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URGENCY OF ESTABLISHING A COORDINATING BODY FOR THE PILLARS OF THE VILLAGES WITHIN THE VILLAGES LEGAL FRAMEWORK IN INDONESIA

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ABSTRACT

Government affairs in resolving issues of legal needs in the regions must be initiated and started from fundamental changes, especially by gathering and mobilizing citizens so that they can become small organs. This organ has a vital role in providing smoothness in building progress in the villages in administering governance in the villages. The urgency needed to have a rukun desa coordinating body is to provide strengthening of institutional aspects in the Rukun Desa Coordinating Board in the spirit of building self-reliance, mutual cooperation and the welfare of its citizens by providing institutional improvements within the scope of government in the villages. So that harmonization will be formed in villages administration through the Institutions that will be built later with the aim of providing direction for self-management in each Rukun Desa Coordinating Board.

Keywords: Urgency, Coordinating Body For The Pillars Of The Villages, Villages Legal Framework.

INTRODUCTION

Regional government has been clearly regulated in the Regional Government Law. As with the Regional Government Law, regional government authority can be divided into two, namely mandatory and optional government authority. Government authority is obligatory to mean a government affair related to basic services such as basic education, health, minimum living necessities, environmental infrastructure, and so on. [1] Optional governmental authority is related to superior potential and specific regional characteristics. In essence, the affairs of the central government that are handed over to the regional governments are the affairs of the regional governments to carry out all government affairs except for foreign policy, defense, security, justice, monetary and national fiscal affairs as well as religion. The central government can organize itself or can delegate some of these affairs to government officials or government

[1] I Dewa Gede Atmaja, 1994, *Aspek Hukum Dan Birokrasi Penyelenggaraan Pemerintahan*, Surabaya: prespektif, h. 54.

representatives in the regions or can also be delegated directly to regional governments.[2] Policy regulations are general regulations regarding the exercise of government authority over citizens or people whose implementation is determined based on their own power by the competent government agency. Authority in the Indonesian dictionary means the right and power one has to do something. Meanwhile, the word authority implies the right and power to act or make decisions, govern, and delegate responsibility to others.

The legal product of Law Number 6 of 2014 concerning Villages and Regulation of the Minister of Home Affairs Number 5 of 2007 concerning Guidelines for the Arrangement of Social Institutions which more specifically regulates the Coordinating body for the pillars of the villages have provided space for later to be applied at a practical level within society. Apart from the existence of the Coordinating body for the pillars of the villages which has been explicitly regulated in the two legal products, in reality there are several problems. there is a legal product. in this case in the form of an Act providing a legal umbrella as well as a strong legal basis regarding the existence of the Coordinating body or the pillars of the villages.

The Coordinating body for the pillars of the villages in order to perfect the problems must be initiated and started from fundamental changes, especially by gathering and mobilizing residents so that they can become small organs that provide smoothness in building Indonesia's future progress and what is no less important is that the government needs support so that the government and its citizens can mutually provide synergies for a better Indonesia.

RESEARCH METHOD

Legal research methods are used to provide structured and systematic steps in research. The legal research method aims to provide a direction of scientific rationality in research. research uses the type of normative juridical legal research as the main basis in analyzing and studying legal issues related to the urgency of establishing a coordinating body for the pillars of the villages as a concept of fulfilling legal needs in society. The legal approach used is the statutory approach used in the analytical knife in answering these problems.

DISCUSSIONS

The Urgency of Establishing a Legal Product for the Coordinating body for the pillars of the villages

The area in the Indonesian region is one of the strategic areas that has the 4th largest population in the world. With the area and population increasing year by year, we need an institution that includes special units that regulate local government to then be able to accommodate all elements of the community so that development will be implemented in a bottom-up manner, namely from the bottom up. Based on the description above, at least the legal considerations why the coordinating body for the first pillar of the community was formed. The existence of Community Empowerment through Citizens Association adds to the list of bases for community life in providing direction for independent management, mutual cooperation and empowering human and economic resources with legal certainty; secondly, in the context of building Community Empowerment through the Citizens Association basis together in order to provide independence and train as one of the democratic institutions that can prosper its citizens;

[2] A Hamid S Attamini, 1993, *Hukum tentang Peraturan Perundang-undangan dan Peraturan Kebijakan* , Jakarta: Fakultas Hukum UI, h.12-13

third, the basis of life that is designed through Community Empowerment Through the Pillars of Citizens is very diverse local wisdom that exists in each region which has different characteristics.

Based on the considerations above, it is urgent to form a coordinating institution for the first pillars of society, based on John Lock's view that take political power to be a right to employ the force of the community in enforcing such laws and defending the commonwealth from external attack; all this being only for the public good.[3] It is for this reason that in order to regulate the Coordinating body for the pillars of the villages so that it is hoped that with the Legal Products of the Law on Citizens Association besides being a medium for legal learning it is also good as growing and maintaining what is unique from each element of society because if it is developed through regulations in the form of Laws -The law is so that the legal products made under the Coordinating body for the pillars of the villages Law require implementing and technical rules in which each Coordinating body for the pillars of the villages is freed to make technical and implementing regulations in each Citizens Association which have their own uniqueness.

Second, in the institutional aspect at the Coordinating body for the pillars of the villages in the spirit of building self-reliance, mutual cooperation and the welfare of its citizens still needs to be perfected. The institutions that will be built later aim to provide direction for self-management in each Coordinating body for the pillars of the villages because each element of the community has its own local wisdom that must be truly maintained.[4] In building a spirit of independence, a scheme of authority is needed that is directly attributable to the law in order to provide flexibility for the Coordinating body for the pillars of the villages to act in accordance with the law and not violate decency and public order. The flexibility given later is expected to have a domino or sustainable effect for villages elements so that Indonesia's human resources are built first from the grassroots elements when viewed from a structural or organizational perspective. So that the habit of gotong royong can be collaborated with the spirit that has been built from the elements of the Citizens Association so that together in developing its citizens, on the other hand, there are economic resources in each Citizens Association which can be used to support and elevate the economic level of its citizens so that in order to provide welfare for its citizens, properly constructed from the constitutional elements of the structure below.[5]

According to Nonet and Selznick in their theory law responsive bahwa Responsive law is a law born of cultural processes. This law came about because of the desire of the state that wants to have a legal system that is open to the aspirations of its people. [6] This theory provides the basis that responsive law is law that is born from cultural processes. This law arose because of the desire of the state to have a legal system that is open to the aspirations of its people. then based on this theory in order to systematically accommodate citizens in a policy, regulations are needed to then regulate each element of citizens so that the direction of legal reform is needed.[7] in this case to form the Coordinating body for the pillars of the villages to become certain so that the government is able to apply the policies that will be formulated.

[3] Jhon Locke, 1952, *The Second Treatise of Government*, indiana Polis: The Liberal Art Press, Inc., h. 2
[4] Ramadhan, M. C. 2017, *Pengaruh Aliran Positivisme Dalam Kebijakan Pembentukan Peraturan Perundang-undangan di Indonesia*. Warta Dharmawangsa. h. 17
[5] *Ibid*, h. 25
[6]Phillippe nonet and philip Selznick's, 1978. *law and society in transition toward responsive law*. New York: Herper and Row, h. 78
[7]Winarno, Budi. 2012, *Kebijakan Publik Teori, Proses, dan Studi Kasus*.Yogyakarta: CAPS. h. 39

According to Eric Barendt said that "the constitution of a state is the written document or text which outlines the powers of its parliament, government, courts, and other important national institution".[8] the institution of the Coordinating body for the pillars of the villages as a special institution formed to be regulated in writing in the specification rules to formulate the direction for the formation of the Coordinating body for the pillars of the villages. Each regulatory element of the Coordinating body for the pillars of the villages does not eliminate local wisdom and habits that live and develop in the community so that it can be used as a regulatory reference in order to accommodate the interests of each element of the community. Furthermore, according to Jon stated that having a constitution by itself does not solve anything, unless an apparatus of interpretation and enforcement is in place",[9] based on this theory, in order to provide clear implementation of the direction of Citizen development to form a Coordinating Board for villages which is productive and efficient and synergistic with the direction of Villages development goals so that the true values are embedded in it so that it is not lost due to various other social and cultural factors included in the elements of the Citizens Association.[10]

Concept of Legal Regulation Establishment of Coordinating body for the pillars of the villages

The Coordinating body for the pillars of the villages concretely exists at the level of the lower elements of society, but when it is not based on a formulation of a legal product, the community will be trapped in the same name as the management system of the Coordinating body for the pillars of the villages, which so far has only been based on the principle of kinship and mutual cooperation, even though when there is a policy law -The law on the Coordinating body for the pillars of the villages has its own charm as legal learning for the community about the importance of understanding the law.

The regulatory concept in the formation of the villages pillar coordinating body is as follows. First, the position, rights and authorities of the Coordinating body for the pillars of the villages, the existence of the Coordinating body for the pillars of the villages requires reform in order to create resilience as local wisdom and legal certainty so that the existence of the Coordinating body for the pillars of the villages really provides benefits to the community. The reform of the Coordinating body for the pillars of the villages requires a serious attitude to provide position space, rights and direct authority in attribution to provide legitimacy for the existence of the Coordinating body for the pillars of the villages. This position is as part of regional government as mandated by the 1945 Constitution of the Republic of Indonesia as small units that must be given constitutional positions, rights and authorities because after all Indonesia is a bookkeeping country where all legal actions that are carried out and applied must be based on law. .[11] it means that the position of the Coordinating body for the pillars of the villages becomes stronger when there is a legal product in the form of a law that regulates it.

Second, the Administration and Planning of the Administration of the Coordinating body for the pillars of the villages. The Coordinating body for the pillars of the villages as part of the Regional Government is the component closest to the community which will actually absorb what the aspirations and needs of its people are. When the Coordinating body for the pillars of

[8] Eric Barendt, 1998. *An Introduction to Constitutional Law*, Oxford: Oxford University Press, h. 1.
[9] Jon Elster and Rune Slagstad, eds. 1993, *Constitutionalism and Democracy*. Cambridge: Cambridge University Press, h. 294
[10] Hessel Nogi S. Tangkilisan, 2003, *Evaluasi Kebijakan Publik*, Yogyakarta: Balairung & Co. h. 58
[11] Abdul Wahab, *Op. Cit.* h, 43

the villages is referred to as the component closest to the community, it is there that it is not only a matter of its duties and functions later as a representative of its citizens to carry out through the Coordinating body for the pillars of the villages, but there is a moral responsibility to carry out its duties and functions as its apparatus. When indeed an official of the Coordinating body for the pillars of the villages is close to the residents, it is hoped that it will act as a bridge to meet the needs of its residents. The existence of the Coordinating body for the pillars of the villages has weaknesses that must be resolved related to the capacity and process for its application. The capacity that must be carried out as a pillar of society is at least planning pattern activities that are planned and implemented because there are gaps in the planning application process so that its existence as a supervisory vessel to oversee all villages government activities so that they are truly realized. It is also true that when it is related to infrastructure facilities in each element of the community, it can bridge the needs that should be provided, usually related to health problems, in this case the existence of posyandu services.

Financial management by the villages government through central government policy, namely one billion villages is the most important source in order to improve and advance the villages in various aspects such as infrastructure development, education, health etc. However, in reality there is no transparency in the use and management of villages finances as to what the funds are used for.[12] Because even though there is a Coordinating body for the pillars of the villages to provide oversight regarding all activities that are directly related to its residents, the existence of a Citizens Association apparatus has the authority to directly supervise all villages activities, especially those related to villages funds.

Villages Funds, whose real purpose is for the welfare of its people, the majority of which are Indonesia, as a developing country with a high poverty background. Funds are the first step to provide to its citizens so that poverty in elements of the villages community can be monitored through the existence of pillars of warg who participate in helping reduce poverty and eradicate poverty by overseeing the realization of villages funds so that they are truly for the benefit of their citizens. On the other hand, villages funds should create and activate employment on the basis of kinship so that each element of the community has its own economic resources to develop the sector they own. This needs serious support from the government so that it continues to encourage it to run effectively.

Third, the Cooperation of the Coordinating body for the pillars of the villages. This collaboration implemented by the villages government only focuses on villages interests between villages which in reality does not effectively touch every element of the community even though it is one of the elements that has the right to be considered part of the villages. Collaboration that can then be mobilized starts from small elements such as the Coordinating body for the pillars of the villages as an empowered subject so that the direction and goals become clear. because during the collaboration carried out with third parties who only focused on villages administration but forgot about the existence of the Coordinating body for the pillars of the villages. Again, the problem is the lack of power possessed by the residents so that the existence of the villages is not sufficiently regulated explicitly by the Permendagari regulations and implicitly regulated by the law on villages, so strong legitimacy is needed through legal products of the law so that it truly accommodates the interests of the people and in line with what the people need as citizens in the citizen element.

Fourth, the Citizens Association Finance as the basis for financial management by the villages government through the central government's policy that one villages is one billion is the

[12] Nawawi, Ismail. 2003, *Public Policy*. Surabaya: PMN. h. 69

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CONCLUTION

The urgency of establishing a coordinating body for the pillars of the villages Fundamentally the existence of a Coordinating body for the pillars of the villages so that it has a strong position given authority is the initial step to activate dead small joints so that the entire state administration system runs reactively, Juridically there is a Coordinating body for the pillars of the villages as a concrete manifestation of Indonesia as a constitutional state that is directly guaranteed by the 1945 Constitution of the Republic of Indonesia so that the constitutional mandate has provided space to provide legal certainty so that there is a foothold in carrying out legal actions. Empirically, it has answered the problem that the problems experienced by the community lack integrity in the lower elements of society so that the existence of the Coordinating body for the pillars of the villages should be reactivated and given the power to change social dynamics that foster participation in society.

The concept of establishing a coordinating body for the pillars of the villages as a legal basis for the formation of a legal product for a coordinating body for the pillars of the villages structurally places the position of the Coordinating body for the pillars of the villages as a small unit within regional government to carry out the principle of regional autonomy as mandated by the Law on Villages. as well as in order to maximize the potential of natural resources which will later provide welfare for its citizens so that in order to realize the renewal of the Coordinating body for the pillars of the villages for all elements based on the Minister of Home Affairs Regulation Number 5 of 2007 concerning Guidelines for the Arrangement of Social Institutions to jointly awaken awareness to activate effective and active with the establishment of the Coordinating body for the pillars of the villages.

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