



Decentralization principles in the implementation system of village government based on law of number 6 year 2014 (Study in North Sulawesi)

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Abstract

In terms of Philosophical Aspects, Juridical and Theoretic the Position of village administration is inseparable from the Government of the Republic of Indonesia which adopts the Unitary State system. Article 18 of the 1945 Constitution, among others, states that the regional division of Indonesia over large and small areas with the form and structure of the government is established by law. Based on the Article Law was born No. 6 of 2014 on the Village. In the governance structure of the region, the village sits at the bottom of the bureaucratic structure of the national government system. This situation has the potential for exploitation of the village and raises a passive, dependent, and non-critical society towards the synthesized development object that becomes the formulation of the problem. 1. What is the form of authority of the village government based on Law no. 6 Year 2014. 2. How to Function Village Governments in the autonomy system. 3. How Flexibility of Village Financial Management based on Nawa Cita and Village culture system, using Normative Legal Research Methods This dissertation research was conducted. Research Results a. Demonstrating, the principle of decentralization (autonomy) of the village has not been fully implemented in the village administration because it is still a lot of central government programs are run the village budget funding system and District and Provincial Government programs according to studies in some villages in North Sulawesi. b. The function of village government in Law no. 6 Year 2014 Article 1 paragraph (2) is the implementation of government affairs, Development and community development and Village Consultative Council (BPD = Badan Pemusyawaratan Desa) make the Village Rules. c Village financial management practices after the coming into effect of Law no. 6 In 2014 is still dominantly centralized, and still relies on the Central Government in the form of, the village budget funding system (ADD= *Anggaran Dana Desa*), in conclusion, the principle of decentralization is not fully applied to village administrations only limited to the authority of origin and local authority of the village As a suggestion for reinforcement decentralization of the village then the authority of the village government should be extended related to the authority of the management of the rights of origin and potential of other villages.

Keywords: village decentralization principle

Introduction

The basic nature of the system of the administration of the Village Government is inseparable from the system of government of the Republic of Indonesia which follow the concept of the Unitary State. Article 18 of the 1945, the government is established by law. Based on the Article Law was born No. 6 of 2014 on the Village. The philosophical foundation of the birth of the Law is based on the consideration that the village has the right of origin and the traditional right to regulate the interests of the local community and the role of realizing the ideals of independence based on the 1945 Constitution 6 Year 2014 was born based on the mandate of Article 18B paragraph (2) of the 1945 Constitution, which states: "The State recognizes and respects the unity of indigenou and tribal peoples along with their traditional rights as long as it is alive and in accordance with the development of society and the principle of the Unitary State of the Republic of Indonesia governed by law". From the above principles all components of government territory including the village become important

in one unitary state system. The position of the village is very important in the government system let alone the politics associated with the general election. In village elections it is often the target of candidates who generally come from outside the village ^[1].

The exploitation of the village above raises a passive, dependent non-critical object of centralistic development. The same thing was expressed by Zen Zanibar MS, that the village which originally had a wide scope of authority, financial resources and more independent, in the era of the Republic of Indonesia there was a tendency of degradation of position and authority, so that dependence on higher autonomous regions seemed prominent even tended to reach breaking point ^[2]. Sadu Wasistiono ^[3] likens the position and existence of the

¹ Irene Heraswati Gayatri, *Village Dynamics : Gampong Special Autonomy Era Aceh*, LIPI, 2007, page. 2.

²Zen Zanibar M.S., *Village Autonomy With Special Reference To Village in South Sumatera Province*, Dissertation of Doctoral Program, Faculty of Law, University of Indonesia, 1988/1999, page 17.

³Sadu Wasistiono, *Village Development Prospect*, Institute of Local Government Management Studies, Media Focus, year 2006, page.

village with the phrase "The strength of iron chains is at the weakest link". Almost all aspects show how weak the position and existence of the village in the constellation of government. In fact, if observed, the village that became the last link with the community that will bring it to the final goal that has been outlined as a common goal ^[4].

Unclear Government Position in the management of village wealth is not clearly regulated while for the Provincial Government and Regency of the City is set. In Local Tax Management Local Government should be guided Principles of good governance (Good Governance). According to Mahfud, MD dimensions of philosophy, formulation and implementation of decentralization with broadly oriented autonomy; first realization and implementation of democracy; secondly, the realization of national independence and developing the sensitivity of regional autonomy; thirdly, to familiarize the region in getting used to preparing political schooling for the community; fourth, providing channels for regional aspirations and participation; and fifth, building the efficiency and effectiveness of government ^[5]. Even though difficult there is the new law about village but about autonomy and decentralization the basic principles and socio-cultural conditions of the local community still unclear. Original autonomy relate to the authority of the village government in regulating and managing the financial as a supervising BPD and community institutions and managing the village financial hasn't arranged yet clearly. Another aspect such as how significant autonomy of village in increasing life stages and community articulated and aggregated through policy, programs and activities suitable with problems and priority needed of the community ^[6].

Based on the background and the above problems then is taken away principal issues are:

1. What is the form of authority of the village government based on Law no. 6 Year 2014 in organizing the autonomy of village government?
2. How does the function of the Village Government in managing the Government and with the BPD (Village Consultative Council) make the Decentralization Regulation as the Implementation of the Regional Autonomy Principle?
3. How Flexibility of village financial management based on Law no. 6 Year 2014 linked to NAWA CITA (Nine priorities) program Development of Village by Central Government?

Theoretical Framework and Concept

A. Theoretical Framework

1. Theory of the State of Law (Grand Theory)

Theory The state of the law is rooted in the concept of the State of law, beginning from the time of the Greeks, and then the days of Ancient Rome, in fact, it became the source of the theory of sovereignty and state power. According to Jimly

Asshiddiqie ^[7], H.A. Masyhur Effendi, argues that "the state of the law (*Allgemeene Staatslehre*) will be born, when it is *imminent identiet der Staatsordnung mit de rechtsordnung* - the identity of the state structure with the composition of the law - increasing law awareness in society, the closer we are to the implementation of a perfect state of law" ^[8]. Continental European scholars (Emanuel Kant, Julius Stahl) call *rechtsstaat*, while *Anglo Saxon jurists* (English or American) use the term *Rule of Law* ^[9]. Village government cannot separate with the Indonesia Republic system must accordance with applicable laws and country system at a meeting of jurists in Bangkok 1965 organized by the *International Commission of Jurists*, has expanded the meaning or terms of the Rule of Law as follows: 1. The existence of constitutional protection, 2. The existence of free and impartial judiciary, 3. Free elections, 4. Freedom of expression, 5. Freedom to associate or organize and operate, 6. Civil education ^[10].

2. Theory of Authority (Middle Theory)

In the Great Indonesian Dictionary, Moeliono defines the word authority equated with the word authority, defined as the right and power to act, the power to make decisions, to rule and delegate responsibility to other persons or council ^[11]. According to S.F. Marbun as quoted by Murtir Jeddawi said that: Authority is a power that is formalized either to a certain group of people, as well as a certain authority over a certain field of government derived from the legislative power as well as from the power of government, while the authority is only about a certain field. For example the authority to sign a decree by a ministerial official while the authority remains in the hands of the minister. In such a case what happens is the provision of the mandate, where responsibility and accountability are on the mandate ^[12].

H.D. Stout, as quoted by Ridwan H.R. The authority is nothing other than an understanding derived from the laws of governmental organization which can be explained as a whole of the rules concerning the acquisition and use of governmental powers by the subject of public law in public law relations ^[13]. Bagir Manan says that, authority in legal language is not the same as power (*macht*). Power only describes the right to do or not to do ^[14]. The authority or power is derived from the law (*the principle of legality*), in accordance with the principles of the rule of law which places the law as a source of power. Government bodies without basic general rules have no authority to carry out administrative deeds. Thus all governmental administrative

⁴*Ibid*, page. 18.

⁵ Moh. Mahfud, *Legal and Political Struggles in Indonesia*, Publisher Gama Media, Yogyakarta, 1999, page. 188.

⁶ Wasitono Sadu, Irawan Tahir, *Prospects of Village Development*, CV. Fokus Media. Bandung, 2007, page. 18.

⁷ Jimly Asshiddiqie, *The Idea of People's Sovereignty in the Constitution and Its Implementation in Indonesia*, Ichtar Baruvan Hooeve, Jakarta, 1994, page 11.

⁸ H.A. Masyhur Effendi, *Human Rights in the Dimensions of National Law and International Law*, Ghalia Indonesia, Jakarta, 1994, page 32.

⁹ *Ibid*, page. 32

¹⁰ Miriam Budiarto, *Fundamentals of Political Science*, PT. Gramedia, Jakarta, 1987, page 60.

¹¹ A. Moeliono, *Great Dictionary of Indonesian Language*, Balai Pustaka, Jakarta, 1989, page 101.

¹² Martir Jeddawi, 2008, *Implementation of Regional Autonomy Policy*, Total Media Creation, Yogyakarta, page 18.

¹³ Ridwan H. R. 2006, *State Administration Law*. PT. Raja Grafindo Persada, Jakarta, Page 71.

¹⁴ *Ibid*, page. 72.

law powers must be based on the general rules and in that regulation should be included in its authority^[15]. Theoretically, the authority derived from the applicable legislation is obtained through 3 (three) ways namely the attribution of delegation and mandate. The definition according to *Van Wijck Willem Konijnenbelt* as quoted by Ridwan H.R. put forward as follows: a. *Attribution* is the granting of government authority by lawmakers to government organs. b. *Delegation* is the delegation of governmental authority from an organ of government to other governmental organs. c. *The mandate* occurs when the organ of government allows its authority to be run by another organ on its behalf^[16].

3. Decentralization Theory (Applied Theory)

Simply Decentralization is the opposite of the centralization of the centralized system, the authority of both central and regional governments. In the decentralization system, some of the central government's authority is delegated to other parties to be implemented^[17]. According to Hans Kelsen, the definition of decentralization relates to the notion of the state because the country is a legal order, then the definition of decentralization concerns the enactment of the legal system in a country. There are legal rules that apply legally to all regions of the country called the central norms and there are legal rules that are valid in different parts of the so-called *decentral or local norms*^[18]. So when it comes to decentralized legal arrangements, this will be linked to the environments where the validity of the legitimate law is enacted.

Bagir Manan said that decentralization is a form of a state organization composed of central government units and lower government units established either by territorial or certain governmental functions^[19]. Soenobo Wirjosoegito gives the following definition: "Decentralization is the transfer of authority by higher public bodies to lower-level public bodies to independently and on the basis of their own considerations of decision-making and governance, as well as the structure of authority which occurs from it"^[20].

Ruiter argues that in general opinion decentralization takes place in two forms, namely territorial and functional decentralization, which is described as follows^[21]: Territorial decentralization is to give groups with territorial boundaries an independent organization, thereby giving the possibility of one's own policy the whole system of government. While functional decentralization is giving to a functionally separate group of an organization itself, with regard to territorial and functional decentralization, C.W. Van Der Pot in his book *Handboek van Nederlandse Staatsrecht*, argues^[22]: decentralization will be obtained if the authority to regulate

and manage the government is not solely done by the central government, but also by the lower independent governmental entities (*zelfanding*), autonomous (territorial and functional)".

B. Conceptual Framework

1. Definition and Village term

Etymologically the word "village" comes from the Sanskrit word "deca" which means the motherland, the land of origin or the land of birth. Great Indonesian Dictionary defines the village as 1) a group of out-of-town homes that are unity; hometown; 2) hickey or hamlet (in the sense of the hinterland as opposed to the city); and 3) place; land; or area Residents consist of the villagers custom or villagers administration, in Bali named Dinas village where villagers who are not Hindu only subdue themselves in the Dinas Village^[23].

H.A. Widjaja stated that the village is "As a legal community unity which has original structure based on special rights of origin. The foundation of thinking within the Village Government is the diversity of participation, indigenous autonomy, democratization and community empowerment^[24]". Understanding the village based on Law no. 6 Year 2014, "Village is a village and a custom village or another name, is a legal community unity that has territorial boundaries to administer and administer government affairs, the interests of local communities based on community initiatives, origins rights, and / or traditional rights recognized and respected within the system of Government of the Unitary State of the Republic of Indonesia"^[25].

Understanding the village proposed by Widjaja and Law no. 6 of 2014 above shows that the current understanding of the village is not only a self-governing community, but also a local self-government (local government).

2. Concepts and Platforms of Laws of Village Autonomy.

The term autonomy or autonomy is etymologically derived from the Greek word "autos" which means self and the word "nomous" which means law or arrangement. Autonomy is not just the dissemination of governance to achieve the efficiency and effectiveness of government. Otonomy is a state order (*staatrechtelijk*), not just the administrative order of the state (*administratiefrechtelijk*). The autonomy imposed in the region including within the Village Government must be adapted to the current rural situation much progress^[26]. Lukman Hakim, means that autonomy is almost parallel to the notion of democracy, that is, government by, from and for the people in the national territory of a state through governmental institutions which formally are outside the central government. In autonomy, freedom and self-sufficiency are full covering both principles as well as how to run, while on the task of assistance, freedom and independence are limited

¹⁵S. F. Marbun, dan Moh. Mahfud, *Principles of State Administration Law*, Liberty, Yogyakarta, 1987, p.76

¹⁶Riwan H. R., *Op cit*, page. 74.

¹⁷*Ibid* page. 45

¹⁸Ateng Syafrudin, *Local Government and Development*, Bandung Wells Publisher, Bandung, 1973, page. 7.

¹⁹Bagir Manan, *Relationship between Centers*, Op. Cit, page. 22.

²⁰Soenobo Wirjosoegito, *Process and Planning of Legislation*. Ghalia Indonesia, Jakarta, 2004, page. 6

²¹Victor M. Situmorang, *Government Administrative Law in the Region*, Sinar Grafika. Jakarta, 1994, page. 32

²²*Ibid*.

²³ I Wajan Supra, *The existence of Custom Village and Village Dinas in Bali*. Publisher Pustaka Bali Post Denpasar 2004 page 2.

²⁴Widjaja, H. A. W., *Village Autonomy Is Autonomous Original and Intact*, Rajawali Pers, Jakarta, 2003, page. 8.

²⁵Article 1 number 1 of Law no. 6 of 2014.

²⁶Siagian, *Main Points of Village Rural Development* Published ; By Citra Adhiya Bakti Printing, Bandung, 1998,page. 5.

to the way it runs ^[27].

Village autonomy can maximal politic participation of community as a prerequisites that is suggested in order to create the real democracy ^[28]. Democracy has its roots in the local tradition ^[29]. Indonesian nation alive in original democracy lies in the village ^[30]. Law 23 of 2014 states that local government must be followed with village autonomy. Sarundayang says that aspects related to local self government throughout its operation are funded essentially from their own sources of finance ^[31].

Research Methodology

A. Method of Approach

This study uses normative legal research approach supported by sociological law research, to see the practice of village administration in several villages in North Sulawesi. The normative approach is based on the consideration that this research is primarily aimed at discussing and reviewing various regulations relating to the implementation of village autonomy. This approach is consistent with a view that understands that law as the norms, rules and regulations prevailing in society in accordance with the principles and principles of law ^[32], whereas the social approach is conducted to analyze the laws of conduct in the Village Government administration of social, economic, political and culture ^[33].

B. Types and Resources of Legal Material

The type and source of data used in this study is comprised of primary and secondary data sources.

- 1) The primary legal material in this case is the 1945 Constitution, Law No. 6 of 2014 on Villages, Government Regulation No. 43 of 2014 on Villages, as well as regulations related to the focus of writing in this thesis.
- 2) Secondary legal materials are materials that provide explanations of primary legal materials such as research results, legal materials obtained from textbooks, foreign journals, scholars' opinions, legal cases ^[34].
- 3) Tertiary legal material is a legal material that provides guidance or explanation of primary and secondary legal materials such as legal dictionaries, encyclopedias, and others.

C. Data Collection Technique

Data collection techniques are library research to obtain

theoretical or doctrinal conceptions, opinions and conceptual thoughts and predecessor research related to the study of this study, which can be in the form of legislation, reference books and other scientific papers. Also field study in villages with randomly sample is chosen in North Sulawesi.

D. Data Analysis Technique

Technique of data analysis in this research is done by data analysis technique descriptive juridical which qualitative ^[35]. Analysis still based on normative research which put law on system norm, norm system concerning rule principle and legislation regulation ^[36], and processed systematically with to find the relationship between the author's thought with the problems studied and with the associated provisions in accordance with the discussion of the Principles of Village Decentralization in this study.

Results and Discussion

A. Principles of Decentralization of the Authority of Village Governments.

The results of the research show that the principle of decentralization has not been fully implemented in the implementation of decentralized village governance which is full only on the authority of origin and local authority of the village scale. The village government's decentralization is (*Medebewind*) the authority assigned by the central government, which is implemented as the village budget funding system (ADD) and various Provincial and District Government programs. Appropriate study in several villages in North Sulawesi. Implementation of decentralization of authority has not reached the Village autonomy based on the principle of independence, openness, participation, capacity of village government and others.

Local Government Act No. 23 of 2014. The authority of the village in principle to continue the decentralization system of regional government existing within the Unitary State of the Republic of Indonesia. The Concept of the Unitary State of John A.R. Marriot equates the term state form with the state structure by giving the state classification based on the composition of the government, which can give birth to the form of a unitary state and can give birth to the form of federation state. Sri Soemantri, uses the term state form of union state and unitary state and unity ^[37]. C.F. Strong points out that between a unitary state and a federal state, from the conditions of its formation there are differences, among others; First, in a unitary state there is a strong sense of nation because it is based on the unity of the early political unities that merge before the formation of the state, while the federal state is not bound in such unity and is subject to sovereignty. In a unitary state there is unity (union) and unity (unity) and therefore, the unitary state is seen as the most solid state ^[38]. With the regulation of Local Government in Law no. 23 of 2014 the implementation of village governance made adjustments to the regional autonomy system of Regional

²⁷ Lukman Hakim, *Philosophy of the Authority of Local Institutions Perspective Theory of Autonomy and Decentralization in the Implementation of State Government Law and Unity*, Equivalent Press Malang, 2012, page. 33.

²⁸ Wolfgang Merkel. *Democracy in Asia: A Continent Between Dictator and Democracy*, (translation of the original title : *Demokratie in Asien, Ein Kontinent Zwischen Diktatur und Demokratie*, 2003), Friederich Ebert Stiftung, FES, Jakarta, 2005, hal. 18.

²⁹ Duto Sosilismanto, *State Hegemony : The Political Economy of Rural Java*, Yogyakarta, Laper Main Library, 2001, hlm. 172-175.

³⁰ Prijono Tjiptoherijanto dan Yumiko M. Prijono, *Democracy in Rural Java*, Sinar Harapan, Jakarta, 1983, hlm. 17-18.

³¹ SH. Sarundajang, *Op.cit.* page. 27.

³² Soetandyo Wignosoebroto, *Issues of Methodology in Legal Research Relating to the Problem of Diversity of Conceptual Approach, Paper On Training Methodology*, Faculty of Law UNDIP, May, 1999, page. 30.

³³ *Ibid*

³⁴ Soerjono Soekanto, *Introduction to Legal Research*, University of Indonesia Press, Jakarta, 1986, page. 21

³⁵ Mukti Fadjar MD dan Yulianto Ahmad, *Dualism of Normative Law Research and Empirical Law*, Publisher Pustaka Belajar Yogyakarta 2010 page. 34.

³⁶ Soerjono Soekanto, *Op Cit*, UI Press, Jakarta, 1986, page. 22.

³⁷ *Ibid*, page.

³⁸ *Ibid*, page. 70

Government. At the village level nationally various adjustments are made, one of which accommodates the traditional institutions in addition to the village administration. In addition, in the villages in Indonesia established the Village Representative Council (BPD) as a form of village democracy is considered ideal.

To build and strengthen the village's capacity, both in terms of government and community have been undertaken by the Government. However, the emphasis is still on improving administrative aspects rather than as a foothold in empowering the village institutionally and in community. So far, efforts to organize village governance^[39].

Decentralization Village governance has specificity and differs from decentralization in the District and Province. The specificity of the right of origin or right of origin, such as: culture, religion, customs, and the extent of territory which if handled entirely by the central government is impossible. So is something unrealistic if everything is decentralized to the region on the grounds of a reflection of the principle of democracy. Therefore, control and supervision of the center whether it is the same at the District and Provincial level. In other words any discussion of decentralization will always be equated or by itself means talking about autonomy^[40]. Despite this, village decentralization must be in accordance with the autonomous state structure relating to the principles of state and state organization^[41].

This has resulted in the local government in North Sulawesi is more dependent on the political will of the local government, province and central government, this was done according to Bagir Manan as for central government have a good will for empowering local government through bigger authority^[42].

In the context of the village, decentralization is a vehicle for relations between the village and supradesa. While democracy is a space where there is a relationship between government and non-government actors. But this is not an obstacle, especially if village autonomy is completely adapted to the interests and preferences of village communities, and not on the basis of outside claims^[43].

Implementation of village authority only on the authority of origin and local authority weakens the decentralization of the village, ranging from decision-making, implementation and control of the decision in order to make its own rules of binding, managing (planning, collecting, sharing, caring, and etc.) and take or exploit public goods or property (citizens, occupation, territory, land, tasks, forest, sea, money, etc.) within the scope of its jurisdiction.

First, the generic authority or genuine authority is often called the right or authority of origin inherent in the village as a legal community unity. This authority is often referred to as the community's *property right* to organize and manage its own household. The types of generic authority are: the authority to establish and manage the system of self-government; authority

to manage local resources (village treasury, crooked land, customary land, customary forest, etc.); authority to create and enforce local customary law; authority to manage and care for the values of local culture (including customs); the judicial authority or the *community justice system*, for example in the case of non-criminal.

The decentralization of village politics must be supported by the recognition of Regional Government and the Central Government.

B. Functions of the Village Government and BPD (Village Consultative Council) in the Implementation of Autonomous

Village administration, in Law no. 6 Year 2014 on the Village, Article 1 paragraph (2) states that the Village Government is the implementation of government affairs by the Village Government and Village Consultative Council (BPD) in arranging and managing the interests of local communities based on the origin of the village and local customs are recognized and respected in the system of government of the Unitary State of the Republic of Indonesia. Thus, in the administration of the village administration there are two institutions that control it, namely the Village Government and BPD (Village Consultative Council).

The weaknesses of BPD function in the supervision of the implementation of village administration because in the village law no 6 of 2014 has not been set firmly calm the function. As a result of the unequi vocal BPD assertion against the village head causes the management of the village and administration is not controlled and difficult to monitor the various deviations BPD as the element of the administration of village government, village government has the task of organizing government affairs. Development, and society. Therefore, it is necessary to reinforce the function of BPD legislation, BPD supervision function and budget function, so that village autonomy can be realized. The function is to draft and propose a draft village regulation with BPD. Village expenditure and revenues are planned expenditures for programs and activities. A financing plan discussed and mutually agreed by the village government and village consultative body, and established by village regulations. Implementation of village government that comes out in the form of public services, development and protection of the community must be prepared every year and put in the village budget (APBD). In the village budget it is seen what the village government will do in the current year.

C. Village Rural Finance Based Law Number 6 Year 2014

Practice of village financial management after the coming into effect of Law no. 6 Year 2014 is still dominantly centralized, and still relies on the Central Government in the form of, the village budget funding system (ADD), in which each village receives a fund of 1 billion. With the system not yet affirming decentralization related to the potential management of village origin rights. Because ADD system is given equally with responsibility to the central government directly which is centralistic. With such circumstances indicate that the authority of village autonomy in managing and managing finances associated with the management of potential village is not yet clear in Law no. 6 Year 2014.

³⁹ Law no. 6 Year 2014 has provided a clear and precise legal foundation on Village Governance in Indonesian Government See Explanation of this Law

⁴⁰ Bagir Manan, *Facing the Fajar Autonomy Region*, Center for Legal Studies, Faculty of Law UII, Yogyakarta, 2001, page. 174.

⁴¹ Bagir Manan, *Waiting*, *Ibid*, page. 24.

⁴² Sarundajang, *Flow of Power to the Region*, Library Sinar Harapan, Jakarta, 1999, page. 27

⁴³ Tim Lopera, *Ibid*, page. 154.

The centralized management of the ADD system limits the village authority to independently regulate and manage the origin rights, especially the richness of the villages that are hereditary, such as the rights of indigenous peoples traditionally managed independently. This potential causes each village to be limited to the development of management authority independently in accordance with the fiscal decentralization system. In Article 71 paragraph (2) of Law no. 6 Year 2014 stated: "Rights and obligations as referred to in paragraph (1) raises income, expenditure, financing, and management of Village Finance". The source of village income as referred to in Article 71 paragraph (2) above consists of:

Conclusion

1. The principle of Decentralization has not been fully implemented in the Village Government. 6 Year 2014 only regulates the decentralization of authority of origin and Local Villages. For the authority of the origin is not clear the regulator related to management and profit sharing. This is not yet implemented the principles of decentralization in the administration of village government, because the main principle of decentralization of the village that the right to regulate and manage the authority of the origin of the village. The unclear authority of the origins in the decentralized system of village governance indicates the inconsistency of the implementation of village autonomy that is similar to the implementation of regional autonomy to the government, district and province. The right to organize and manage as a principle of autonomy should be put in the Village Law no. 6 Year 2014 by affirming the authority of the village government in organizing and managing independently the right of origin.

2. The principle of village decentralization is not yet clear in Law no. 6 Year 2014 is primarily the authority of the village government in organizing an autonomous government in accordance with the authority of the origin. The authority has not yet become the basis for the village government in implementing the right to govern and administer its own government as an implementation of regional autonomy. The administration of the village government is always inclined to refer to the guidelines set by the sub-district and district governments so that the principle of decentralization is not particularly prominent in the administration of village government.

3. The concept of village finance is similar to the concept of state finances, carried out through the mechanism of the Village Revenue and Expenditure Budget, which consists of the income, expenditure and financing of the village, carried out by the village head and his apparatus discussed jointly with the Village Consultative Council. Management of village finances has juridical implications for village heads and village consultative bodies to be able to organize, legalize, implement, monitor and account for village financial management. In the event of absence or deliberate, it creates both administrative and criminal liability. For Regency / Municipal Government is obliged to allocate budget for village finance, as well as conducting guidance and supervision.

Suggestions

The principle of village decentralization based on the authority of the origin should be more detailed, in the village law because the authority of the origin is the original authority held by the village in organizing and managing the administration of the village administration. For the implementation of the authority of origin, it is necessary to draw up government regulations or revisions to village laws that explain or regulate in more detail the use and designation of authority of origin according to the principle of decentralization of village government.

To reinforce the decentralization function in the administration of village government, the authority of village heads and The Village Consultative Council (BPD) should be reinforced in relation to the functions of regulating and managing the administration of village administrations without always asking for guidance from district/municipal governments that the decentralization function of village government should be made in the form of relevant government laws or regulations with the authority to self-regulate, without the intervention of the district government except those that have been applied in the administration of village administrations are replaced by coordination relations. By realizing the principle of decentralization in village financial management, the authority in retribution, management of village wealth related to natural resources potential must be submitted fully to the village government to organize and accountable to the Village Consultative Council (BPD). In the management of the village budget funds, there should be changed the principle of liability that is too rigid to the principle of fiscal balance between districts, sub-districts and villages in a special regulation, on the financial balance of districts and villages.

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