

## **The Development Village Government In Synergy Of The Implementation In Law No. 6/2014**

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*Received: 16 July 2020, Revised: 9 August 2020, Accepted: 26 August 2020*

### **ABSTRACT**

*This paper describes the development of village government in the synergy of the implementation in law number 6/2014 using descriptive research method with a qualitative approach, the consistency of village development must be supported by commitment, awareness, and active participation from all participant who interests in developing a village, as a case for realizing people welfare. In general, the success of village development will greatly depend on the ability of the supradesa government apparatus and the village government, as well as all the components (stakeholders) involved in the administration of the village administration, in understanding and utilizing the various potentials they have. The integrity of administration village governance can be realized through a planning execution of village Government by involving the community (according to local wisdom), the planning contains 1) Legal and policy aspects that encourage the structuring of village community institutions in a sustainable governance development system; 2). Increasing community institutional participation aspects in making decision policy through a village government; 3). Institutional aspects, coordination, and partnerships between community groups through an arrangement of village social institutions to increase community accessibility within technological innovation, credit, production facilities, and market information; 4). Supporting infrastructure aspects from the non-agricultural sector (market, irrigation, roads, electricity, etc.).*

**Keywords:** *Synergy; Development; Village Government*

## INTRODUCTION

National development activities by measuring success and also positive and negative impacts cannot be separated from the dedication of the village government apparatus. Even so, there are still many problems faced by the village community that still has not been completely resolved yet. States that this reality has proved that although the village has two essential resources, those are human and natural resources, but the unity of the legal community is not able to change their potential to be a force to fulfill their own needs (Alam, 2017).

The limited ability of the village government to carry out its functions and roles has resulted in slow social growth and change in the village. Village communities tend to be passive in making social and economic changes. This situation causes the Village community to become increasingly dependent on the outside of the village. Mentions that historical considerations and adaptation as well as anticipation of various development demands, including in governance, are the basis for future village development. In line with this, the government has provided a foundation as a direction for village development in the future (Mariana, 2016).

Law No. 6/2014 on villages is a formal national development policy instrument that places the village as a community of Indonesians who must be empowered to achieve community independence and welfare. Thus the law is a policy space that gives the village authority to explore its local potential for community development, both individually and collectively.

The establishment of community all the time with a centralized and top-down system has been seen by a system that has created failure and dependence on society. The implementation has exploited community resources that have discredited the community, especially the village community. Various problems arise such as injustice, inequality, or development gaps that do not provide space for the exploration of local resources so that the presence of village law No. 6 in 2014 is a national regulation that tries to design village development based on local wisdom.

For this reason, the Village Law No. 6/2014 is a form of recognition that legitimizes the position and position of the village and its community based on the original rights proposed as well as encourages changes in the village as an identity towards progress. Even so, the presence of the Village Law on the one hand is hope, but on the other hand, it is a challenge that must be built in a collaborative synergy between elements of society to achieve the vision and mission of community independence and welfare. States that the regulations transition allows the village to prepare for designing and implementing the village program in synergy with existing regulations. Thus, there is a reciprocal relationship and mutual support between good governance and democratic village governance (Wayan, 2020).

Talking about the law, it is clear that the law provides an opportunity for village autonomy. Some of the features of this law include the allocation of billions of rupiah in funds to villages from the APBN and APBD, the income of village heads and village officials, the authority of the village head, the term of office for the village head which increases up to three periods, strengthening the function of BPD.

Based on the development paradigm that was mentioned above, recognition and a principle of subsidiaritas, the presence of the Village Law No. 6 in 2014 gives recognition to villages founded on their rights of origin. The recognition of village autonomy has existed since

the implementation of law 5/1979 and law no. 22/1999 on regional government, a village autonomy at that time seemed to grow again but it was not implemented more specifically.

At that time, village autonomy had decreased due to the expansion of regional autonomy. The wider rights to regulate and administer that are developed by the regional government in the name of the rights and obligations of autonomy, at the same time, the meaning of village autonomy will shrink. The village becomes powerless, loses its authority even though it is explicitly said to have genuine autonomy. Now, the village through Law No. 6 in 2014 has reappeared and increasingly explicit with the basis of two approaches, there are recognition and subsidiaritas. The existence of this Village Law at least will answer two main problems, namely restoring the original village autonomy, and at the same time developing village autonomy to limit post-reform regional autonomy interventions.

If we study the substance of regulating village matters in the body, it appears that the village regime answers the first problem, it is reaffirming village diversity as previously corrected by Law 22/1999 and Law 32/2004. A village has the right way to regulate and manage its respective affairs based on the rights of origin recognized and respected by the state based on the mandate of the constitution item 18B paragraph (2) in 1945 constitution. Even more, this regime provides a place for the growth of traditional villages outside the administrative village.

Regarding the second problem, it appears that the village is expected to be able to develop its original autonomy to limit the power of regional autonomy that threatens to reach the pores of the village in previous practices. To realize this hope, the regime this time provides a weapon that is more effective for the village to use in increasing the bargaining position when dealing with supradesa. The problem is does the regulation of village matters in the future will provide opportunities or become a real threat to the growth and development of village autonomy?

Some prospects for the development of law no. 6 in 2014 for villages in its implementation are, through the authority given to the village, creativity and innovation will be more intense because it is based on village democratization with little abandonment of supradesa interventions. This means that so far all forms of creative aspirations and innovations that have emerged in the village have tended to depend on directions or regulations that come from supradesa with their very universal nature and are less grounded in village conditions.

Through this authority, the village government and village communities will be more creative in designing village development based on village wisdom. Various conditions and potentials that exist in the village can be developed according to the real needs of the community by referring to geographical conditions, the environment, institutions, values, and beliefs held by the village community. This condition is believed to be more aspirational and accommodational because it can enable a participatory and sustainable development process. In exercising the authority of the village, especially in improving public services in the fields of government, development, and society, it is supported by a significant budget allocation.

With such authority and the support of village funds, the village in its public service efforts can be more optimal. Thus, the prospect of a continuation of this village law will further revive the condition or potential of the sleeping village. Many potential villages have been sleeping because of a lack of financial support and a very uniform regulatory mechanism so that they are not adaptive and accommodative to village potentials. This means that the regulatory mechanisms that have been occurring so far tend to be general and very partial when examined

from the village by village issues. It can say there is a uniformity of rules or regulations on a national and regional scale. The bigger and general the nature of a rule or regulation the more it creates potential handling gaps, and the smaller the scope or basis of a community, the more complex, deeper, and more comprehensive the regulations intended for that community is.

The existence of this law reinforces the position of the village as an identity. The village authority and many other matters such as recognizing the rights of village origins and financial support for incoming village officials will encourage more participatory village development, transparency, and accountability in the implementation of village development.

Related with the condition of the village which has currently been eroded by advances in science and technology, such as cooperation, deliberation, participation, solidarity, empowerment, communality, equality, and democracy. All of these cultural spirits, consciously or unconsciously, have been faded by the development system, which has so far put forward a project-style, centralist, and top-down development program, which in the end is money. Everything is valued for money. Thus the orientation of money has changed the mindset of society so that any form of activity that requires participation is always demanded with money. People are contaminated and dependent on money. As a result, the social capital of a society is diminished, even though money is a must-have thing.

With the enactment of Law No. 6 of 2014 which mandates the authority to villages to regulate and control their villages, this may be a constructive prospect for rebuilding village power such as social capital. Social capital is the main source for the implementation of village development. This is reinforced by traditional villages and the principles of development based on local wisdom. This means that with the authority delegated to the village and recognition of the rights of village origin, the village can revive the principles of development in the village by referring to administrative demands, demands for local wisdom. Even so, future development prospects are in the spirit of Law No. 6/2014, many challenges must be explored to find anticipatory efforts and solutions so that in the future preventive efforts can be made.

## **RESEARCH METHODS**

This study uses descriptive with qualitative research. According to Kirk and Miller, qualitative research is a particular tradition in social science that fundamentally relies on human observation in its area and relates to these people in their language and the terminology. Meanwhile, Bogdan and Taylor define qualitative methodology as a research procedure that produces descriptive data in the form of written or spoken words from people or observable behavior. Another characteristic of qualitative research is its emphasis on a holistic view of phenomena (Miles, M., Huberman, 2014).

This research wants to see from the public administration, which studies how various government agencies are organized, equipped with human resources, financed, mobilized, and led (Asmanang, 2018). Besides, (Nurharpani, 2020) defines public administration as including a group collaboration in government circles, including three branches of government, executive, legislative, and the relations between them, has an important role in the formulation of government policy and therefore is part of the political process. It is closely related to the various private groups and individuals in providing services to the public, in different ways in terms of placing the meaning with individual administration.

So it looks like a synergistic actor that is usually defined as a relationship of synergy that was constructed by an actors' interests. Nain defines synergy as the combination of elements that can produce a better and greater output. So a synergy can be understood as a combined operation or a combination of elements to produce better output (Nain, 2019).

## **RESEARCH FINDING AND DISCUSSION**

### **Village Existence**

Nain in book states that the existence of the Village is the smallest governmental affairs organizing entity in the government administration system of NKRI. In Indonesia, the implementation of quality village governance has the potential to promote the welfare of the village community, as well as improve the quality of life in the village. As the smallest stratum of government, the village plays a central role in the national development agenda where some Indonesian people live in rural areas (Nain, 2017).

Law No.6 / 2014, is the answer to restore and develop the original autonomy of the Village, through reaffirming the diversity (uniformity) of the Village. The Village Law places the status of the Village as a separate legal entity associated with State governance. The Village Government has the authority to establish Village Regulations as a form of official statutory regulations with the joint agreement of the Village Representative Body (BPD). However, agree with (Sutoro Eko, 2015) that these Village regulations tend to be very technical because they usually only describe the provisions of higher regulations.

Indonesia has around 73,000 (seventy-three thousand) Villages. These villages can be distinguished between ordinary villages and traditional villages. Therefore, in the General Elucidation of Law Number 6 of 2014 concerning Villages, there are two concepts of community which in the field are usually distinguished from one another, namely (i) Village community, and (ii) Indigenous community. Article 18 B paragraph (2) in the 1945 Constitution also emphasizes the existence of a customary law community unit that is recognized and respected by the state. (Wayan, 2020) states that the customary law community unit is formed based on three basic principles, namely genealogical, territorial, and/or a combination of genealogical principles and territorial principles. What is regulated by Law no. 6/2014 is a unit of indigenous peoples which is a combination of genealogical and territorial.

Meanwhile, according to (Sutoro Eko, 2015), a customary law community unit that is designated as a Traditional Village must carry out a government function (local self-government) so that there are absolute conditions that must be met. Village communities are structured in the context of a regional government legal regime, while customary communities are constitutionally recognized as a community organized in units that bear rights and obligations in the flow of law, including those relating to their traditional rights as a legal entity.

The term "Customary Law Community Unity" in Article 18B paragraph (2) of the 1945 Constitution refers to the definition of a community organization unit or community organized according to the norms of customary law or legal community originating from local cultural traditions. The customary law community is recognized by Article 18B paragraph (2) of the 1945 Constitution as legal subjects that bear rights and obligations in legal traffic.

Koentjaraningrat in (Palupi, Sri, 2016) called the *Gemeinschaft* community (paguyuban) with the characteristics of being emotionally bound, traditionally broad, predating

the state, and being bottom-up. Gessellschaft is a society (patembayan) characterized by being rationally bound, autonomous of giving, limited, existing after the state, and being top-down. Because In Indonesia villages is a community, so ideally the approach should be a self-governing community, not dominated by the state or region as the local state government and local self-government approaches. In the Village Law, it appears that the regulation is carried out in an integrated manner, although the self-governing community approach is the main starting point.

Article 4 of the Village Law provides a mandate related to the objectives of Village regulation. The mandatory mandate of the Village Law focuses on the management of Village administration, management of Village assets and finances, development of Village areas, Village Authority, and Village apparatus. The Village Law was formulated in the spirit of implementing the constitutional mandate, it is the regulation of customary law communities following the provisions of Article 18B paragraph (2) and Article 18 paragraph (7) of the 1945 Constitution, with construction combining the functions of self-governing community with local self-government, in such a way that this constitutional foundation will become a solid foundation for the future of villages in Indonesia. The principles that are written in the context of Village settings include the principle of recognition; subsidiarity; diversity; togetherness; cooperation; kinship; discussion; democracy; independence; participation; equality; empowerment; and sustainability.

### ***Challenge or Obstacle***

Human Resources Issues: the problem of low education and the lack of problems with the human resources of village officials in understanding village laws and explanations of village laws are still very low. Besides this, the knowledge of leadership management, an approach, a strategy of development, and other issues that affect such as political issues that sometimes politicize a village.

Meanwhile, the phenomenon of the development system experience from the New Order era to the current reformation period is still strong in the memory of the village community. This phenomenon is like the perception that community empowerment programs are still seen as a project that ends in the money. Another dilemma problem is the loss of public confidence in the general experience of corruption cases and a decline in the morality of leaders over-commitment to transparency in public services. Exemplary and role models are one of the determining factors for community participation in development.

On the other hand, the challenge comes from the existence of a development system which has so far been impressed by the top-down and more dominated by the village elite, although many people say that reform has changed the order of government, but at the village level, especially villages that are very far from urban conditions, are still very visible. This is related to the culture that has been formed so far.

The next factor is the amount of authority given to villages through Law No. 6/2014 which will also trigger new problems. For example, in the law, even though it has provided strengthening to the BPD in carrying out supervision, the BPD only discusses and receives reports from the community and monitors the performance of the village government without any assertiveness which is punishment in nature, it will open up opportunities for the administrative authority of the village government in dealing with inequality. It means that the

limited and less detailed involvement of the BPD in the law will reduce the control system from the community through their representatives in the BPD. This is reasonable because, in the law, BPD is beyond the definition of village government. Because the responsibility for the end of the fiscal year and the end of the term of office of the village head is conveyed to the regional head, and not to the BPD.

Another thing that is also a challenge is the term of office of the village head for 6 years and three terms. The length of these terms of office either consecutively or not will open up spaces that allow abuse to occur. These various problems are a concern that will become a challenge in the future when the state wants village autonomy.

### **The synergy of Village Administration**

(Dwinugraha, 2017) defines that synergy is the process of combining several activities to achieve an optimal result. Synergy is often referred to as "Synergism". Synergy is a key to success in development planning. The Village Welfare Society (VWS) is a village community concept that acts as a forum in providing a series of informal education and training, based on the principles of adult learning. All meaningful initiatives are targeted to improve the skills of local communities in expanding the potential for village welfare, both in the agricultural sector, livestock, and other activities for increasing community income to fulfill their welfare.

Village Welfare Society (VWS) as a method of fulfilling synergy requires four correlative things, namely: (i) the quality of participation, transparency, and accountability; (ii) clear funding; (iii) bureaucratic autonomy for services; and (iv) directed administration (welfare). Regarding the requirements of the VWS, the implementation of the Village Law must be in synergy with the targets that have been determined in the long-term and sustainable development plan. The implementation of the Village Law will certainly help accelerate Village development, encourage several Village economic potentials, and strengthen the Village's economic resilience system so that in aggregate it will further promote the progress and welfare of the Indonesian people.

First, in the framework of implementing development, villages need active community participation. Opportunities for the development of democratic Village autonomy appear wide open where the community has the right to obtain information, monitor and report all activities deemed lacking transparency to the Village government and the BPD. This kind of process is a form of learning democratic participation through the planning, implementation, and evaluation cycle of development in the village. Thus a real bottom-up mechanism is created, not an engineering deliberation for Village development.

Second, all Village authorities are only possible to be done if attended by clear financing. Article 72 of Law no. 6/2014 determines that Village financial sources generally come from the APBN, APBD, PAD, and other legal sources. With this provision, it is estimated that each village will likely manage funds of more than 1 billion. With relatively sufficient financial resources compared to the number of functions to be carried out, villages can focus more on intensifying public services and development on a smaller scale. This fact at least encourages the autonomy they have to make all the affairs that have been recognized and respected not just a display, but the accumulation of all assets that allow the Village to get richer with the capital it owns. The implementation of the Village government so far illustrates the low support for facilities and infrastructure so that services in the Village are not optimal. In many

cases, the village must be recognized as lagging in various aspects due to the low support of the local government even in the spirit of autonomy. In addition to the allocation of development originating from the government, villages can accelerate infrastructure development in the long term so that sustainable village development occurs.

The Village Reality so far shows weak economic growth, high poverty, and unemployment, thus reducing the competitiveness of villages compared to cities. At least the source of state finance has the opportunity to boost the rate of rural economic growth. Even so, the APBN allocation is not a mere manifestation of a local state government approach, but rather a state responsibility mandated by the constitution. Likewise, the APBD allocation is not a mere manifestation of a local self-government approach, but a regional government law order. So, even though the Village in this law is a self-governing community, the state and local government are still responsible for recognizing, respecting, and maintaining the sustainability of governance, development, and community empowerment in the Village. The form of state recognition of villages can be seen from the recognition of the reality of village diversity in various regions (the principle of recognition). Meanwhile, the concretization of the state's respect for the village is the opening of the state allocation faucet directly which will be managed by the Village (principle of subsidiarity). Even though the use of these two principles is preceded by constitutional recognition of the diversity and boundaries of the Village in a general sense, at least it becomes a concrete foothold in further Village regulation at the respective regional level (Faisal, 2018).

Third, bureaucratic autonomy for services necessitates the right of the village to be involved in every regional government macro planning. Villages also have the right to access information that can be managed for the interests of relevant stakeholders. This supports the creation of a more transparent government process within the framework of good governance. More than that, the opportunity for autonomy development allows the village to expand development through a mutually beneficial cooperation strategy with other villages. Village sterilization from Village officials who come from civil servants is a momentum for the Village government to develop its autonomy so that public services can be improved. Fourth, the enactment of Law no. 6/2014 requires technical administrative regulations aimed at social welfare. This administration is related to the clarity of the relationship of authority between the Village government and the BPD, district, and the Regional Government. It also includes clear administration of financial accountability from APBN, APBD, and other sources deemed legitimate. This is important because the authority of the Village at the local scale in each region is not the same.

### **Anticipatory and Solution Strategies**

The acceleration of development in line with the spirit of Law No. 6 is running well and truly substantive, so anticipatory efforts must be scrutinized, especially in the framework of regulations and the agenda for community empowerment.

Regulatory technical solutions:

In the framework of the regulation of the Village Law, it must be more emphasized by derivative regulations at the regional level by placing the substantive issues that occur in the field. The ambiguity of understanding the contents of the village law will create multiple interpretations at the community level in its implementation of accountability morally).



The clarity of technical regulations relating to:

- a. The relationship of authority between the village government and internal Village institutions, as well as supradesa institutions.
- b. There is a form of check and balance in the accountability of the village head in terms of finance from the APBN and APBD or other sources to the supradesa government but also there is a need for a joint consensus between the village government and the community according to local mechanisms or wisdom (a form of moral accountability). So far, the village head has been accountable for his LKPJ to the Regent through the head of the sub-district while the BPD is only a form of accountability statement. This triggers problems in the community because there are conspiracy practices between village institutions.
- c. There need to be strict rules regarding the involvement of the village government with political parties. To maintain the consistency and balance of the village government and the nature of its autonomy, the village government should be autonomous and strictly prohibited from being involved in party management.
- d. It is necessary to have technical rules governing cooperation between the village government and traditional leaders for the sustainability of the development process. This is because the existence of the village is a government administrative area but also a customary community. Even though there are customary institutions, the existing customary institutions are the formation of a government structure that allows internal intervention between these institutions. The customary institution must be an independent institution formed by the customary community based on its social structure and the village government only as an institution that legalizes it. This must be followed by formal technical rules. This customary institution will later be positioned as partner stakeholders but autonomous in its context.
- e. The existence of technical regulations must be able to clarify local authority other than authority based on origin, and the authority that is seconded by regional, provincial, and central governments. This is important because the local scale village authority in each region is not uniform, maybe even none other than what has been there before.

Finally, like it or not, when villages have broad authority, promising financial resources, relatively long terms of office, lack of control from the community and supradesa, and increased incentives for village formation in addition to competition for resources, village autonomy as well as village democracy will get a big problem which may mature it, or at the same time degrade it to its weakest nadir.

### **Empowerment Strategy**

Empowerment is an alternative development concept that has been driven by various groups since the 1980s. Even so, there have been many community empowerment movements that have not resolved a problem yet especially in rural communities. Many impressions have emerged from various groups who say that the current community empowerment-based development program is more oriented towards physical development issues.

Related to this phenomenon places the orientation of community empowerment become an interesting study. This relevant when Law in no. 6 of 2014 saw Village Law as an opportunity and a challenge. In terms of opportunities, the Village Law is a state strategy in

empowering its people. In terms of challenges, and an empowerment strategy is an approach to anticipating the implementation of the Village Law.

The thing that needs to be concern is the orientation of the community empowerment movement. The shift in the development paradigm to the empowerment paradigm has placed the community, which was previously seen as an object of development, has shifted to the subject of development in the context of community empowerment. Society or humans are the subjects of development and local institutions are a place where humans accommodate and mobilize public interests. Thus, the empowerment movement must show humans as an "institution" that is both autonomous and dynamic. This means that man is a structure of life that represents himself as an existence. On the other hand, during his existence as a personal human being, man has his dynamism in the middle of his environment which he always adapts to.

For this reason, the empowerment movement is directed at efforts to capacitate itself through several aspects, namely cognitive aspects, affective aspects, and behavioral aspects. When this aspect is empowered, the hope of participatory, independent, and sustainable development will be the answer. On the other hand, he has a selective power in developing self-potential and the environment from the influence and development of the surrounding environment including other social institutions. The expectation is he will become more critical, smarter, selective, sensitive, ownership, and respectful than able to direct how he should act.

The Village Law with all its recommendations can only be implemented when people and local institutions can build their strength to develop and use them. For this reason, the community empowerment process is very important to do. Apart from the hustle and bustle of debates seeking priorities for community empowerment, especially rural communities, the concept of governance has become a synergy and collaborative development conception.

Integrating village social institutions into local wisdom into a non-formal institutional force must be formalized through regulations at the village level. This was followed by the division of tasks and functions that were legalized through the integration of customary and village legitimacy as government administrative areas. Community social institutions such as village government, traditional and religious leaders as well as existing village social organizations.

In implementing community empowerment during Law No. 6 in 2014, the government at the village level needs to be given socialization, education, and provisioning as well as continuous guidance. The supradesa is the facilitator who opens space for this activity. On the other hand, strengthening institutions through the awareness of institutional personnel is the force that drives the overall development acceleration.

The creativity and innovation of the village government are highly expected and not only refer to formal routine problems but at least can be more aggressive in developing the village. For villages that have very strong customs and culture but have not met the requirements as customary villages as mandated by Law No. 6 because of other requirements, the village government or supradesa governments need to pay attention to several technical regulations that can accommodate customary involvement in government affairs.

## CONCLUSION

The synergy of village administration can be realized through a Village Government implementation plan which will become a reference in the preparation of various Village development programs involving many actors and the community (according to local wisdom). Which includes: 1). Legal and Policy Aspects that encourage the structuring of Village community institutions in a sustainable governance development system; 2). Aspects of increasing community institutional participation in Village government policy decision making; 3). Institutional aspects, coordination, and partnerships between community groups through the arrangement of Village social institutions for the sake of increasing community access to technological innovation, credit, production facilities, and market information; 4). Aspects of supporting infrastructure support from the non-agricultural sector (market, irrigation, roads, electricity, etc.).

The consistency of Village development must be supported by commitment, awareness, and active participation of all parties with an interest in the progress of the Village, as a forum for realizing community welfare. In general, the success of Village development will greatly depend on the ability of the supradesa government apparatus and the Village government, as well as all the components (stakeholders) involved in the administration of the Village administration, in understanding and utilizing the various potentials of theirs. In particular, the level of success in achieving the targets (qualitative and quantitative) that were set was more dependent on input from various aspects for the development of Village autonomy based on the latest regulations. In the framework of facing the dynamics and challenges of Village autonomy in the future, there must be a general policy for the development of Village autonomy as an effort to further direct and optimize the implementation of Village development in a comprehensive, integrated, and well-coordinated manner to achieve welfare goals effectively and efficiently

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