

Implementation of the Village Fund Program to Improve Community Welfare from a Positive Legal Perspective

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Abstract:

Village communities urgently need the implementation of the village fund program that is realized to finance the government, community development, village development, and empowerment of village communities. This study aims to explain the village fund program implemented and its obstacles in improving community welfare in Sambirejo Village, Gampengrejo District, Kediri Regency from the perspective of Law Number 6 of 2014 concerning Villages. The research method used is empirical juridical research. Based on the results of the research conducted, it is known that the implementation of the village fund program has been running well and in accordance with the Village Law. This is evidenced by the communication between the Village Government and the community in accordance with article 26 paragraph (1), article 80 paragraph (1), article 82 paragraph (4), and article 46 paragraph (2) of the Village Law, all village apparatus are in accordance with the provisions of articles 33 and 48-50 of the Village Law, village development is also in accordance with article 81 paragraph (1) of the Village Law. The obstacles faced by the village government are: the community has not implemented article 68 paragraphs (1) and (2) of the Village Law properly, program reporting has not been systematic, the gradual disbursement of village funds has caused development to be delayed, and many residents have not understood village funds.

Keywords: Village Fund; Community Welfare; Law

Introduction

The smallest picture of the legal population that has existed for a long time, then coexisted together with the origin of the nation, and ended up becoming a component of the Indonesian nation's life system is the village. The state needs policies that aim to clarify functions and citizenship and strengthen the position of village communities. In order to organize and organize the village, the government issued Village Law Number 6 in 2014. The enactment of the Village Law is expected to strengthen the form of the unitary state of the Republic of Indonesia. 74,958 villages throughout Indonesia will receive around one billion rupiah in village development funds under the Village Law. Villages that have village resources have a very good opportunity to manage their affairs, carry out development to improve the welfare and quality of life of their people. With the village fund, villages that have various natural resources are also expected to be able to take care of their own affairs, including regulating the village economy and village

property. Village funds can provide opportunities for communities to build their villages and eliminate the perception that development only occurs in urban areas.¹

Village funds are projected to be distributed evenly between villages in 2023, with a budget range of IDR 1.1 billion to IDR 1.3 billion per village. This amount comes from 8.1 percent of central regional transfer funds. In the presentation of the 2023 State Revenue and Expenditure Budget (RAPBN), the government has budgeted IDR 70 trillion. According to the Ministry of Finance (Kemenkeu), this amount increased by 3.09% compared to 2022, which was IDR 67.9. One trillion The amount of village subsidies budgeted is equivalent to 2.28 percent of the government spending target of Rp3,061.2 trillion. The funds are then divided equally so that each village receives more than Rp. 1 billion per year. In 2023, village funds will be directed more to economic revitalization, improving human resources, and accelerating the alleviation of extreme poverty. This assignment also aims to overcome problems from several topics ranging from stunting, village economic development, the implementation of cash labor-intensive to disaster management. Although the value is quite large, village leaders who are members of the Indonesian Village Government Association (Apdesi) asked President Joko Widodo (Jokowi) to increase the village money again. They did not hesitate to demand that the village allowance be increased to 10% of the state budget. Since 2015, the government has allocated a budget of Rp538 trillion to distribute money to villages. In fact, this village fund helps many villages in Indonesia. But in reality, there are problems in its use. Luthfy Latief, Head of the Ministry of Villages, Development of Disadvantaged Regions and Facilitation of the Use of Migrant Village Funds, stated that in 2023 there will be several problems in the use of village funds, namely planning, budgeting, management, and reporting in village financial management. Another problem, although negotiations have been carried out, the use of village funds is considered not to meet the needs of the community. and the rules for the use of village funds have changed a lot, causing confusion in village government.²

If referring to the 2023 State Budget, village funds should reach IDR 306 trillion.³ The Village Fund Allocation (ADD) of Kediri Regency increased by 10.34% from IDR 337.5 billion in 2022 to IDR 372 billion in 2023. The Kediri State Treasury Service Office (KPPN) is responsible for the distribution of village funds in 2023. On 07.02.2023, out of 343 villages in Kediri Regency, only four villages received the first phase of non-BLT village fund distribution and the first quarter BLT village fund.⁴ In this study, the researcher chose a research location in Sambirejo Village, Gampengrejo District, Kediri Regency. In the initial observations made by the researcher, it has been found that the Village Funds that have been received by the Sambirejo Village government are quite large, namely Rp. 799,036,000.00 and the Village Fund Allocation (ADD) of Rp.

¹ Heru Cahyono and Nyimas Latifah Letty Aziz, *Village Fund Management: A Study from the Side of Democracy and Village Government Capacity*, (Jakarta: LIPI Press, 2020). 1-7

² Grahana Mediatama, "Hingga 2023, Masih Ada 4.850 Desa Tergolong Sangat Tertinggal," kontan.co.id, diakses 4 September 2023, <https://nasional.kontan.co.id/news/hingga-2023-masih-ada-4850-desa-tergolong-sangat-tertinggal>.

³ Mendes, "37 Percent of Village Funds in 2023 Used for Human Resources Development," *Republika Online*, accessed August 7, 2023, <https://republika.co.id/share/rz0wzf451>.

⁴ thejavapost.id, "Kediri Regency Village Fund 2023 Experiences a 10.34 Percent Increase," *East Java News* (blog), accessed February 8, 2024, <https://www.thejavapost.id/dana-desa-kabupaten-kediri-2023-alami-kenaikan-1034-persen/>.

416,096,000.00 in 2023. Previous research that supports the research conducted by the researcher is:

1. Research by Andi Pitono and Kartiwi⁵ in 2021 entitled "*The Impact of Village Funds on Community Welfare in Cileles Village, Jatinangor District, Sumedang Regency*" explained the impact of village funds to improve the economy of the community in Cileles Village, Jatinangor District, Sumedang Regency.
2. Research by Muhaimin⁶ in 2020 entitled "*Reconstruction of the Use of Village Funds to Realize the Welfare of the Village Community*" explains the comparison between Law Number 6 of 2014 and Law Number 32 of 2004 to realize community welfare.
3. Research by Arzat Lamber, Lisbeth Lesawengen, and Evelin Kawung⁷ in 2022 entitled "*Village Fund Management in Improving Community Welfare in Kuma Village, South Essang District, Talaud Islands Regency*" explains the management of village funds using structural functional theory.
4. Research by Nety Hermawati⁸ in 2019 entitled "*Implementation of Village Law Number 6 of 2014 in Village Fund Management*" explained the processing of village funds and this research focused on the comparison of village resource management in East Lampung.
5. Research by Shendik Widianoro⁹ in 2020 entitled "*Optimizing the Allocation of Village Funds in Infrastructure Development as an Effort to Improve the Welfare of the Sumberdadap Village Community*" explains the allocation of village funds that are focused on the development of village infrastructure to improve the welfare of the village community.

The purpose of the research conducted by the researcher is to explain the implementation of the village fund program to improve community welfare in Sambirejo Village, Gampengrejo District, Kediri Regency, from the perspective of Law Number 6 of 2014 concerning Villages and to find out the obstacles faced by the village government in the management of village funds to improve community welfare in Sambirejo Village, Gampengrejo District, Kediri Regency, from the perspective of Law Number 6 of 2014 About Villages.

Method

⁵ Andi Pitono and Kartiwi "The Impact of Village Funds on Community Welfare in Cileles Village, Jatinangor District, Sumedang Regency" *Journal of Government Empowerment Development*, Vol. 6 No. 1 (2021), 33-56. <https://doi.org/10.33701/j-3p.v6i1.1534>

⁶ Muhaimin, "Reconstruction of the Use of Village Funds to Realize the Welfare of Village Communities." *De Jure Journal of Legal Research* Volume 20, Number 4, December 2020, 557-572. <http://dx.doi.org/10.30641/dejure.2020.V20.557-572>

⁷ Arzat Lamber, Lisbeth Lesawengen, and Evelin Kawung, "Village Fund Management in Improving Community Welfare in Kuma Village, South Essang District, Talaud Islands Regency," *Scientific Journal Society* vol. 2, No. 3 (July 7, 2022), <https://Ejournal.Unsrat.Ac.Id/V3/Index.Php/Jurnalilmiahsociety/Article/View/41863>.

⁸ Nety Hermawati, "Implementation of Village Law Number 6 of 2014 in Village Fund Management, *Istinbath: Law Journal*, Volume 16 Number 1 (2019), 1-15 <https://doi.org/10.32332/istinbath.v16i1.1259>

⁹ Shendik Widianoro, "Optimizing Village Fund Allocation for Infrastructure Development as an Effort to Improve the Welfare of the Sumberdadap Village Community," *Meta-Juridical Journal* 3, No. 2 (September 20, 2020), <https://Doi.Org/10.26877/M-Y. V3i2.6557>.

This study uses an empirical legal research method. This method is intended to understand the law practically and examine the implementation of the law in the context of society.¹⁰ The approach used in this study is the Sociology of Law approach. This method is intended to analyze the interactions and reactions that occur when the norm system functions in society. In addition, it is also known as the sociological method of law, which includes the construction of community behavior that is recognized, formally regulated, and given social legitimacy.¹¹ The data sources used in this study are primary data sources in the form of data obtained from the field or from the original source directly, through interviews with respondents or interested parties who can provide relevant information about the problem being researched. And secondary data is data that has been processed previously and obtained from literature studies and documentation studies. The data collection method was carried out by interviews, observations, and documentation.

Result and Discussion

Implementation of the Village Fund Program to Improve Community Welfare in Sambirejo Village Perspective of Law No. 6 of 2014 concerning Villages

The implementation of the Village Fund Program is regulated in Law Number 6 of 2014 concerning Villages. Especially in article 26 paragraph (1), article 80 paragraph (1), article 82 paragraph (4), and article 46 paragraph (2) of Law Number 6 of 2014 concerning Villages. In this article, there is an aspect that is the fulcrum of the implementation of the village fund program, namely the communication aspect. This is in line with the theory of Geoge C Edward III which explains that communication is the key to an implementation. Based on the results of interviews with resource persons, there is a fact that communication between the village government and the village community in Sambirejo Village, Gampengrejo District, Kediri Regency has been going well. This is evidenced by the existence of a deliberative forum made by the village government and attended by community representatives, village officials, and BPD then continued with the submission of community aspirations about problems that arise in Sambirejo Village, after finding problems that must be handled immediately, the village government conducts MUSRENBANGDES (Village Development Plan Deliberation) and the preparation of APBDes and RAB. All development plans or programs funded by village funds are submitted by the village head to all village communities either directly or indirectly.

Then there are other articles that regulate the implementation of the Village Fund Program in the Village Law, namely article 33, article 48, article 49, article 50, article 80 paragraph (1), and article 93 paragraph (1) of the Village Law. This is also in line with the theory of Goege C Edward III regarding the aspect of resources. According to Goege C Edward III, the influence of Implementation is resources. Based on the results of interviews, the resources in the Sambirejo Village office are in accordance with the Village Law. This can be proven from the recruitment of village heads who have complied with article 33 of the Village Law and the recruitment of village officials who are in

¹⁰ David Tan, "Legal Research Methods: Exploring and Reviewing Methodologies in Conducting Legal Research," *Nusantara: Journal of Social Sciences* 8, No. 8 (December 28, 2021): 2463–78, <https://doi.org/10.31604/jips.v8i8.2021.2463-2478>.

¹¹ Muhaimin, *Metode Penelitian Hukum*, (NTB: Mataram University Press, 2020). 87 <https://id.zlibrary-asia.se/book/19217997/c84306/metode-penelitian-hukum.html>.

accordance with articles 48 to 50 of the Village Law. To facilitate the performance of the village government, the village head divides this village apparatus into village secretary, village treasurer, kasi, and kaur. Before implementing the Village Fund Program, the village government first makes a plan so that the program is on target. All village development and development plans have been listed in the APBDes and the Village Government Work Plan. Then the head of Sambirejo village formed a team first and gave authority to carry out the program funded by village funds. The selection of teams is also not done arbitrarily, but must be in accordance with the qualifications needed in the implementation of the program.

When associated with the concept of disposition in policy implementation, the results of this study show that the Sambirejo Village government has given a good implementation attitude, full of commitment, and is willing to succeed the Village Fund Program. This implementation activity is supported by all aspects of the village government, starting from village officials, LPM, BPD, PKK, youth organizations, community leaders and all the people of Sambirejo village. The attitude given by all aspects of the village can be the capital of the Sambirejo village government in preparing itself if it gets village funds from the central government.

To implement a policy, it must meet a requirement. The Sambirejo village government itself has met the requirements in carrying out a policy from the village fund program in its work area effectively. Proof of this readiness is: *First, the structure of the Sambirejo village government is in accordance with article 5 of the Kediri Regent Regulation Number 9 of 2017 concerning the Organizational Structure and Work Procedures of the Village Government.*¹² Because the Sambirejo village government already has a village head, a village secretary, and other parts such as kaur and kasi. The structure has also been adapted to Law Number 6 of 2014 concerning Villages. *Second*, with the existence of BPD as a competent representative of the village community, it is hoped that the village government can be implemented properly and effectively. It can be concluded that the use of village funds is in accordance with the Standard Operating Procedures (SOP) because the village head who regulates all the priorities for the use of village funds has gone through village deliberations first.

Obstacles to the Management of Village Funds to Improve Community Welfare in Sambirejo Village, Gampengrejo District, Kediri Regency Perspective of Law No.6 of 2014 concerning Villages

Desa Sambirejo tidak memiliki masalah mengenai struktur hukum di desa. Faktor penghambat implementasi program dana desa di desa sambirejo dijabarkan sebagai berikut:

1. The condition of force majeure affected by the Covid-19 outbreak in Sambirejo Village is hampered in the implementation of the Program funded by village funds. This caused a change in the initial planning of the village government, the village funds that were originally for the construction of public facilities were diverted to funds used to handle the Covid-19 virus outbreak. As the Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration Number 6 of 2020 concerning Amendments to the Regulation of the Minister of Villages, Development of Disadvantaged Regions, and

¹² Article 5 of the Kediri Regency Regent Regulation (PERBUP) Number 9 of 2017 concerning the Organizational Structure and Work Procedures of the Village Government.

Transmigration Number 11 of 2019 concerning the Priority Use of Village Funds in 2020.¹³ The impact of the outbreak is still being felt by the Sambirejo Village government in 2023 because the funds are still aimed at recovering after the Covid-19 outbreak and have not continued the village developments that were delayed previously.

2. The disbursement of village funds is carried out in stages, making plans that were previously planned to be delayed in their work. This setback is caused by the funds needed to complete the development are not disbursed. As a result, construction projects are delayed and cannot be completed because funds are not available to complete the construction.
3. The disbursement of village funds is carried out in stages, making plans that were previously planned to be delayed in their work. This setback is caused by the funds needed to complete the development are not disbursed. As a result, construction projects are delayed and cannot be completed because funds are not available to complete the construction.
4. The management of reports from programs funded by village funds is problematic due to an unsystematic documentation process. Documentation is not done by the same person but by many people or alternately, so that when conducting the village fund accountability report, the village treasurer feels confused because the documentation file is missing. In addition, the rules regarding the preparation of village fund reports have changed, making village officials confused in making the report.
5. Many village people do not understand village funds. This is due to the low level of education of the Sambirejo village community, the Sambirejo Village community is mostly elderly and children, and the understanding of the Sambirejo Village community about the village fund is lacking due to the lack of community experience regarding the implementation of the village fund program. Many people only represent their RT to residents who always participate in development funded by village funds without wanting to know about the program. With the existence of this village fund, it has an impact that occurs in Sambirejo village, the impact is divided into visible impacts and invisible impacts, namely: (1) Visible impact, village infrastructure facilities that are increasing both in terms of completeness and quality, Because the village government builds a place to sell, the residents' economic access becomes better, and with this village fund program, many new jobs have emerged in the village. (2) The invisible impact, the improvement of human resources (HR) in Sambirejo Village, gampengrejo District, Kediri Regency, the welfare of the village community can be achieved, and BUMDes become more developed.

Conclusion

Based on the perspective of Law No. 6 of 2014 concerning Villages, to ensure the successful implementation of the village fund program, it must comply with the articles regulated and stipulated by the Indonesian government. The implementation of the village

¹³ Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration Number 6 of 2020 concerning Amendments to the Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration Number 11 of 2019 concerning the Priority Use of Village Funds in 2020.

fund program in Sambirejo Village is in accordance with the applicable laws and regulations in Indonesia, especially Law Number 6 of 2014 concerning Villages. From the results of the researcher's interviews with the speakers, they stated that the implementation of the village fund program has gone well, this can be proven from the communication between the Village Government and the community in accordance with article 26 paragraph (1), article 80 paragraph (1), article 82 paragraph (4), and article 46 paragraph (2) of the Village Law, all village apparatus are in accordance with the provisions of articles 33 and 48-50 of the Village Law, village development is also in accordance with article 81 paragraph (1) of the Village Law. The impact of this village fund program is the direct and indirect impact felt by the entire community and village government after the village fund program.

The obstacles faced by the Sambirejo village government in the implementation of the village fund program are the condition of force majeure affected by the Covid-19 outbreak, the disbursement of village funds is carried out in stages, making plans that were previously planned to be delayed in their implementation, lack of community involvement in the supervision of the implementation of the village fund program, the management of reports from programs funded by village funds is problematic due to an unsystematic documentation process, and Many village people do not understand village funds.

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