

The Form of the Village Government on Autonomy Era of Village in Indonesia

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Abstract

The Form of an indigenous autonomous village/default impact on village governance. The village with was characteristics indicate a difference in implementing the existing authority, caused the authority based of the origin rights of the village concerned. However, whether all of its autonomy can be implemented?

From the results of the study conducted showed that basically the village has the autonomy tangible authority based on the origin rights that are indigenous/default; village-scale local authority, and the assistance of duty, which is a adduction. Village government in implementing the original authority/default cannot be implemented, if there is no identification and inventory conducted by the region joint with the village. Because this is a form of supervision conducted by the local in order to avoid overlapping of authority between the central, local and village, as the village is part of the regency/city, and village government is a sub-system of local governance.

Keywords: Village Government, Village Autonomy

1. Introduction

Village government is basically a part of system of government in Indonesia, although in the Constitution of the Republic of Indonesia Year 1945 was not mentioned, but the position of the village as part of the administration of the regency/city. When to consider the governance system almost as village with local governments, because in it has legislative institutions there is Village Consultative Body which functions almost as the existing legislative in the local, whose existence also as a representative of the people.

As administrator of the system of governance, the village has different characteristics, so the village is divided into two (2) types, the Village and the Indigenous Village (*Adat Village*), which each have a way to organize the governance. For the type of village, the implementation of the governance system is based on the Act Number 6 Year 2014 of the village that concerning with the other regulations. While, for the Indigenous Village the system of governance implemented based on origin rights autonomy does not contradict with the positive law.

Based on the historical existence of villages in Indonesia, the Village has the autonomy that recognized by polity, as before the government of the Republic of Indonesia or prior to the establishment of the Republic of Indonesia, the village has existed organized system of his own life, so that the 1945 Constitution recognizes the existence of villages in Indonesia with all characteristics. And as a form of acknowledgment is then village separately regulated in The Act Number 6 years 2014 on the village with specific authorizations that consists of¹:

1. The authority based of the origin rights;
2. The local authority of the village scale;
3. The authority assigned by the Government, Provincial Government, or the Government Regency/City; and
4. Another Authority was assigned by the Government, Provincial Government, or the Government Regency/City in accordance with the provisions laws and regulation.

With the authorization, means the village is entitled to govern themselves in accordance with the procedures in force for hereditary. However, if explored the provisions of Article 18 (1) ** Constitution of the Republic of Indonesia Year 1945 related to the distribution of the territory, the existence of the village is not mentioned, because village is part of the regency/city. Likewise the functional divisions that regulated in The Act Number 23 year 2014 on Local Government. In the law for government affairs consists of²: a. Absolut Government Affairs, which is the authority which only has by the Central; b. Concurrent Government Affairs, a joint authority between the central and local governments; and c. General Government Affairs, which implemented by the President.

If considered back in the village position on this point, the authority becomes invisible, because the village is under and governed by Local regency/city, so its authority be blurred.

Based on the above, then the problem is how the existence of the village in the context of the current village autonomy, though it has autonomy, but whether such autonomy could be implemented, while the village only as part of the regency/city.

2. Research Method

This research is a normative juridical research is research with conduct a review of laws and regulations and any other legal materials that are related with this research. This research used several approaches that consist of: a. Philosophical approach; b. Approach legislation; c. Conceptual Approach; and e. Case Approach.

¹Article 19 The Act Number 6 Year 2014.

²Article 9 The Act Number 23 Year 2014.

The legal materials that used in this study consisted of primary legal materials, secondary legal materials and tertiary legal materials. Legal materials are analyzed using a prescriptive normative analysis, the analysis by arguing over the results of research by providing prescriptions or judgment of right or wrong or what should be according to the law to the facts or legal events³.

3. Result and Discussion

The term of autonomy etymologically derived from the Greek is *autos* that means alone and *nomous* that means law or regulation. Definition autonomy very wide that covers economic, political, legal, social, cultural, security and order, the environment, agriculture, plantations and so on, that its management is entirely in society by legal entities. In Black's Law Dictionary is said that autonomy is the right of self-government (the right to self-government)⁴. And specifically related to government policy, the Longman Dictionary Contemporary English, autonomy is the ability or opportunity to a make your own decisions without being controlled by anyone else (autonomy is the ability or opportunity to make their own decisions without being controlled by someone else)⁵. Meanwhile, according to Indonesian dictionary meaning of autonomy is self-government.

Definitions it provides an understanding that autonomy is the authority to regulate and manage on their own interests. If defined more widely that it contained the meaning of their autonomous powers, their rights and their authority is not owned by outside interests.

All the definition of autonomy shows that autonomy is essentially a right to regulate and manage the affairs of the household, including that are related with the interests of society and government. Autonomy was born because the interest of the unity of society that must be protected, sheltered, guarded in order to create prosperity for the the legal community unit itself.

In the system of government, autonomy arises because of an affair. The existence of these matters gradually from its prime government (top government) to the lowest government, or known as the central government, local government to village government. Matters were originally held and executed by the government of its prime. Because Indonesia is a unitary state which does not recognize their state within a state, then submitted to the lower governance ie Local Government and Village Government which are part of a governments, namely the Republic of Indonesia. The Republic of Indonesia as a unitary state is held to the principle or basis "in the framework the Unitary State of Decentralization". With the above principles are basis, the government affairs in the Republic of Indonesia organized by affairs division, in this case the state represented by the Central Government (Government) which to hand over to the Autonomous Locals, based on a specific system in accordance with law and regulation in force in The Republic of Indonesia.⁶

Unitary Republic of Indonesia has another kind of government and have vast territory, which led the government is unlikely to implement their own government affairs. With these considerations then given to the underneath (regency/city) to regulate its own affairs that establish autonomy. Initially there is the autonomy of state, but the state is not able to execute it. Inability to implement the affairs due to the vast territory, huge population, social and cultural factors and other that are strong reasons to inimplement their own affairs by the Government.

Autonomy has a characteristic independence and sovereignty. Independency means standing itself, whereas sovereignty means supreme power. Village autonomy is complete autonomy without the intervention of other interests. Village Autonomy is the right to organize and manage that everything related to the interests of it (rural household) are included within the scope of the field of peace and order, agriculture/animal husbandry/fisheries, social welfare, religious, education, credit/village granaries, village markets, rights on the ground, autumn mountain/compulsory labor/social work/mutual help, social gathering, village court. All the authority of the village subsequently summarized in three (3) areas that include the areas of governance, development areas, areas of society.

Based on the autonomy owned by the village, then gave establish the concept of authority based on the origin right. This concept can be interpreted as a village right to develop according the needs, history and culture.⁷ Thus the village was given a very wide form of autonomy to be able to accommodate the interests. The origin rights can not generally applied to all the villages, because there are villages that formed before the Republic of Indonesia established, and some villages were formed after the state of Indonesia's independence, that village which was established by law and regulation after independence.

Thus, the authority based on the origin rights generally applies to indigenous villages, and some villages are still submit to local customs which valid till today. Some authorities are included in the origin right of the indigenous rights and socio-cultural rights of indigenous peoples in the form of :⁸

³MuktiFajar and Yulianto Achmad, *Dualism Normative-Empirical Legal Research (Dualisme Penelitian Hukum Normatif-Empiris)*, PustakaPelajar, Yogyakarta, 2010, p.184.

⁴Briyan A. Garner, *Black's Law Dictionary, Eighth Edition, Editor in Chief, Thomson West, 1999, p.145*

⁵Longman Dictionary Contemporary English, *the Living Dictionary*, 2005, p.86.

⁶H. M. Arief Muljadi, *Principles of Unity State and Decentralization In the Republic of Indonesia (Prinsip-Prinsip Negara Kesatuan dan Desentralisasi Dalam Negara Republik Indonesia)*, Prestasi Pustaka, Jakarta, 2010, p.12.

⁷Dadang Juliantara, *Undercurrent Democracy, Autonomy and Empowerment Village (Arus Bawah Demokrasi, Otonomi dan Pemberdayaan Desa)*, Lapera Pustaka Utama, Yogyakarta, 2000, p.240.

⁸Article 34 Paragraph (1) Government Regulation Number 43 Year 2014.

- System of indigenous organizations.
- Development of community institutions.
- Development of institutions and indigenous laws.
- Management of land the village treasury.
- Development of the role of the village community.

Attention to the type of authority, it appears that authority is the eligible authority to run itself based on local wisdom at every village and indigenous villages, because the authority is the original authority and that is not the grant authority. For it is not possible land, the village treasury management will be governed by the procedures desired by the government.

Some authority based on the origin rights will be described to provide understand, including:

a. Indigenous Peoples Organization Systems

The system of indigenous organizations varies between the legal community unit in place with the legal community unit in other places, both in the naming of their traditional leaders or those who featured in the community. Similarly, in the government system in the village. The mention of the leadership and organizational structure is different, such as: the mention *Pemusungan* is the highest position in the government in the village on the Lombok island, similar with the post of village chief. *Keliang* is chief community in smaller scope in a village which is commonly known as the village head/village. Furthermore, the term *Kanomanis* members of village communities in charge of village and rural policing. There are also other terms in the indigenous organizations system in the village on Lombok island, including:

1. *Majelis Kerama Adat Desa* atau *Mahkamah Adat Desa (Raad Sasak)* is the village judiciary that serves resolve violations of the customs and norms prevailing in the village.
2. *Majelis Kerama Desa* is a village institutions meeting or council to solve problems in village area both related to government affairs and community development.
3. *Lembaga Teknis (Lang-Lang Jagat Titi' Guna, Penghulu, Mangku, Pekasih, Kekertangan, etc)* is a specialized officers assigned to specific areas.
 - *Lang-Lang Jagat Titi' Guna* in field of peace and order.
 - *Penghulu* in field Islam Religion.
 - *Mangku* in field custom and religion (Special Buddhist and Hindu).
 - *Pekasih* in field irrigation etc.

In comparison there are differences in mention the institutional organization of indigenous Kanekes village, known as Badui tribes residing in the sub-regency Leuwidamar, Banten, Lebak regency, such as:⁹

1. *Pu'unis* the highest traditional leaders in the community in each village (*kampung*), *kampung* Cibeo, *kampung* Cikartawana, dan *kampung* Cikeusik.
2. *Tangkesanis* an adviser Jaro Dangka or Jaro 7, functioning in terms of customs, give a decision on the existing problems in society. *Tangkesan* is a kind of shaman who sometimes asked to consult the star of a criminal.
3. *Jaro Tangtuis* the head of villages in each village Baduy Dalam.
4. *Baresan* is assistant Puun in Baduy Dalam. In Cibeo and Cikeusik as much as 9 were called *Baresan Salapan*. While in Cikartawana as much 7 were called *Baresan Tujuh*. *Baresan* controls the activities or customs ceremonies.
5. *Girang Seuratis* Traditional leaders who are representing *Puun* authorized in charge of agriculture.
6. *Jaro 12as* such as *Tangkesan*, as adviser *Jaro Dangka/ Jaro 7*, but more serves as a witness in the implementation *Jaro 7*.
7. *Jaro Dangka/Jaro 7* Traditional leaders are functioning enforce customary law (including customary criminal law) amounted to 7 people spread over 7 such as *Dangka Cibengkung, Cihandam, Cipatik, Panyaweyan, Curungan, Nungkulan, Wereg*. Semua *Jaro 7* central in *dangka Wereg*.
8. *Jaro Pamarentah* Village Government is headed by *Dainah* as village chief, serves as a liaison between the Baduy with the outside environment, including the issue of crime that can not be solved in Baduy.
9. *Panggiwa* and other are village officials.

Kanekes society were recognizes two systems in regulating society, there are national systems (village Government), which is based on laws and regulations, and customs systems that follow the customs of them trusted. Both of the systems are combined to get not clash. Nationally, the Kanekes population led by the head village called as *Jaro Pamarentah*, while customarily subject to customary Kanekes supreme leader, namely "*Puun*".

In the beginning of institutions existing such as stated above, runs in accordance with the whereabouts are currently. With the enforcement The Act Number 5 Year 1979 on Principles of Village Governance, all systems of society organization and institutional organizations villages equated across Indonesia, with the purpose of facilitating the administration system of village government. But since the release of The Act Number 22 Year 1999 on Local Government, the existence of the legal community unit along with their traditional rights be restored in accordance with the origin right, and also in accordance with the spirit embodied in Article 18 of the Constitution of 1945.

b. Institutional Development of the Indigenous Peoples

⁹Ferry Fathurokhman, Traditional Baduy Criminal Law and Its Relevance In the Criminal Law Amendment (*Hukum Pidana Adat Baduy dan Relevansinya Dengan Perubahan Hukum Pidana*), Thursday, February, 3, 2011.

Indigenous institutions in the village formed because of the presence of existing customary somewhere. The society Shape it with aim to organize the life of society itself. According to historian Taufik Abdullah, the indigenous can be meaningful to local custom or basic structural system of a society. Indigenous is a concept that is adaptive, dynamic, and flexible, not a rigid set of rules, in which the local custom is just one of the elements.¹⁰In the meaning the latter is the indigenous formed of the legal base and ethical considerations, and a source of social ekseptasi. Briefly the indigenous represents an ideal pattern of behavior.¹¹The role of traditional institutions were so important, then the village in increasing their existence are given the freedom to make his own way to the institutional development of the village. Village institutions plays an important role to develop its potential, as well in order increase community participation in improving the welfare of rural communities. Institutions of indigenous peoples both existing as well as other formations institutions is very important, because the whether developed village, is not always determined by those who have the ability to manage the organization power but even more importantly is how all the components can interact in their environment. Thereby existing institutions is very important for the progress of a legal community unit that will eventually achieved the desired goals. Few examples indigenous institutions in Indonesia that still exist are acknowledged its existence in the life of the local community, such as:

- The institutional *Subak* in Bali and Lombok

Subak is a community organization which specifically regulate irrigation system. *Subak* is a water management system, rice cultivation, the implementation of terracing in the traditional rice fields in Bali.¹² The irrigation systems have different organizations with government organizations. In it there *Subak* members are farmers who are members of *Subak* region. The institution has a budget that is derived from a mutually agreed charges are used for irrigation including to give honor to the board *Subak*.

Subak is one form of water management systems for irrigation in agriculture who until now its existence and recognized. Organization of the *Subak* has now been recognized by the Regulation of the Minister of Internal Affairs (PMDN) Number 12 year 1992 on the Establishment and Development of Water User Farmers Association (P3A), this Regulation was formed in order to leverage the potential of irrigation water appropriately and effectively to the welfare of society farmer.

Even though the presence of PMDN Number 12 year 1992, the existence of *Subak* was implemented as before. This is evidenced by the still employed the existing organizational structure in *Subak* Regional Regulation particularly in West Lombok regency, according to the West Lombok Regency Regulation Number 10 year 1969 and the West Lombok Regency Regulation Number 9 year 1972.

The Example of institutional Structure of water management in Lombok.



Keterangan :

Sedahan Agung: Employee who are appointed and dismissed by the Regent. Their duties are develop, administer, supervise and collect fees.

Pembekel Pekasih: Employee who are appointed and dismissed by the Regent. Their duties to lead and coordinate the philter, and collect fees.

¹⁰Renske Biezeveld, Variety the Indigenous Role in West Sumatra (collection Posts: Indigenous Politics in Indonesia) (*Ragam Peran Adat di Sumatra Barat (kumpulan Tulisan: Adat Dalam Politik Indonesia)*), Penyunting Jamie S. Davidson dkk., Yayasan Pustaka Obor Indonesia, Jakarta, 2010, p.223.

¹¹*Ibid.*

¹²Ida Ayu Ari Janiawati, *Subak system and Subak Abian In order Landscape Bali (Sistem Subak dan Subak Abian Pada Tatanan Lanskap Di Bali)*, Papers, IPB, Bogor, 2014.

Pekasih: Employee who are appointed and dismissed by the Regent upon the recommendation of the reGENCY election results of *kramaSubak*

Farmer/member of *subak/krama subak*: Farmers who used water irrigation.

- *Kerapatan Adat Nagari (KAN)*

Is the institution of traditional Minangkabau village level that have duty security, maintain and preserve the customs and culture in the land of Minangkabau. The existence of this institution is under the Institution of *Kerapatan Adat Alam Minangkabau* ranging from reGENCY level to the provincial level. KAN is composed of several elements of indigenous Minangkabau include:

- Every *penghulu* from every tribe
- *Mantih* that comes from intellectual circles
- *Malin* are ulama
- *Dubalang* that responsible the security and safety of citizens

The elements addition to *penghulu* was called *Tungku Tigo Sajarangan* and when incorporated elements of *penghulu* then called *Nan Ampek Jinih* (Elements of Four Types). Each village (in which several people are gathered or family) led by *Penghulu Andiko* accompanied by *Pandito*, who responsible of matters of religion. *Pucuk Penghulu*, *Monti* (Minister), *Malin* (Ulama), *Dubalang* (*hulubalang*), *Penghulu Andiko*, *Pandito* (Enhanced Smart) called "*The Nan Bajinih*". Also includes "*The Nan Bajinih*", ie imam of the mosque (which is held by the Malays); *Khatib* (Tribe held Patopang); *Bilal* (Tribe held *Supanjang*). Similarly *Ongku Kali* (*Kadhi*) Special *Silungkang* also includes "*The Nan Bajinih*". *Tunggai* moderate the *Famili*, which is usually called *Mamak Kaum* or *Mamak Kepala Waris*, not including the "*People Nan Bajinih*". Number of People *Nan Bajinih* in *Silungkang* are: 5 (*Penghulu Pucuk*); 5 (*Malin*); 5 (*Monti*); 5 (*Dubalang*); 18 (*Penghulu Andiko*); 18 (*Pandito*); 1 (*Imam*); 1 (*Khatib*); 1 (*Bilal*) and 1 (*Kadhi*). Sixtieth of *Nan Bajinih* People are members of KAN *Silungkang*. KAN is an Indigenous legal community unit. "Decisions KAN as a guide for the village chief in conducting the village administration and must be obeyed by the entire village community and government officials are obligated to help enforce the extent not contrary with the applicable laws and regulations". According to *Hasan Basri Durin Datuk Rangkayo Mulia Nan Kuning*,¹³ is the highest leadership in *Nagari* is the consensus of the *Penghulu*. In the development later in the deliberations that included elements of *Ulama* and *Cleverly*. As the leader of deliberation usually more elevated is *Pucuk Penghulu* of the powers of the other shoots (usually because the origin of the most ancient inhabited the village) to the villages that embrace *Koto Piliang*. The *nagari* affiliation *Bodi Caniago* usually selected among the powers. Leaders deliberation is then a *Head penghulu*, who later became head of *Nagari* the Dutch colonial era.

c. The land of the village treasury management

In ancient times every village has a village land, because of the requirement for the formation of the village together with state and local requirements, ie there must be a territory, the government and the people. Conditions are become absolute requirements that must be met. So almost all villages have an area, in which there is land assets the village Cash regulated and managed by the community itself. Property belonging to the village does not regulated and determined by the government it (Regency/City, Province, Central).¹⁴ The village land is intended for interests of society and the village government. The land in several villages called the land *banda Desa* and *tanah bengkok*.¹⁵ Land *Benda Desa* is communities' communal land that is destined to finance the construction and maintenance of the village. While *tanah bengkok* is village communities' communal land designated as an honorarium/salary to the village board during the relevant office. Property owned by the village not only in the form of land, can also form village forest, pond, village markets, village businesses and so on. All property owned by the setting and the submission made by the villagers concerned.

d. Development of the role village society

The village government as the lowest body of the government showed of work duties or functions in line with people's lives. It shows that the village as a governing body has a to serve the public interest or the governed. This is where the role of village government has a formed the main task of moving the community to become one of the important force in the development process. That was the essence of the development of the role of village society.

The meaning of development of the role village society more aimed at empowerment. Empowerment is in the English language is defined as giving or increase the power of empowerment to the weak society.¹⁶ Authority in relation to the development of the role of village communities is very important, especially in this era, where the ability of the government is very weak if not supported by the community as an integral part. By *Robert Chambers*, as followed by *Gina Kartasmita*,¹⁷ defines empowerment as an economic development concept that summarizes the social values, this concept reflects the new paradigm of development, which is "people centered participatory, empowering and sustainable". So far the dominant paradigm in development is a paradigm that lays the role of state/government at a central position in planning and

¹³ *Mokhtar Naim, Minangkabau dialect in Social and Political Crisis (Dialek Minangkabau Dalam Kemelut Sosial dan Politik)*, Genta Singgalang Press, Padang, 1984, p.57.

¹⁴ *Hanif Nurcholis, The growth and Governance Village (Pertumbuhan dan Penyelenggaraan Pemerintahan Desa)*, Erlangga, Jakarta, 2011, p.70.

¹⁵ *Ibid.*

¹⁶ *Azam Awang, Implementation of Empowerment Village Government (Implementasi Pemberdayaan Pemerintahan Desa)*, Pustaka Pelajar, Yogyakarta, 2010, p.45.

¹⁷ *Ginjar Kartasmita, Development for People: Integrating The growth and Equity (Pembangunan Untuk Rakyat: Memadukan Pertumbuhan dan Pemerataan)*, CIDES, Jakarta, 1996, p.142.

implementing the development, with the assumption that people are powerless because the state has taken the authority in decision-making and management development, then to add power to the community through the reduction of power owned by the state. Through the process of empowerment, the state should provide partial its authority to the institutions under the society. Like the overall power is a cake, which amount is fixed, and distributed to many parties, so that certain parties get an extra slice of cake, then the sliced cake is done by reducing the other party.¹⁸ Therefore, in the life of society and state the total amount of power is constant or equal, so that when the one component gets additional power should be done by reducing the power of other components.

Describing the empowerment process there are also a view that assumes that the dynamic development of the life of society and state can occur that each component has increased power. Consequently, to increase the power of a component does not have to be done by reducing the power of other components. Another consequence is that the magnitude of the total power in the cumulative social life can be increased with the increasing power of each component. In view of these efforts to strengthen the weak can be done without destroying the strong.¹⁹ By using this mindset, hence improving the welfare of society through empowerment does not always have to make a dichotomy between a component within the community. In this case the stakeholders to improve the well-being can be derived from elements of the state, county, village, society, or business. Each according to its characteristics can contribute to improve welfare. Thus the approach is a holistic approach and integrative approach. In the holistic approach can be grown synergy between the various activities that include state, society and private. Therefore, the approach used is a combination and synergy between statist, interprise and populist paradigm.²⁰ For that we need the support of all components, and support a favorable climate conditions in the levels of state life macro level. In this case we need a system that is not centralized, where the state dominates the decision-making process and control efforts to improve the welfare centrally. Authority and obligations in an effort to improve the well-being need to be distributed to other stakeholders both village and communities.

Thus, empowerment is given power, the power transfer or delegate the authority or authorities to the other party, in this case the village society. The process of developing empowerment public participation for the achievement of goals, with the delegation of authority, the creation of a system or procedure will accelerate the achievement of the envisioned goal. Empowerment become a process leading to an increase in strength, ability, and power. Thus the perceived benefit is that it can improve service to the community, empowerment can also provide great motivation, especially those who provide services, and increasing the effectiveness of village government.

The current Overview of village autonomy showed its existence in regulating life, particularly in village society. Village autonomy still recognized by reality. Authority based on the origin rights is not only limited to the authority that has been mentioned above, but there are still many similar powers. However, the authority based on the origin right of fact can not be implemented as they should. Because there are several requirements that must be met as the origin of the rights owned by the legal community unit. The requirements referred to, including:²¹

- Identification and inventory of authority by origin right and local authority scale village, which is performed by local governments with involvement of village.
- Assigned by Regulation Regent/Mayor on the list of the authority based on the origin rights and local authority scale village.
- Based on regulation regent / mayor subsequently regulated in village regulations in accordance the situation and condition and local needs.

Therefore the requirements above, so the origin rights can be claimed as a native authority based on the authority of origin based rights. So it is clear that the authority is based on an autonomous right of native origin whose existence long before the state of Indonesia there are. Genuine autonomy is a complete order to live, grow and thrive in the community, so the community to be instrumental in organizing his life

Attention to the requirement of autonomy, problems occur that dilemma. On one side of the village recognized as a legal community unit which has a autonomy in the form of the right to organize and manage the interests of the community as well as other powers. On the other hand, its autonomy can not be implemented if it has not fulfilled the conditions that have been established as contained in Article 37 of Government Regulation Number 43 Year 2014 on Implementation of The Act Number 6 Year 2014 on the village.

In this case, there is still presence of the intervention of the area to participate in regulating the authority of village, by setting a regulation of regents/mayors authority in the village to implemented basic regulatory authority of village with village that guided from regulation regent/mayor is. In this way, it appears that the village autonomy is based on the origin of the right to be returned via the "handover" of the area to the village. Based on the theory of decentralization, that decentralization is the devolution of the countries represented by the central government to the government on the bottom. While the happening today is handover of authority was done by the Local Government through the Regulation of Regent/mayor of the village government. This is if the review of the theory is not right. The submission should have do from the Central Government to the Government of the village.

¹⁸Soetomo, *Society Empowerment (Pemberdayaan Masyarakat)*, Edition II, Pustaka Pelajar, Yogyakarta, 2013, p.89.

¹⁹Randi R. Wrihatnolo and Riant Nugroho Dwidjowijoto, *Empowerment Management (Manajemen Pemberdayaan)*, Elex Media Komputindo, Jakarta, 2007, p.118.

²⁰Anthony Hall and James Midgley, *Social Policy for Development*, Sage Publication, London, 2004, p.36.

²¹Article 37 Government Regulation Number 43 Year 2014.

With the can not be avoided so that the effort required is to adjust between practice and theory to go toward the development of a more conducive. So that the development of the village as a sub-national government system can be realized with three (3) main functions, there are as an intermediary structure, community service, and renewal agent.²²

4. Conclusion

A form of village government with its autonomy indicate has right to organize and manage the interests of government and society. Although there are genuine autonomy that exist before the establish of Indonesia, but not all can implemented, because village, is part of the local and state, so as to implement its autonomy must fulfill requirements and also got the legality of local government assigned by regulation regents/Mayor.

Identification and inventory is a way to fulfilling supervision of the authority of village, but this way it reduces the autonomy itself, that in the end the autonomy of village governance become constrained due to the intervention of local governments. To avoid this, the village government as a sub-system of local governance should be changed to sub-national governmental system, so that the control is performance by the state, while the limited area to provide guidance.

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²²Sadu Wasistiono and M. Irwan Tahir, *Village Development Prospects (Prospek Pengembangan Desa)*, Fokus Media, Bandung, 2006, p. 84.