflicts in society are caused by cultural and ethnic differences. Each cultural groups sees as a member or part of the same culture and makes a battle to gain cultural autonomy (Stewart 2005 in Chalid 2005).

Empowerment Indicator

The success of empowerment can be seen by their empowerment about: economic ability, access ability to the benefits of welfare, cultural ability and politeness. According Schuler, Hashemi, and Riley in Suharto (2005: 63-66) there are 8 Indicators of Empowerment:

1. Freedom of mobility: the ability of individuals to go out of the house, place of worship, markets, medical facilities. This level of mobility is considered high if, each individual is able to go alone.
2. The ability to buy small commodities: the ability of individuals to buy their daily necessities and needs.
3. The ability to buy large commodities: the ability of individuals to buy secondary or tertiary goods. Like wardrobe, TV, radio, newspapers, magazines, family clothes.
4. Involved in making household decisions: able to make decisions individually or with a spouse about family decisions.
5. Relative ability of dominance.
6. Legal and political awareness: at least know the name of one of the employees of the District office and the village where they live.

7. Involvement in campaigns and protests: one will be deemed empowered if he is involved in a campaign.
8. Economic guarantee and contribution to the family, owning land, house or asset or savings.

Empowerment Strategies

The context of social empowerment work can be done through three levels or empowering settings: micro, mezzo and macro with the following explanation:

1. Mikro Aras: Empowerment is done to individual clients through guidance, counseling, stress management, crisis intervention.
2. Aras Mezzo: Empowerment is done by a group of clients. Empowerment is done by using the group as a medium of intervention. Educators or training, group dynamics is usually used as a strategy to increase awareness of knowledge, skills and attitudes of clients in order to have the ability to solve the problems faced.
3. Macro Level: This empowerment is often referred to as a large-system strategy, since the target of change is directed to a wider system environment (Suharto 2005: 21).

The Development of Local Communities

The development of local communities where the ongoing efforts to help local communities find their problems, needs, potentials and resources, develop development plans and assist development implementation over a period of time so that people are able to do it on their own (Kartasasmita 1997: 25)

The Role of Government in the Society Empowerment

First, the role of government is very important in this framework there are some efforts to be done:

1. Bureaucracy must understand the aspirations of the people and must be sensitive to the problems faced by the public.
2. Bureaucracy should build people's participation it means that the bureaucracy gives as much trust as possible to the public to improve themselves. The governments' officials help to solve problems that cannot be solved by the public themselves.
3. The bureaucracy should prepare the society at the best, both knowledge and how to work, so that society empowerment efforts can be effective. It is part of social education efforts to enable people with independence.
4. The bureaucracy should open dialogue with the society of openness and this consultation is very necessary to raise awareness of the people

and to apparatus to immediately help there is a mass that cannot be solved by the people themselves.

5. The bureaucracy must open the path of information and access that is needed by society that cannot be obtained by it.
6. Bureaucracy must create regulatory instruments and market mechanism arrangements that favor the weak segment of society (Wrihatnolo and Dwijowijoto 2007: 29)

Second, Society Organizations outside the society itself, which has several important roles, as follows:

1. LSM as implementers of government programs (representing government), may assist (government consultants), but also assist communities in government programs.
2. There is also develop its own program (Suharto 2005: 31)

Third, a society institution that grows from and within the society itself (local society organization). This institution can be semi/quasi formal such as LKMD, PKK / karang taruna.

Fourth, the cooperative which is a place of the people's economy that is specifically stated in the constitution as the most suitable business development for Indonesia's economic democracy which is an effective vehicle for the role of government for society.

Fifth, families that commonly the poor people have limitations in developing themselves, the role of government here was very important. Therefore, a companion is needed to guide the poor in an effort to improve their welfare. Assistant duty accompanies the process of forming and organizing the society as a facilitator, communicator. The scope of guidance carried out on the companion includes efforts to improve the quality of human resources there are the quality of the members and family members also improvement of business capabilities of members (Mark G. Hanna and Buddy Robinson 1994, in Harry Hikmat 2001: 22).

Sixth, society empowerment must be reflected in the national development planning process, as a flow from the bottom up. The purpose of empowerment is to strengthen the power of society, especially weak families who have powerlessness, both because of internal and external conditions (Kartasmita 1997: 21).

Organizational Theory in Village Society

Organizational theory is a theory that studies the performance in an organization. One study of organizational theory at this paper was discussing about how an organization performs the function and actualization the vision and mission of the organization. In addition, it is learned how an organization influences and is influenced by the people within it and also the work environment of the organization. According to Lubis and Husaini (1987) that the organizational theory is a collection of science that discusses the

cooperation mechanism of two or more people systematically to achieve the goals that have been determined. Organizational theory is a theory to study cooperation in each individual. Organizational theory includes classical organizational theory, neoclassical organization theory and modern organizational theory (Gulick 1937: 79-87).

Classical Theory

Classical theory sometimes called traditional theory, which contains conceptions of organization beginning from the eighteenth century (hundreds of nineteenth century) that defines organization as the structure of relationships, powers, goals, roles, activities, communication and other factors that occur when people work together. This theory, the organization is generally described by classical theorists as highly centralized and specialized tasks, and provides rigid structural mechanical clues that do not contain creativity. This theory also develops in three streams that are built on the same assumptions and have the same effect, namely: bureaucracy theory, administrative theory, scientific management (Waldo 1948: 138-142).

Neoclassical Organization Theory

Neoclassical theory Neoclassical is simply known as the theory / flow of human relations (The human relations movement). Neoclassical theory developed on the basis of classical theory. The basic premise of this theory is to emphasize the importance of the psychological and social aspects of employees as individuals and as part of the working group, on the basis of this assumption that neoclassical theory defines "an organization" as a family / group of people with a common goal. The development of neoclassical theory began with the inspiration of experiments conducted in Hawthorne and from the writings of Hugo Munsterberg. The division of labor, Neoclastic theory has revealed the need as the following:

1. Participations, which involves everyone in the decision-making process.
2. Job expansion (job enlargement) as opposed to specialist politics.
3. Bottom-up management that will enable juniors to participate in top management decisions (Mckinney & Howard 1998: 77)

Modern Organization Theory

Modern theory is characterized by the contingency movement pioneered by Herbert Simon, who argues that organizational theory needs to transcend superficial and oversimplified principles for a study of conditions under which competing principles can be applied.

Modern theory is sometimes referred to as the analysis system in the organization is the third major flow in the theory of organization and management. Modern theory sees that all elements of the organization as a

unity of interdependence, in which suggests that the organization is not a closed system associated with a stable environment, but the organization is an open system (Simon 1946, In Shafritz, J.M. & Hyde, .C. (eds.) 2007: 124-137)

The History of Pringsari Village

Semarang Regency is a Regency in Central Java, its capital is Ungaran. The regency administrative borders are in the north bordering Semarang city and Demak Regency. Semarang Regency is definitively determined based on Law Number 13 of 1950 on the establishment of Regency within the province of Central Java. During the reign of the Regent of Iswarto (1969-1979), the capital of Semarang Regency was de facto transferred to Ungaran. Previously the central government was in the Kenjengan area (Semarang City). Semarang Regency has some sub-Regency, one of them is Pringapus sub-district. Pringapus is a village and developed into a sub-Regency in Semarang Regency, Central Java. The establishment of Pringapus sub-Regency can be seen from the Government Regulation of the Republic of Indonesia Number 48 of 1996 on the Establishment of Pringapus Sub-Regency in Regency Level II Semarang In Regional Province Level I Central Java. The coverage of Pringapus sub-Regency is Pringapus Village; Klepu Village; Derekan Village; Penawangan Village; Jatirunggo Village; Pringsari Village; Wonoyoso Village; and Candirejo Village.³

Pringsari village, Pringapus sub-Regency, Semarang Regency cannot be separated from a hill known as Gunung Munggut. In the hill, there are three tombs that are respected by the surrounding villagers, they are Simbah Pringsari (Villager head of Pringsari Village), Prince Purwokusuma (The son of Benawa Prince), Sheikh Basyaruddin (The theologian in Pringsari village at that time).⁴

THE EMPOWERMENT OF BPD IN OPTIMIZING VILLAGE FINANCIAL IMPLEMENTATION BASED ON LAW NUMBER 6 OF 2014 CONCERNING TO VILLAGE (VILLAGE ACT)

EFFORTS to realize the implementation of democracy in the implementation of village government in order to be able to mobilize the society to participate in the development and administration of village administration, then any decisions taken should be based on deliberations to reach agreement. Therefore, the Village Deliberation Institution has a function of protecting customs, establishing village regulations with villager head, accommodating

³ See <http://peta-jalan.com/kecamatanDesa-pringsari-pringapus-kab-semarang/>

⁴ Interview with ex-village secretary of Pringsari village on August 16th 2017

and channeling villagers aspirations, and overseeing the implementation of village regulations and the villager head regulation, proposing the appointment and dismissal of the villager head. (Sukriono, Didik.2010,34)

The BPD members are the representative of the villagers who are established by way of deliberation and agreement. The head of BPD are elected from and by members of BPD. The term of office of a BPD member is 6 (six) years and may be re-elected for 1 (one) subsequent term of office. Terms and procedures for determination of members and head of BPD shall be regulated in a Regional Regulation that is guided by a Government Regulation.

Village fund allocation planning (ADD)⁵ is done by capturing the aspirations and needs of the society through village consultation or village counseling. Pringsari village deliberations were discussed on the planning of the Village Revenue and Expenditure Budget (APBDesa), as well as the Deliberation of Village Development Plans (Musrebangdes) so as to generate the Fund Usage Plan (RPD)⁶.

The ADD planning in Pringsari village is done by participatory planning through village consultation. The results showed that the low level of the society participation in implementing village meetings can be seen from the attendance level and the number of proposals by the society. The phenomenon of the field is not in accordance with the theory of empowerment which explains that the empowerment of society can be seen from the needs definition of the ability to determine the needs in harmony with aspirations and desires. Society empowerment can also be seen from the definition of ideas and ideas namely the ability to express and contribute ideas in a forum discussion freely and without pressure (Ife in Suharto 2005: 59)

ADD budgeting is done after the results of the village consultation are approved by all related parties in the village, so that a Fund Usage Plan (RPD) can be developed for one year. The RPD includes the use of ADD Pringsari village funds of Rp. 1.345.388.000, - for society empowerment and village government operations.

The Pringsari Village RPD when examined is actually not in accordance with the provisions, in which funds for the operational of the Village Deliberation Institution (BPD) are not included in the RPD Operational of the Village Government. However, BPD operational funds are actually included in the RPD of society empowerment. The incident is in fact contradictory to Regional Regulation of Semarang Regency Number 8 of 2006 on Fund of Village Allocation. It was determined that the use of the ADD budget is 70% for Society Empowerment and 30% for Operational Costs of Village governments and BPD. While the amount for society empowerment sourced from ADD only amounted to Rp.35.260.000.

⁵ ADD, Village fund allocation, *Alokasi Dana Desa*, hereinafter called as ADD

⁶ RPD, Fund Usage Plan, *Rencana Penggunaan Dana*, hereinafter called as RPD

In Pringsari Village, the management of ADD has been running well although in many areas the use of ADD is still not optimal. It can be seen from the ADD program that has been implemented since 2007, but has not shown the maximum results such as the high poverty level, the low education level, no improvement of Village Original Income (PADes), no Village Owned Enterprise (BUMDes) and also not optimal the society's self-help.

The Empowerment Model of BPD in Optimizing Village Financial Implementation Perspective Act Number 6 of 2014 on Village

One of several supporting factors in the management of ADD is the society participation. The results of research and observations that have been done in Pringsari Village, that the level of public participation in the planning process in implementation in ADD is not so high. The results showed that the low level of society participation in the ADD planning in village consultation can be seen from the attendance level and the number of proposals by the society is quite low. The lack of society participation in the management of ADD in Pringsari Village is inconsistent with empowerment theory.

Village Revenue and Expenditure Budget (APBDes) is a village regulation that contains sources of revenue and allocation of village expenditure within a period of one year. APB Desa consists of village income, village expenditure and financing. The draft APBDesa is discussed in the village development planning meeting. Villager Head with BPD sets APBDesa annually with Village Regulation (Chalid, Pheni 2012: 76)

The early results research indicate that the role of village organizations in preparing the APBDes some already run as expected, but still many problems in the field. The dominant role is seen only to the villager head or the old law, especially in the preparation of APBDes. Some society leaders who are members of the BPD still feel that they have not been fully involved in the preparation of the APBDes, but according to them, the preparation of APBDes is very important in the development of the village for the welfare of the villagers.

There is a covert cooperation between the head of BPD with the Old Law to make APBDes with a process that is not participative. Another problem in Pringsari Village, human resources (SDM) BPD members are not evenly distributed where there is a relatively small human resources, it is difficult to have a well role in BPD. This research would like to see the condition of Pringsari village organization especially BPD that has not run properly.

The following is a model of BPD empowerment desired by Pringsari Village society:

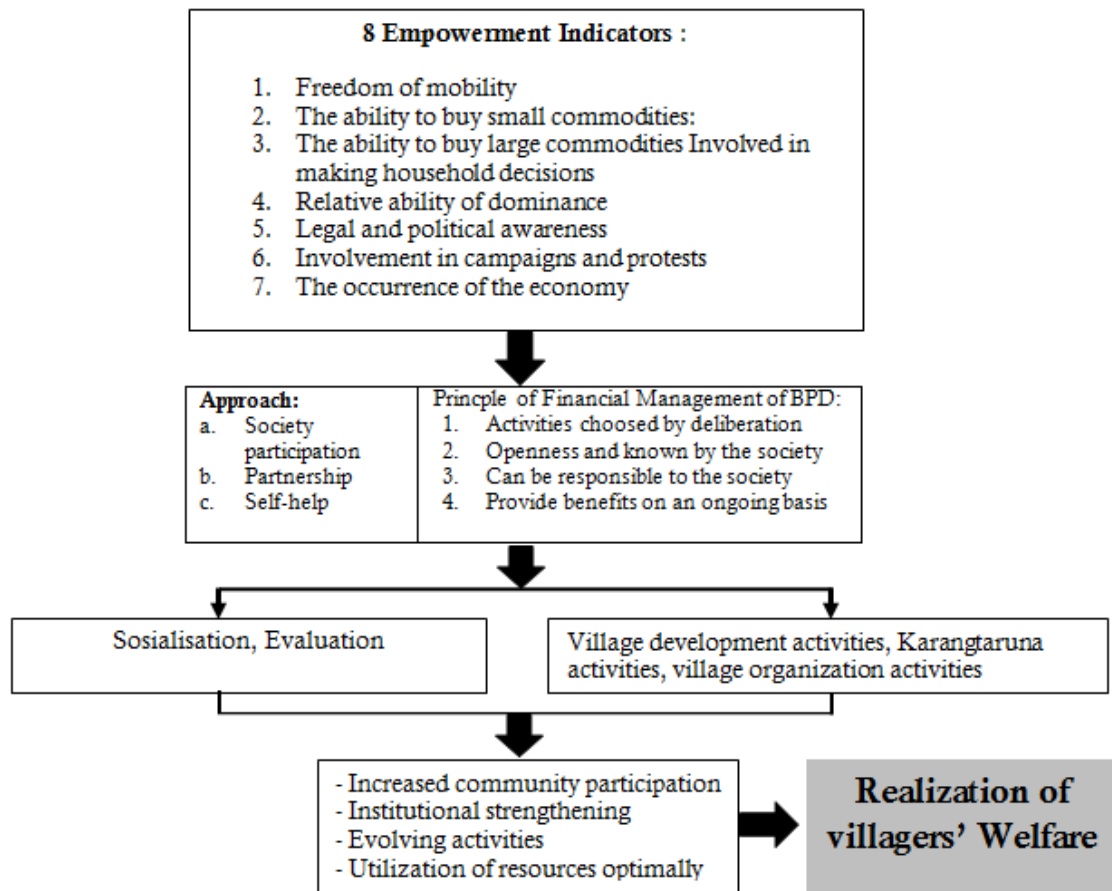


Figure 1. The model of BPD empowerment desired by Pringsari Village society

The role of society empowerment can be seen through participation in the stages of activity. The society was introduced to a society empowerment program that aims to increase society potential. Communities are introduced to the various problems faced in their environment so as to generate a positive idea to overcome the problem. Society participation is illustrated through the society deliberation as a form of understanding of the values and problems that society is facing (Setiana 2002 in Lucie Setiana 2005: 5-6).

At this stage the involvement of society leaders is very important because the authority as an intermediary between the owners of quality improvement programs with the implementation and society. This kind of a supervisory model is an empowerment option that can be resolved by deliberation. Society empowerment is an effort to empower the society through the realization of potential capabilities possessed by the society (Setiana 2002 in Lucie Setiana (2005: 9).

Based on the opinion, it can be concluded that empowerment is strived for the society independence both in terms of economic needs and other needs. Empowerment can be interpreted as an effort to raise awareness of the

potential possessed and strive to develop it so that people can achieve independence. Society empowerment is an effort to increase the strength or power of the society by providing encouragement, chance, opportunities, and protection without regulating and controlling empowered society activities to develop their potential so that the society can improve their ability and self-actualization or participate through various activities (Setiana 2002 in Lucie Setiana (2005: 12).

CONCLUSION

FINALLY, this paper concluded that the empowerment of BPD in optimizing the financial implementation of Pringsari Village has not been optimally empowered. The results of this study indicate the low level of society participation in implementing village meetings which can be seen from the attendance level and the number of proposals by the society so that the society does not know the amount of funding sources for society empowerment. The phenomenon of the field is not in accordance with the theory of empowerment which explains that the Pringsari village society has not optimally received the openness of BPD in the planning of the program including the village financial planning, so it can be said that the empowerment of BPD to the society has not reached a condition that makes it possible to build openness in the forum. The model of Pringsari village BPD empowerment found is APBDes planning process that has not been reached optimally because it is not involved in the society *musdes* (village meeting). The Village development planning is prepared on a futures basis including: Medium term development plan of the Village hereinafter referred to as RPJMD for 5 (five) years period. The village development work plan, hereinafter referred to as RKP-Desa, is a translation of the RPJMD for 1 (one) year period.

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Law Adagium

**THE POWER OF THE
LAWYER IS IN THE
UNCERTAINTY OF
THE LAW**

Jeremy Bentham
A Legal Philosopher