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RESEARCH ARTICLE

JUSTICE REORIENTATION IN AUTONOMY AND VILLAGE EMPOWERMENT POLICY IN INDONESIA.

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Abstract

Indonesia's National goals and / or state objectives development are able to be realized through good village governance. This is because the village is a very important place for supporting the country's development. But in reality Indonesia's Law Number 6 of 2014 concerning Villages has not been able to realize justice for all groups of people. This can be seen by the existence of Article 34 which degrades the primordial customary law community's management into nothing but summary, the existence of this Article also cause a gap for abuse by the authority. Therefore, the authors tries, using qualitative method to analyze and describe the implementation of governance in village autonomy and empowerment at present and the reorientation of justice in policy governance of village autonomy and empowerment.

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Introduction:-

In its development the state is a representative institution of the people whose aim is to create the fulfillment of the ideals in the life of the nation and state. The purpose of the State is then directed towards the principles and objectives of public welfare in general, not just the desire to apply written rules that have been mutually agreed upon. In the Welfare State, in general can be easily identified by referring to the opening of the 1945 Constitution of the Republic of Indonesia.

The contents can be seen easily based on the contents of the opening text of the Constitution of Indonesia as follows: "Then rather than that to form an Indonesian government that protects all Indonesian people and all Indonesian blood and to promote public welfare, educate the nation's life, and participate in carrying out world order based on independence, lasting peace and social justice, the Indonesian national independence is drawn up. in the Constitution of the Republic of Indonesia, which is formed in the composition of the Republic of Indonesia which is sovereignty of the people based on: God Almighty, just and civilized humanity, Indonesian unity, and popularity led by wisdom in consultation / representation, and by creating a social justice for all Indonesian people."

The effort to realize the country's goals is not an easy task. The Unitary State of the Republic of Indonesia is an archipelago consisting of thousand of tribes, ethnicities and groups, each of which has distinct primordial cultural communities, resulting in the birth of different customary laws.

So that the management of state objectives is not only centralized in the central region of national governance, but more than that, governance arrangements to support the realization of state objectives must also be able to be realized in various regions of the Republic of Indonesia today. In order to realize this, village governance is the

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latest alternative at present. The diversity of the characteristics although characterised as copy-paste from the central government is needed (Rudy;2014). and type of the village, or even the term of "village" that varies between region, does not become a barrier for the founder of the nation (Founding fathers) is to impose his choice on the form of state unity. Although it must be realized that to achieve a state of unity there must be a homogeneity in contrast with the current Indonesia's aspects of dynamism, disjuncture and difference (Harijanti;2015), but the State Unitary Republic of Indonesia still give recognition and guarantee of the existence of the unity of community law and the unity of the people the law of customs and their tradition right.

In the arrangement and implementation of Government Regions, after the changes in the state constitution of the Republic of Indonesia Year 1945 (UDU NRI 1945), setting the village or are called by names other than in terms of administration refers to the provisions of article 18 paragraph (7) which asserts that " The composition and procedures of implementation of Government Regional arranged in the enacted laws ". means that article 18 paragraph (7) of the state constitution of the Republic of Indonesia Year 1945 opened the possibility of the arrangement of government in the system of government of Indonesia. (Crook;1998) Furthermore, in Law Number 6 Year 2014 about the village, which confirms that the village is a village and rural indigenous or are called by the name of another, furthermore the term "Village", are described as the unity of the community law which has boundary regions are authorized to organize and take care of business government, the interests of the local community based on community initiatives , original rights , and / or traditional rights that are recognized and respected in the system of government of the Unitary Republic of Indonesia. (Conyers;1986)

Some of the obstacles listed above are most commonly found in the dynamics of village governance; especially when the village is in the renewal phase as mandated by Law Number 6 of 2014 concerning Villages . Some of the obstacles that the cause of these problems, including the quality of human resources of the village administration are less qualified , lack of control of BPD or in society , lack of supervision on the part of certain authorities , cultural patrimonial inherent in the community level local, which impact on the perspective of the community looking at the village or village-level bureaucrats as people who must be obeyed. Based on the explanation above it is clear that there needs to be further discussed in this paper related to " Justice Reorientation In Autonomy And Village Empowerment Policy".

The issue will be discussed in this article is related to the implementation of the governance of the autonomy and empowerment of village today and reorientation of fairness in policy governance and empowerment of village autonomy.

Method:-

The method used is a qualitative research method. (Noeng;2002) This study examines the various values of local wisdom (local genius norm) needed to support the implementation of law (the administration of law), as well as law enforcement in the governance system of autonomy and village empowerment. Then it is evaluated regarding the dialectics between the value of local wisdom and regional legal policies in the governance system of village autonomy and empowerment. Estuary of this research is to formulate a model for the functionalization of local wisdom values in local legal policies in the governance system of village autonomy and empowerment to fit the ideals of the Pancasila law that prioritizes substantive justice, namely justice that is essential and can be felt by the public as real justice. A sense of justice that is recognized and "alive" in society. (Const Report;2002)

Results:-

The village and the village of Indigenous at essentially perform a task that is almost the same. While the difference is only in the implementation of the right of the origin of the proposal, especially regarding the preservation of custom village, setting and maintenance custom area, the trial of peace of custom, the maintenance of peace and order for the public law customary, as well as setting the implementation of government based on the composition of the original. With so, then the position of the village at the moment has autonomous native which is very strategic that requires balanced attention against the implementation of the autonomy of the region, because of the autonomy of the village strong will affect in a significant manifestation of the autonomy of the region.

Since the birth of Law No. 6 of 2014 concerning Villages, village miniatures as a mouthpiece for national development cannot be underestimated. The uniqueness of the village as a form of government system that has far greater autonomy than the autonomy of districts, cities and provinces makes the village should ideally be regarded as

the spearhead of national development. On the other hand, the village becomes the most important part with the argument that the outermost territories or directly bordering neighboring countries are areas that consist of villages with customs that vary from one to another. Therefore it is appropriate that village development cannot be annulled in the national development system. (Junaidi;2016). Through Law No. 6 Year 2014 About the village on the date of 15 January 2014, an effort to further realize the spirit of autonomy from the area up to the level of Government Village (or with names has been arranged a special / separate). The government began to direct the focus of development to the village. The regulation of villages has changed significantly. Villages in Indonesia experience a new position and approach in the implementation of development and governance.

Their autonomous region, assisting the Government of the Village in doing improvisation performance and programs that have on set can be run with the maximum. Autonomy that gives the role entirely in Government Village in managing the household itself with still hold fast to the wisdom of the local who owned the community that, because society is the most fundamental element of village creation which is a government that is the most smallest.(Indrawan;2016) The Implementation of village government administration according to Indrawan is a process of organizing the administration of the Government of the village in the increasing success of the program of government as well as in efforts to mobilize the participation of the community in the development of the village, because in addition to implementing various programs of government centers, the Government of the village are also in demand to be able to serve people who are in its territory in order to carry out the field of administration , the field of welfare and field service.

In line with that, the government village is a means to organize and manage the administration of the village, because if the management of the administration of the village is effective, it will bring changes to large to rule the village. Governance administration of village sounds simple, but it has a role important in the implementation of a policy that exist in village. the administration of villages are well and truly going to be a factor supporting the development of the village towards people's prosperity and well-being. Neither the contrary, if the government is not to wisely manage and organize the administration of the village, it would be a pathology of its own against the village prosperity.(Trisno;2016)

Village occupies and gain new status in the governance of the Unitary State of the Republic of Indonesia with the passing of Law Number 6 of 2014 concerning Villages. In this law there are several important things that has become the basis in the development of villages in the future, including recognition (recognition), delegation of authority (subsidiarity), and empowerment. With the existence of the three principles, then the emergence of the redistribution principle can be followed to run as expected. The levies received by the villages are sourced from the APBN (for village funds), tax revenue sharing and regional levies (village fund allocations). The village has the authority to manage finances independently. If the capacity of the village apparatus is not improved, the reason is that there will be many corrupt practices involving the village apparatus. An approach is needed that can reach all roles in increasing the capacity and capability of villages. The development of village governance was so dramatic and experienced a significant leap. At least a number of laws governing the village administration previously did not dare to regulate (giving) authority to the village administration to such an extent. In running the government, the Village Government is the Village Head or referred to by another name assisted by the Village apparatus as an element of the Village Government organizer.(Malley;1999) The Village Consultative Body or what is referred to by other names is an institution that carries out its governmental functions, its members are representatives of the villagers based on regional representation and are democratically elected.(Cheema;1983)

Village independence brings problems in the village governance system as what is suitable to be applied in the context of village diversity in Indonesia. Then, various provisions and requirements are also made as loose as the establishment of the village and the election of the head of the village up to the membership BPD, as well as the structure of the village apparatus with the principle of minimum-maximum so it does not have to be determined in a uniform. Therefore, there is a need to determine the geographical and demographic standards of the village satas in allocating village funds or ADD. However, in addition to the aspects that can be selected by the village, there are things that coexist that commonly applicable to the whole village, namely recognition and institutionalization of the rights of villagers who since the first was held. Some rights basis it is own and control the management of the resources of nature, control over the development of the region which was planned by the parties outside the village like a businessman and a tau government. But should also be noted that the values of negative feudalism not necessarily obtain justification as "wisdom of local" and by it should set standards of governance such as the values of democracy, pluralism, transparency, accountability and community participation in quality.

Participation of the community in the interaction of the two institutions is also shown to carry the 3 (three) criteria partitions pale as voice, access and control . It means that people have the right to express opinions in the middle of the deliberations of the village, also the ease of access to the various services of public and in particular the information open wide and easy for people to obtain her and the community has space to carry out the control over the performance of government village or irregularities that may occur. Due to already exist ADD , then the planning of village self-sufficient without the need proposed to the above can be done with the funds that have been definitely allocated through the mechanism of transfer of village's ADD. In situation where situational problem emerged as the impact of the implementation of the Law Law No. 6 Year 2014 About the village. The expected village administration must refer to several principles, including: transparency, accountability, and participation. In this case, we can review these three governance principles by referring to the paradigm of " good governance ". Thus, the outline of the review in this Dissertation is a review of an ideal village governance management model with reference to the concept of good governance.

So it is necessary efforts to support the implementation of legislation that, in the aspects of the implementation of village people themselves and participatory, premises that focuses in empowering the community, which is also a mandate of Law Law No. 6 Year 2014 About the village. Aspects of this which should be a concern and competence of government village. In implementing the Village Autonomy and Empowerment Governance Policy . As where sounds of Article 34 paragraph (1) Law Law Number 6 Year 2014 About the village that reads " Head of December selected directly by the residents of the village. " Basically the selection of Village Heads is carried out on the basis of the election of local villagers, the Village Head is elected directly through the Village Head Election (Pilkades) process. Later the Village Consultative Body (BPD) and its members consisting of elements of village officials, administrators of social institutions, and community leaders will form an Election Committee to hold the Village Head Election.

This shows that there are many variations in the way village heads are selected in one village to another. The election of the Village Head and the term of office of the Village Chief in a customary law community unit along with their traditional rights as long as they are still alive and whose existence is recognized shall apply local customary law provisions. As understanding of the Village in Law No. 6 Year 2014 about the village, which confirms that the village is a village and rural indigenous or are called by the name of the other, hereinafter called the Village, is the unity of the community law which has boundary regions are authorized to organize and take care of the affairs of government , the interests of the local community based on community initiatives , original rights , and / or traditional rights that are recognized and respected in the system of government of the Unitary Republic of Indonesia.(Seabright;1996)

In essentially the Village and Indigenous Village perform a task that is almost the same, which became the difference is only in the implementation of the right of the origin, especially regarding the preservation of social village custom, regulation and management of territories of indigenous village, trial of peace custom, the maintenance of peace and order for community seen in legal tradition, as well as setting implementation of government based on the composition of the original.

The village administration is part of the regional administration, which in Article 18 of the constitution of the Republic of Indonesia in 1945 that is democratically elected regional heads, but as villagers closely tied with deliberation, Indigenous villages still allow their offspring / breeds that are still alive and held in high esteem by them. Law Number 6 Year 2014 about the village on Chapter V which outlines on the Implementation of Government Village . In Article 23 , which reads : " Village Government is organized by the Village Government . " Next in Article 24 states that :

The implementation of village government is based on the principles of: legal certainty, orderly governance, public order discipline, openness, proportionality, professionalism, accountability, effectiveness and efficiency, local wisdom, diversity, participatory .

Law Number 6 of 2014 concerning Villages and their implementing regulations has mandated the village government to be more independent in managing the government and various natural resources owned, including financial management and assets belonging to the village. Besides Village Funds, according to Article 72 of Law Number 6 Year 2014 concerning Villages, Villages have Original Village Revenues and Transfer Income in the form of Village Fund Allocation; Part of Regency / City Tax and Retribution Results ; and Financial Assistance from Provincial / Regency / City's income or APBD .

The big role accepted by the village, of course, is accompanied by a great responsibility as well. Therefore the village government must be able to apply the principle of accountability in its governance, where all the end of the activities of village governance must be accountable to the village community in accordance with the provisions. It is, as already stated clearly nature of Article 75 of Law of the Republic of Indonesia Number 6 Year 2014 About the village. In Article 75 of the Republic of Indonesia Law Number 6 Year 2014 above, the Head of the Village as the holder of power means having the highest authority so that it is potentially used by the person to abuse the authority. So with the renewal of the current status of authority and rights and obligations of the village, the potential for fraud is very wide open. This seems to be in line with what was discussed at the beginning of this discussion. This diversion is very easy to find in the governance of the village itself. Some cases such as deviations or administrative irregularities are often found in the administration of village government, especially after the village experienced such renewal.

The roles and responsibilities received by the village have not been matched by adequate human resources in terms of both quantity and quality. Another common obstacle is that the village does not yet have procedures and support of facilities and infrastructure in its financial management and the community has not been critical of the management of village revenue and expenditure budgets. The amount of funds that must be managed by the village government has a high enough risk in its management, especially for village government officials. The phenomenon of regional officials involved in legal cases should not be repeated on the scale of the village administration. Village government officials and village communities represented by BPD must have an understanding of the laws and regulations and other provisions, and have the ability to carry out recording, reporting and accountability.

Discussion:-

The Current Implementation of Autonomous Governance and Village Empowerment

Since the birth of Law No. 6 of 2014 concerning Villages, village miniatures as a mouthpiece for national development cannot be underestimated. The uniqueness of the village as a form of government system that has far greater autonomy than the autonomy of districts, cities and provinces makes the village should ideally be regarded as the spearhead of national development. On the other hand, the village becomes the most important part with the argument that the outermost territories or directly bordering neighboring countries are areas that consist of villages with customs that vary from one to another. Therefore it is appropriate that village development cannot be annulled in the national development system.

Through Law Number 6 of 2014 concerning Villages on January 15, 2014 is an effort to further realize the spirit of regional autonomy up to the level of Village Government (or under another name, it has been specifically regulated). The government began to focus its development focus on villages. The regulation of villages has changed significantly. Villages in Indonesia experience a new position and approach in the implementation of development and governance.

In the implementation of the Village Autonomy and Empowerment Governance System, that the Village Government acts as the governor of government affairs and the interests of the local community, while the Village Head acts as an organizer of the Village Government as stipulated in the article 1 paragraph (2) and (3) of Law Number 6 of 2014 About the Village, as follows:

1. Village Government is the administration of government affairs and the interests of the local community in the system of government of the Unitary Republic of Indonesia.
2. The Government of the village is the head of the village or are called by the name of other assisted devices Village as an element of administrators of the village.

As Article 34 Paragraph (1) of Law Number 6 of 2014 Concerning Villages, states that " Village Heads are elected directly by the villagers." Basically the selection of Village Heads is carried out on the basis of the selection of local villagers, Village Heads are elected directly through the Election process of Village Head (Pilkades). Later the Village Consultative Body (BPD) and its members consisting of elements of village officials, administrators of social institutions, and community leaders will form an Election Committee to hold the Village Head Election. So that in this case contains many variations in the way the village head is selected in the village to another village. The election of the Village Head and the term of office of the Village Chief in a customary law community unit along with their traditional rights as long as they are still alive and whose existence is recognized shall apply local customary law provisions.

As understanding of the Village in Law No. 6 Year 2014 about the village, which confirms that the village is a village and rural indigenous or are called by the name of the other, hereinafter called the Village, is the unity of the community law which has boundary regions are authorized to organize and take care of the affairs of government , the interests of the local community based on community initiatives , original rights , and / or traditional rights that are recognized and respected in the system of government of the Unitary Republic of Indonesia.(Smith;1985) In essentially the Village and Indigenous Village perform a task that is almost the same, the difference is only in the implementation of the right of the origin, especially regarding the preservation of social Indigenous Village, regulation and management of territories of indigenous, trial peace custom, the maintenance of peace and order for the public law customs, and arrangements for the implementation of government based on the original arrangement. Village government is part of regional government, where in Article 18 of the 1945 Constitution that regional heads are democratically elected, however the village community is thick with consensus. Customary villages allow for descendants / breeds that are still alive and are held in high esteem by the indigenous people.

Law Number 6 of 2014 concerning Villages in Chapter V which describes the Implementation of Village Government. In Article 23 , reads: "The Government Village organized by the Government of the village." Furthermore, Article 24 states that the Implementation of village government based on the principle: the rule of law, orderly governance, orderly public interest, transparency, proportionality, professionalism, accountability, efektifitas and efficiency, local wisdom, diversity, participation. Law Number 6 of 2014 concerning Villages and their implementing regulations has mandated the village government to be more independent in managing the government and various natural resources owned, including financial management and assets belonging to the village. Besides Village Funds, according to Article 72 of Law Number 6 Year 2014 concerning Villages, Villages have Original Village Revenues and Transfer Income in the form of Village Fund Allocation; Part of Regency / City Tax and Retribution Results; and Financial Assistance from Provincial / Regency / City APBD . The existence of regional autonomy, helping the Village Government in improvising the performance and programs that have been determined can be run with the maximum. The autonomy gives the Village Government the full role in regulating their own households while still holding fast to the local wisdom of the community, because the community is the most fundamental element in the creation of a village which is the smallest government.

Law Number 6 of 2014 and its implementing regulations have mandated the village government to be more independent in managing the government and various natural resources owned, including the management of village finances and assets. In addition to the Village Fund, according to the Village Law Article 72, the Village has an Original Village Income and a Transfer Income in the form of Village Fund Allocation; Part of Regency / City Tax and Retribution Results; and Financial Assistance from Provincial / Regency / City APBD.

The big role accepted by the village, of course, is accompanied by a great responsibility as well. therefore the village government must be able to apply the principle of accountability in its governance, where all the end of the activities of village governance must be accountable to the village community in accordance with the provisions. Law Act Village brings not only funding source for the construction of the village, but also provide a new lens on the community to transform the face of the village. Through village community empowerment which is expected to be able to bring about real change, so that their dignity and status are restored, community empowerment is an approach that pays attention to all aspects of community life with the target of all walks of life, self-reliance, so as to be able to awaken *self-help* abilities , to improve the quality of life of the community (modernization) which refers to ways of thinking, behaving, behaving to move forward. In Article 75 of the Republic of Indonesia Law No. 6 of 2014 concerning Villages as follows:

1. The Village Head is the **holder of the Village Financial management authority** .
2. In exercising **power** as referred to in paragraph (1), the Village Head authorizes a **portion of his authority** to the Village apparatus .

In Article 75 of the Republic of Indonesia Law Number 6 Year 2014 above, the Head of the Village as the holder of power means having the highest authority so that it is potentially used by the person to abuse the authority. With the renewal of the current status of authority and rights and obligations of the village, the potential for fraud is very wide open. This seems to be in line with what was discussed at the beginning of this discussion. This diversion is very easy to find in the governance of the village itself. Some cases such as deviations or administrative irregularities are often found in the administration of village government, especially after the village experienced such renewal. Some of the obstacles mentioned above are most commonly found in the dynamics of village governance; especially when the village is in the renewal phase as mandated by the Law No. 6 of 2014 concerning village.

The central government too easily considers the implementation of village fund management at the lower levels where there are still many weaknesses in terms of technical and regulatory compliance orientation. Not to mention, the disbursement of village funds increases the tendency for corruption within the scope of the authority to manage village funds. In reality, village fund management is governed by many dimensions of weakness. This weakness makes the effectiveness of village fund management not as expected. Village funds are unable to facilitate village development programs, community empowerment, and poverty reduction. The lack of understanding of the regulations and policies for managing village funds. Many village governments do not understand the substance and technical imperatives of the rule of law and comprehensive guidance in managing village funds, so understanding the management of village funds is limited only to the submission of disbursement of village funds, formulation of allocations for the use of village funds, and administrative reporting. Do not understand the substance of village funds as a medium for strengthening the function and performance of village government and a series of community empowerment programs.

Reorientation of Justice in Policy Governance Village Autonomy and Empowerment

Governance (*governance*) can not be separated from the basic principles of good governance, transparency, participation and accountability as the main element. By increasing accountability, reliability (reliability), and policy decision, which is expected within government organizations, corporations (private sector), or with other civilian. The concept of society organizations are also included in the Law Number 28 Year 1998 regarding State that is Clean and Free of Corruption, Collusion and Nepotism regarding the general principles of good state governance, namely:

1. Principle of legal certainty
2. The principle of orderly administration of the state
3. The principle of public interest
4. The principle of openness
5. The principle of proportionality
6. The principle of professionalism
7. The principle of accountability

From the various definitions and principles of *good governance* , the assessment indicators in this document take the principles of Transparency, Participation, Accountability and Coordination as the key assessment factors. These four key principles are then used as a basis for evaluation in terms of the legal basis, actors and their implementation. The selection of the four principles of *good governance* in indicators is not for the purpose of simplification, but rather to facilitate the identification of problems through grouping of indicators based on the minimum principles of achieving good governance .

Then related to the implementation of village government in Article 24 of Law Number 6 Year 2014 concerning Villages , governs the principles of village government based on the principles of: legal certainty, orderly governance, orderly public interest, openness, proportionality, professionalism, accountability, effectiveness and efficiency, local wisdom, diversity, participatory . Some of the principles that have been arranged, according to the author, there are very fundamental principles that need to be added, namely the principle of Justice and Utilization , because the administration of the village and village government must be just so that later village governance gives great benefits to the village community .

Ulpianus described justice as " *justitia est con et et perpetua voluntas ius suum cuique tribuendi* " (justice is the will that continues and remains what is rightfully his). Or " *tribuere cuique suumto give everybody his own* ". Give everyone what they are entitled to.(Smoke;2005)

This formulation expressly recognizes the rights of each *person* to the other and what is a part of it, and vice versa. This understanding was taken over by Justinian in *Corpus iuris civilis Juris praecepta sunt haec: honesty vivere , alterum non laedere , suum cuique tribuere* that the basic rules of law are related to living properly, not harming others and giving others what is part of it . Justice is the most important moral virtues or "crown" the glory of all the moral virtues. Justice is a principle that enables society and common ties to be maintained. Injustice is a fatal thing to social life and human friendship with humans. That is why then. The first and foremost goal of justice is to keep a person from harming others, unless the other person has made a mistake.(Berten;2000) traditionally Speaking, there are three kinds of justice. The three forms of justice, namely First, legal Justice. Legal justice concerns the relationship between individuals or groups of people with the State. The point is that all people or groups of society

are treated equally by the State before and based on applicable law. All parties are guaranteed to receive the same treatment in accordance with applicable law. Second, commutative justice. Justice is set fair dealing or *fair* between one person and another, or between one citizen and another citizen. In other words, if legal justice is more concerned with vertical relations between the State and citizens, commutative justice concerns horizontal relations between one citizen and another. Third, justice distribution. The basic principle of distributive justice, or what is now known as the economy, is economic distribution that is equitable or which is considered fair for all citizens. In other words, distributive justice involves the maintenance of economic wealth or the results of development.

Based on this description it can be seen that the essence of justice is so that people are not harmed, unless the person is guilty or harms others. The forms form of justice is a variety - of sorts, some say people should receive their rights, others say people should be treated equally before the law, and some are saying that people should receive the same benefits and burdens. Shape - form of justice is the embodiment of the essence of justice in relation to the various forms of relationships that occur in the community. Village autonomy and empowerment governance is expected to be able to provide fair benefits to the fulfillment of community and environmental needs , so that the Village Head is not the holder of financial power as regulated in article 75 paragraph (1) which means to have the highest authority which is potentially used by the individual to abusing such authority , but the head of the village should have a **management operators** finance the Village and naturally carry out the **management of income and spending of the Village** , Chief of the Village authorize **its implementation** to the apparatus of the village .

With the reorientation of the values of justice, then the head of the village no longer has the highest authority , and also reduces the potential of the abuse of authority that is used by unscrupulous village head as such. In the planning and budgeting stages, the village government must involve the village community represented by the Village Consultative Body (BPD), so that the work programs and activities prepared can accommodate the interests and needs of the village community and in accordance with the capabilities of the village. In addition, the village government must be able to maintain records, or at a minimum keep a record of its financial transactions as a form of financial accountability it does.

The actualization philosophy of Berdikari Village (a popular term in indonesia which means to stand with their own feet) is a village empowerment movement with a process of continuous / continuous community **consultation** , in the context of managing village resources independently (productively) towards village sustainability, through mentoring by Berdikari Village Cadres (KDB). Berdikari Village is reflected by the ability of the Village to: (1) Build based on strength and resources, so as to avoid the trap of dependency with external parties; (2) Explore all potentials, both science, technology, local wisdom, natural resources and the environment, as well as human resources wherever residing, to support and enhance their own strengths; (3) Cooperating with the parties, domestic and foreign, with mutual respect and benefit in the short and long term. Through community empowerment the village is expected to be able to bring real change so that their dignity and dignity is restored. Community empowerment is an approach that pays attention to all aspects of community life with the target of all walks of life, motivated by self-reliance , so as to be able to awaken *self-help* abilities . to improve the quality of life of people (modernization) which refers to ways of thinking, behaving, behaving to move forward. Then the field of empowerment is a strategic point that must be renewed and expanded. So that the essence of community empowerment in rural areas is the utilization of local (potential) resources, increasing participation , fostering the concern of all parties for community independence (self-reliance) and empowering local institutions (villages).

Conclusion:-

Based on the various explanations above, it can be seen that the existence of Article 34 paragraph (1) of Law Number 6 of 2014 concerning Villages has resulted in the birth of the degradation of the system of customary territorial arrangement in which one side forces the creation of democratization in customary villages but on the other hand it results the sum of the primordial customary government leadership systems which were charismatically and hereditary chosen . In addition, Article 75 of the Republic of Indonesia Law No. 6 of 2014 concerning Villages also opens a large door for the creation of abuse of authority. Therefore, it is necessary to reorient the value of justice in the autonomy and management system of the village government through the actualization of the concept of Berdikari Village, which is a village empowerment movement with a continuous / continuous process of citizen *consultation* , in the framework of managing village resources independently (productively) towards village sustainability, through assistance by the Berdikari Village Cadre (KDB).

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