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Village Government Policy System Through Bumdes to Achieving Community Welfare

Nitaria Angkasa,

Faculty of Law, University of Lampung, Bandar Lampung, Indonesia

Email: nitariapasa@gmail.com

<https://orcid.org/0000-0001-5980-7667>

Yuswanto,

Faculty of Law, University of Lampung, Bandar Lampung, Indonesia

Email: yuswantounila@yahoo.co.id

<https://orcid.org/0000-0001-6909-4576>

Budiyono

Faculty of Law, University of Lampung, Bandar Lampung, Indonesia

Email: byono2005@gmail.com

<https://orcid.org/0000-0003-0750-5370>

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ABSTRACT

Purpose: Presidential Regulation No. 57 of 2017 concerning the Implementation of the Achievement of Sustainable Development Goals (TPB). It is a response to the implementation of the Sustainable Development Goals (SDGs) as a continuation of the 2030 global development agenda. Replacing the MDGs (Millennium Development Goals). **Theoretical framework:** TPB is grouped into four pillars: social, economic, environmental, as well as legal and governance which are supported by the principles of partnership and the participation of the parties **Design/methodology/approach:** We analysed the profile of international publications on blended learning in management and business from 2001 to 2021. We identified when, who, where and what was published on the subject, singling out the authors and journals with the greatest impact based on the h-index and CiteScore (Scopus), as well as exploring the cooperation between countries. **Findings:** . This policy is accommodated in Law No. 11 of 2020 concerning Job Creation. Aims to prepare Indonesia to become a developed country in 2045 through the vision for Indonesia Gold. The goal is to open up investment opportunities and wide employment opportunities. Using the normative juridical

method, this paper examines the implementation of the Copyright Act. Implications for Law Number 6 of 2014 concerning Villages in Article 117 of the Ciptaker Law which amends Article 1 number 6 of the Village Law. **Research, Practical & Social implications:** Previously mentioned BUMDes as a business entity converted into a legal entity. **Originality/value:** With changes in regulations, especially BUMDes, is it possible to achieve the Sustainable Development Goals, to improve people's welfare.

Keywords

Policy, Village Government, Bumdes, Welfare

PRELIMINARY

The history of villages in Indonesia has existed since ancient times with evidence of three inscriptions. In Kawali village, Ciamis regency, West Java province, there is an inscription called the Kawali inscription, it is estimated that it was made around 1350 AD When the Padjajaran kingdom with its capital city in Kawali moved to Bogor. In writing, there has been a division of affairs or tasks for the village from the kingdom (state). Similarly, what is contained in the writings on the Walandit inscription written around the year 1381 AD The Walandit inscription was found in the Tengger area, East Java Province. On the front and back of the inscription, several times the word village and its relation to the king as the central government are found. Even in the Majapahit Kingdom the question of the village was explicitly written in Pupuh 89: The Negarakretagama book, an Old Javanese literary text in the form of kakawin, was written by a poet under the pseudonym Rakawi Prapañca (Mpu Prapañca). written on papyrus media dated September 30, 1365 contains; "What if pura len / swawisaya sinha versus gahana, yan / damageaṅ thani milwan akuran upajiwa tikaṅ nagara, yan taya bhrtya katon wayanika para nusa tkanrweka, etunikan / on raksan apageha kalih phalaniṅ mawuwus" means the state and the village are closely related like a lion and a forest If the village is damaged, the country will lack food. If there is no army, it will be easy for other countries to attack us. So take care of both of them, that's my order!".¹Without any forest lions will be looted, both of them live in a symbiotic mutualism which is an interaction between living things that are mutually beneficial. Majapahit was great because of the village, they believed themselves to be great and strong because of the village.

The village as the lowest unit in the Indonesian government structure has existed since time immemorial and is purely Indonesian, not formed by the Dutch. The exact growth of the village is not known, but it is clear that the village was formed because of the community's interests to fulfill their needs. As social beings, humans always want to establish relationships with other humans. In addition, for protection against the threat of danger. These are all thought to have led to the

¹ https://id.wikisource.org/wiki/Kakawin_Negarakretagama accessed 23/10/2021 at 21:21WEB

emergence of the village.²

In the reformation era, we basically adopted the idea of the existence of the village in the ancient kingdom. As contained in Pupuh 89: Negarakretagama Book. The enactment of Law Number 6 of 2014 concerning Villages (Village Law), as the first step in getting the community closer to participating in national development. Article 1 point 1 of the Village Law states that the village is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs, the interests of the local community based on community initiatives, origin rights, and/or traditional rights that are recognized and respected in the government system. The Unitary State of the Republic of Indonesia. According to Article 72 of the Village Law regarding village finances intended for development. In it, the original village income as referred to in letter a above is one of the main sources of village finance. High original village income will make the village economy independent. Finally, without having to depend on assistance from the local government. In order to support the village's original income, villages are given the authority to form Village Owned Enterprises (BUMDes). BUMDes is like a State-Owned Enterprise (BUMN) or Regional-Owned Enterprise (BUMD), which is a company owned by the local government, in this case the village government. BUMDes was also previously regulated in Article 213 paragraph (1) of Law Number 32 of 2004 concerning Regional Government which has now been amended by Law Number 23 of 2014 which states that villages can establish village-owned enterprises in accordance with the needs and potential of the village. BUMDes, as a new economic institution, is regulated in policies and legislation. Still looking for new formats and shapes. Sharing obstacles in terms of economic, social, political and legal pillars are summarized into one. In the context of realizing a community-based labor-intensive business in rural areas. The government of Joko Widodo-Ma'ruf Amien tried to answer the problems of strengths, weaknesses, opportunities, and threats of BUMDes builders, with the vision of Indonesia Gold preparing Indonesia as a developed country in 2045. By issuing Law Number 11 of 2020 concerning Job Creation (UU Ciptaker) which summarized in the omnibus law method. The purpose of the Ciptaker Law is to open up and foster a conducive investment climate that will absorb more workers. With the prediction of increasing economic growth,

Responding to these challenges, it is hoped that the achievement of the Sustainable Development Goals (TPB) will be implemented. As a response to the implementation of the SDGs as a continuation of the 2030 global development agenda. From a normative juridical point of view, building BUMDes based on Article 117 of the Ciptaker Law which amends Article 1 point 6 of the Village Law. What previously referred to BUMDes as a business entity was changed to a legal entity. In the explanation of Article 117 paragraph (1) of the Ciptaker Law which changes the provisions in Article 87 of the Village Law. BUMDes was formed by the Village

²Prof. Dr. HM Aries Djaenuri, MA, History of the Formation of Villages, Edition 1 / 2 Credits / Module 1-6, South Tangerang: Open University, 2014, pp 1-3

Government to utilize all economic potential, economic institutions, as well as the potential of natural resources and human resources in order to improve the welfare of the Village community.

METHOD

The method used in this research is normative juridical.³In carrying out the research, it is carried out by processing data and legal materials. The problem approach used in this research is normative. A normative juridical research is an approach that is carried out based on the main legal material, examining theoretical matters concerning legal principles, legal conceptions, views and legal doctrines, regulations and legal systems.⁴

RESULTS AND DISCUSSION

BUMDes in a Rule of Law

This statement of the rule of law of Indonesia can be seen in the General Elucidation of the 1945 Constitution, point I concerning the Government System, which states that: Indonesia is a state based on law (*rechtstaat*) and not based on mere power (*machtstaat*). The concept of the rule of law has been adopted by all countries as a concept that is considered the most ideal. This concept was originally developed in the European region. The essence of the rule of law is basically related to the idea of the rule of law. This is juxtaposed with the idea of popular sovereignty which gave birth to the concept of democracy.⁵As the enactment of the product of regulations governing villages in Law no. 6/2004 and the Ciptaker Law related to BUMDes, are expected to be able to prosper the community. As a consequence of the adoption of the rule of law concept, in every legal state regardless of the type it adopts, the law must be the basis for every action of the ruler and his people, the law has the highest position in the state, while in the understanding of people's sovereignty, it is the people who are considered sovereign above all else. which then gave birth to a democratic system. The principle of the rule of law prioritizes the norms reflected in the legislation, while the principle of democracy prioritizes the participation of the community in the administration of government.⁶According to Scheltema, *rechtsstaat* is a rule of law theory that applies in Continental European countries, namely a) legal certainty; b) equality; c) democracy; d) government that serves the public⁷.

BUMDes in a Welfare State

The extent to which the government's role serves. Writing about BUMDes is expected to be able to provide happiness in terms of welfare. Where the purpose

³Abdul Kadir Muhammad, *Law and Legal Research*, Bandung: Citra Aditya Bakti, 2004, p. 32.

⁴Soerjono Soekanto, *Legal Research*, Jakarta: Rajawali Press, 2004, p. 10.

⁵Jimly Asshiddiqie, *The Constitution as the Foundation for a New Democratic Indonesia*, (Main Points on the Balance of Executive and Legislative Powers in the Context of Amending the 1945 Constitution), Paper, Presented at the VII National Law Seminar, National Legal Development Agency, Ministry of Justice RI, 1999. pp.146- 147

⁶*Ibid.* p.5

⁷*Ibid.* p. 166

of the law to provide benefits is discussed in the utilitarian theory of Jeremy Bentham, a form of justice for the greatest happiness of the greatest number. The purpose of legislation is to produce happiness for society. For this reason, legislation must achieve four objectives, namely:

1. to provide a living (to provide subsistence);
2. to provide abundant food;
3. to provide protection (to provide security;)
4. to achieve equality (to attain equity).⁸

Indonesia, as a village-based unit with the smallest territory, must be able to realize the greatest happiness of the greatest number to achieve social welfare. Through an independent business with the concept of BUMDes. Defined as a village business institution, which is managed by the community and village government in an effort to strengthen the village economy. Build community social cohesion that is formed based on the needs and potential of the village.⁹The BUMDes line of thought as conveyed by Jurgen Habermas is that guaranteeing the welfare of all the people is the main thing for a modern state. The modern state is the personification of the legal order.¹⁰This means that the state in all its activities is always based on law. The state in this context is commonly referred to as a state of law. In the development of thinking about the rule of law, there are two groups of rule of law, namely the formal state of law and the state of material law. This material law state is also known as the welfare state or welfare state.

The term social welfare is often interpreted as a prosperous condition (first conception), which is a condition of the fulfillment of all forms of life needs, especially basic ones such as food, clothing, housing, education and health care. The notion of social welfare also refers to all activities of organizing and distributing social services for community groups, especially disadvantaged groups. The implementation of various social protection schemes, both formal and informal, are examples of social welfare activities.¹¹The Unitary State of the Republic of Indonesia also adheres to the concept of the Welfare State. This was emphasized by the Pioneers of Independence and the Founders of the Unitary State of the Republic of Indonesia, that the democratic state to be established was a "Welfare State" (walvaarstaat) not a "Night Guard State" (nachtwachterstaat). In this choice regarding the conception of the Indonesian welfare state, Moh. Hatta used the term "administrative state".¹²The principle of Welfare State in the 1945 Constitution can be found in detail in several articles, especially those relating to socio-economic aspects.

Reflecting other countries, Indonesia is a country that adheres to the

⁸Teguh Prasetyo and Abdul Hakim, *Legal Studies and Philosophy of Law*, Student Library, Yogyakarta, 2007, p.100

⁹Maryunani, *Bumdes Development and Village Government Empowerment*. Bandung: CV Pustaka Setia. 2008 p. 23

¹⁰Soemardi, *General Theory of Law and the State: Fundamentals of Normative Law as Descriptive-Empirical Law*, Bee Media Indonesia, Bandung, 2010, p. 225.

¹¹Suharto, ed. *Building Community Empowering People*. PT Refika Aditama, Bandung, 2009, p. 154.

¹²M. Yamin, *Preparatory Text for the 1945 Constitution: Minutes of the BPUPKI/PPKI Session*, State Secretariat of the Republic of Indonesia, Jakarta, 1959, page 299.

concept of a "welfare state" with a "participatory welfare state" model which in the social work literature is known as Welfare Pluralism or welfare pluralism. This model emphasizes that, the state must continue to take part in handling social problems and the implementation of social security involving the community. This is what underlies the government's involvement by making development programs and being active in the achievement of the Sustainable Development Goals in response to the implementation of the SDGs in rural areas. According to Jayadinata, that development includes three interrelated activities, including:¹³

- a. Bringing about increasing prosperity and increasing income and welfare as a goal, with emphasis on paying attention to the largest strata (with the lowest income) in society;
- b. Choose an appropriate goal to achieve that goal;
- c. Restructuring (restructuring) the community with a view to strong socio-economic growth;

BUMDes Authority and Limits

All measures for social welfare are regulated in policies, regulations and authorities in implementing development programs. According to Ateng Syafrudin¹⁴there is a difference between the notion of authority and authority, authority (authority gezag) is what is called formal power, power that comes from the power granted by law, while authority (competence bevoegheid) only concerns a certain "onderdeel" (part) of authority. Within the authority there are powers (rechtsbevoegdheden).¹⁵

Authority is the scope of public legal action, the scope of government authority, does not only include the authority to make government decisions (bestuur), but includes authority in the context of carrying out tasks, and providing authority and distribution of authority mainly stipulated in laws and regulations. Juridically, the notion of authority is the ability given by laws and regulations to cause legal consequences.¹⁶While the definition of authority according to HDStoud is "bevoegheid wet kan worden omscreven als het geheel van bestuurechtelijke bevoegdheden door publiekrechtelijke rechtssubjecten in het bestuurechtelijke rechtsverkeer" that authority can be explained as a whole set of rules relating to the acquisition and use of public law by the government.¹⁷. Likewise, the implementation of BUMDes as a public service institution must have sources of authority and limits of authority that represent members of the community. As in PP 11/2020 Article 15 letter a is the holder of the highest power in joint BUMDes/BUMDes and Article 16 (1) concerning BUMDes, strength is based on

¹³1999, p. 180

¹⁴Ateng Syafrudin, "Towards a Clean and Responsible State Administration", Pro Justisia Journal Edition IV, Parahyangan University, Bandung, 2000, p.22

¹⁵Ibid.

¹⁶Indrohato, General Principles of Good Governance, in Paulus Efindie Lotulung, Association of Papers on General Principles of Good Governance, Citra Aditya Bakti, Bandung, 1994, p. 65.

¹⁷Stout HD, de Betekenissen van de wet, in Irfan Fachruddin, Supervision of Administrative Courts against Government Actions, Alumni, Bandung, 2004, p.4

community participation.

From the theoretical basis above, it relates to normative rules to provide legal certainty. The authority which includes the sources and limits of its authority determines the direction of social welfare. The development of BUMDes still faces various weaknesses, threats of low capacity and reading opportunities to overcome problems. What can be identified: First, the arrangement of village institutions has not run optimally so that BUMDes has not been institutionalized in the form of village governance and economy. Second, the limited capacity of human resources in the village to manage and develop BUMDes that are accountable and perform well. Third, the lack of local initiatives to mobilize local economic potential for improving the social and economic welfare of villagers. Fourth, the process of consolidation and cooperation between stakeholders has not yet developed to realize BUMDes as an economic patron who plays a role in advancing the people's economy. Fifth, the lack of responsiveness of the local government to make BUMDes a flagship program to empower villages and community welfare.¹⁸

BUMDes in the Job Creation Law

From this condition, President Joko Widodo ratified and enacted Law Number 11 of 2020 concerning Job Creation (UU Ciptaker). As the Vision of the Government of Indonesia under the leadership of President Joko Widodo-Ma'ruf Amien, for Indonesia Gold prepares Indonesia as a developed country in 2045. Quality infrastructure and human resources are the first two stages for a country to become a developed country. "Right now, the foundation that is really needed is infrastructure, then the next big agenda is human resources," explained the President.¹⁹ There are five requirements for Indonesia Gold in 2045, according to the Minister of Finance Sri Mulyani; First, infrastructure, Second, quality human resources, Third, readiness to adopt technology. Fourth, adequate, comprehensive, and mature regional planning. Fifth, the Indonesian economy and financial sector must be sustainable, credible, advanced, and healthy.²⁰

With the enactment of the Copyright Law which is summarized in the omnibus law method, 1 (one) thematic law changes various other provisions of the law. Amend, revoke, and or make new provisions in 78 laws. To date, the government has issued 51 implementing regulations consisting of 47 government regulations and 4 presidential regulations. The Strategic Policy of the Copyright Act for; 1. Improving the investment ecosystem & business activities; 2. Protection & welfare of workers; 3. Ease, empowerment & protection of MSMEs; 4. Increased government investment & national strategic projects. It is hoped that a conducive investment climate will absorb more workers. Economic growth increases,

¹⁸Eko, Sutoro with the FPPD Team, "Building an Independent, Strong and Sustainable BUMDes" Policy Paper, Village Renewal Development Forum (FPPD) and IRE-ACCESS, 2 Dec 2013, p 2.

¹⁹https://www.setneg.go.id/baca/index/stages_besar_menuju_indonesia_emas_2045, accessed on Tuesday, 20 October 2021 | 13:43 WIB

²⁰<https://national.kontan.co.id/news/sri-mulyani-beberkan-tantangan-bagi-indonesia-untuk-jadi-negara-maju-di-2024> accessed Tuesday, October 5, 2021 | 13:43 WIB

unemployment decreases and worker productivity increases.

One of the implications of the Ciptaker Law is Law Number 6 of 2014 concerning Villages (Village Law). In this paper, the focus is on Article 117 of the Ciptaker Law, amending Article 1 number 6 of the Village Law which previously stated that BUMDes as a business entity was changed to a legal entity. The purpose of the Ciptaker Law to amend the Village Law is inseparable from the initial goal of the President's Vision of opening the widest possible investment. It is hoped that it will be able to absorb Indonesian workers in the midst of increasingly competitive competition and the demands of economic globalization. In the explanation of Article 117 paragraph (1) of the Ciptaker Law which changes the provisions in Article 87 of the Village Law. BUMDes are formed by the Village Government to utilize all economic potential, economic institutions, as well as the potential of natural resources and human resources in order to improve the welfare of the Village community. BUMDes specifically cannot be equated with legal entities such as limited liability companies, or cooperatives. Therefore, BUMDes is a business entity characterized by a Village which in carrying out its activities in addition to assisting the administration of Village Government, is also to meet the needs of the Village community. BUMDes can also carry out the functions of services, trade, and other economic development.

The position of BUMDes after the Ciptaker Law as a new legal entity is equivalent to a Limited Liability Company (PT) equivalent to BUMN at the national level and BUMD at the regional level. As explained in the Elucidation of Article 117 of the Ciptaker Law which amends Article 787 of the Village Law that the position of BUMDes as a legal entity cannot be equated with Companies and Cooperatives. The expected positive impacts on the status of BUMDes as legal entities include: 1. Facilitating village partnerships 2. Facilitating promotion of regional potential 3. Accelerating regional economic improvement 4. Accelerating the success of National SGDs.

BUMDes in Sustainable Development Goals (SDGs)

The phrase Sustainable Development Goals (SDGs) or sustainable development goals is a global development agenda in 2030. It is a commitment by 193 countries in 2015 from being declared by developed and developing countries at the United Nations General Assembly in September 2015. SDGs replace the MDGs (Millennium Development Goals) which ends in 2020. The end of the project, which has been ongoing since 2000, has led to the birth of an advanced development agenda as a common reference. The SDGs are more diverse and detailed, consisting of 17 goals, 169 targets, and 241 indicators. Its preparation involves many countries, expanded funding sources, emphasis on human rights in poverty reduction, stakeholder involvement, and the principle of inclusion and no one left behind.

The Indonesian government responded by signing Presidential Regulation no. 57 of 2017 concerning the Implementation of the Achievement of Sustainable

Development Goals (TPB) by President Joko Widodo. TPB is grouped into four pillars: social, economic, environmental, as well as legal and governance which are supported by the principles of partnership and the participation of the parties.²¹ Some of the MDGs agendas that have not been achieved will be continued in the implementation of the achievement of the SDGs until 2030. The SDGs are improvements to the MDGs because:

1. More comprehensive, compiled by involving more countries with universal goals for developed and developing countries.
2. Expanding funding sources In addition to assistance from developed countries, there are also sources from the private sector.
3. Emphasizing on human rights so that discrimination does not occur in alleviating poverty in all its dimensions.
4. Inclusive, specifically targeting vulnerable groups (No one left behind).
5. Involvement of all stakeholders: government and parliament, philanthropy and business actors, experts and academics, as well as community organizations and the media.
6. The MDGs only target a "half" reduction while the SDGs target to complete all goals (Zero Goals).
7. not only contains the objectives but also the means of implementation (Means of Implementation).²²

BUMDes Aligned With SDGs

The development of BUMDes is considered to be able to realize village sustainable development programs or Village Sustainable Development Goals (SDGs). In an integrated effort to realize a village without poverty and hunger, an economic village that grows evenly, a village that cares about health, a village that cares about the environment, a village that cares about education, a women-friendly village, a networked village, and a culturally responsive village to accelerate the achievement of the Sustainable Development Goals. That's why localizing SDGs has become a special theme, as the step initiated by the Ministry of Villages PDTT through Permendesa PDTT No. 13 of 2020 which focuses on utilizing village funds to achieve Village SDGs..The Village SDGs are a sustainable development role that will be included in the priority program for using the 2021 Village Fund.Village SDGsis a global action plan agreed by world leaders, including Indonesia to end poverty, reduce inequality and protect the environment. The Village SDGs are a role model for Sustainable Development that will be included in the Priority for Use of Village Funds for the 2021 Fiscal Year. It is the basis for fulfilling the rights of villagers to be healthy, to go to school, to work, to escape poverty, to live in peace, in a healthy environment, to village culture.

BUMDes can be an instrument to achieve the five Village SDGs programs.

²¹<https://5news.co.id/article/2021/05/10/sdgs-desa-dan-reconstruction-paradigma-development-berkelanjutan/> Accessed 24/10/2021, at 00.43 wib

²² <http://sdgs.bappenas.go.id/sekilas-sdgs/> Accessed 24/10/2021, at 00.46 wib

First, increasing rural employment and economic growth; Second, without gaps with economic growth; Third, peace and economic justice where there is no big gap between rich and poor; Fourth, establish partnerships with SOEs, local governments, and the private sector; Fifth, build dynamic village institutions and adaptive village culture.²³ The inclusion of SDGs into villages as a general guideline for implementing village funds in 2021 is also regulated in Permendes Number 13 of 2020 concerning Priorities for Use of Village Funds in 2021. Article 6 (1) The use of Village Funds for national economic recovery in accordance with the authority of the Village as referred to in Article 5 paragraph (2) letter a is prioritized for the achievement of Village SDGs: establishment, development, and revitalization of Village-owned enterprises/Village-owned enterprises jointly for growth village economy evenly. As an effort to build strong and independent BUMDes, the main strategy developed is participation or local initiatives and capacities.

BUMDes and SDGs in Government Regulation Number 11 of 2021 concerning Village-Owned Enterprises. (PP 11/2020 BUMDes)

PP 11/2020 Article 1 Village-Owned Enterprises, hereinafter referred to as BUM Desa, are legal entities established by the village and/or together with villages to manage businesses, utilize assets, develop investment and productivity, provide services, and/or provide other types of services. other efforts for the maximum welfare of the Village community. BUMDes businesses are activities in the economic sector and/or public services that are managed independently by BUMDes. BUMDes Business Unit is a BUMDes-owned business entity that carries out economic activities and/or public services as a legal entity that carries out the functions and objectives of BUMDes. Article 4 In realizing the goals of joint BUMDes/BUMDes as referred to in Article 3, the management of joint BUMDes/BUMDes is carried out based on the spirit of kinship and mutual cooperation with the following principles: a. professional; b. open and responsible; c. participatory; d. local resource priorities; and e. Sustainable. The strength of BUMdes is based on participation, namely the deliberation contained in Article 16 (1) Village Deliberations/Inter-Village Deliberations as referred to in Article 15 letter a are the highest authority holders in joint BUMDes/BUMDes.

However, the development of BUMDes as a form of endogenous development is not sufficiently encouraged by the force of law or a technocratic-managerial approach. There are at least four pillars supporting BUMDes that are independent, solid and sustainable. First, the economic pillar as the core pillar of the village business. As suggested by economic theory these pillars include assets, capital, management, entrepreneurship, production, distribution and markets. BUMDes is not just a bureaucratic actor doing business but as an expansionist market actor. Not just managerial. The economy of scale is an important issue when

²³ <https://ekonomi.bisnis.com/read/20210517/9/1394662/bumdes-bisa-bantu-hasilkan-5-program-sdgs>. Accessed 24/10/2021, at 00.10 wib

talking about capital accumulation and market expansion for village businesses.

Second, social pillar. Robert Putnam was a pioneering scientist who demonstrated the power of social capital as the basis for capitalism and democracy. Putnam explains, "Studies on the rapid growth of East Asian economies almost always emphasize the importance of dense social networks, so this economy represents a new kind of network capitalism. M. Yunus, founder of Grameen Bank in Bangladesh, not only knows but also practices social capital as a support for his social business. Grameen Bank not only applies economic principles in business, but is supported by three important values in social capital: learning, self-reliance and social solidarity. In the literature there are three levels and types of social capital: social bonding, social bridging and social linking. Social bonding is the lowest form and level of social capital in local communities, where social relations (cooperation and trust) are built on the basis of a homogeneous identity or based on parochial ties (religion, kinship, ethnicity, etc.) in exclusively. Social bridging is a form of social capital in local communities that is more open, heterogeneous, beyond parochial ties, which is very suitable for building harmony and peace. Meanwhile, social linking is social capital that goes beyond the local community, is outward-oriented and has a wider network with the outside world. This study argues that parochial communities only have social bonds, it is difficult to grow large businesses, including BUMDes, except just make a social gathering for the sake of self help between them. Social bridging is sufficient as a basis for growing BUMDes, but a large BUMDes is only possible if it is supported by broader social linking.

Third, political pillar. Politics contains many complex dimensions. Starting from the formation of local elites, leadership, governance (management) and political capital (commitment, legitimacy, trust and others).

Fourth, pillars of law. Legality (legal umbrella or legal entity) is an important issue that has always been a discourse in BUMDes. The pillars of the law are primarily to ensure legal certainty and accountability for BUMDes. BUMDes which are legal entities certainly have the potential to grow bigger because they have legality and accountability in conducting legal interactions with larger and broader outside parties.²⁴

C. CLOSING

Referring to the four pillars in the context of achieving Article 117 of the Copyright Law, which amends Article 1 point 6 of the Law. Preparing BUMDes that are able to compete with the demands of economic globalization. With a positive impact, it is hoped that the status of BUMDes as a legal entity will facilitate village partnerships, promote regional potential, accelerate regional economic improvement and the success of national SDGs. As a manifestation of the ideals of the welfare state. As realizing the village sustainable development program or the Village SDGs. In an integrated effort to realize a village without poverty and hunger,

²⁴Ibid...Eko, Sutoro "Building an Independent, Strong and Sustainable BUMDes.....pp. 6-10.

economic village grows evenly. Facilitating micro, small and medium enterprises, improving the investment ecosystem. To answer the first pillar of the economy. Capital is needed not only economically, but also socially, politically and legally. In Bourdieu's opinion,²⁵

In the second pillar of social capital, it appears in the opportunity to establish cooperation Article 54 (1) BUMDes/BUMDes. Together in running a business in the economic sector and/or public services, they can cooperate with other parties. Both business cooperation and non-business cooperation. With the prerequisites of mutual benefit and protecting the interests of the Village and the Village community as well as the parties who work together. In Article 55 cooperation with other parties as referred to in Article 54 paragraph (1) shall at least include the Central Government, Regional Government, Village Government, business world or cooperatives, non-governmental institutions, educational institutions, and socio-cultural institutions, which are owned by citizens or entities. Indonesian law, and BUMDes/BUMDes together with others. Field said the theory of Social Capital, the central thesis of which can be summed up in two words, about relationships.²⁶Mobilizing economic activities is not only with capital such as physical capital, human capital (knowledge and skills), but there are other lubricants in launching these activities, which Putnam calls the will to cooperate in order to achieve common goals.²⁷Putnam's definition of Social Capital has changed little since the 1990s. In 1996, he stated that: What I mean by Social Capital is that part of Social life – Networks, Norms and Trust – that encourages participants to act together more effectively to achieve common goals.²⁸Social capital can be interpreted as capital owned by the community in empowerment, this capital is a combination of material and non-material capital. Material capital is capital in the form of or related to finance, while non-material capital is tangible with trust and also a system of togetherness.²⁹

The attainment of true well-being is most likely when there is community participation. In a welfare state, the role of the state is very likely to be involved. With the prerequisite that the government's authority is based on a set of legal rules. Therefore it must have a political pillar. Citing the opinion of Kacung Maridjan, political capital means political support, both from the people and political forces which are seen as representations of the people.³⁰

As a very large globalization mega project, it must achieve the rural SDGs

²⁵Bagus Takwin, *Habitus x Modal + Realm = The Most Comprehensive Introductory Practice to Pierre Bourdieu's Thought*. Yogyakarta: Jalasutra. 2009. p. 16. 15

²⁶John, *Social Capital*, Routledge: London., Nurhadi, translator cet 2, Kreasi Wacana Yogyakarta 2011, p.1.

²⁷Field, *Social Capital Capital*, Routledge: London., Nurhadi, translator 2, Kreasi Wacana Yogyakarta, 2011, p. 20.

²⁸Putman, RD, *Who Kill Civic America*, Prospect, 7.24, 1995, p. 66 - 72

²⁹Guntoro, *Persistent. The Influence of Community Social Capital on the Environmental Social Supporting Capacity of Slum and Dense Settlements in Kampung Rawa*. Depok: FISIP UI (Thesis). 2009. Pg. 94.

³⁰Kacung Maridjan, *Direct Pilkada: Political Risks, Economic Costs, Political Accountability and Local Democracy*. Presented at the "In-House Discussion of Political Party Communication Dialogue" organized by the Indonesian Community for Democracy KID. Jakarta. 2007. p. 7.25

indicators through BUMDes in Indonesia. The sustainable development paradigm with BUMDes is injected through the Job Creation Act. Become a tool to open investment faucets by removing bureaucratic obstacles that hinder. With the hope of expanding employment opportunities. With the prerequisite paradigm in the SDGs which is rooted in an anthropocentric frame of mind. If you ignore nature, only focusing on humans must be removed from the minds of policy makers. In order to avoid exploitation of natural resources by world oligarchic regimes. If not done, it will not improve but contribute in the form of poverty, unemployment, segregation and social conflicts, ecological crises, food crises, and even zoonotic pandemics. The Indonesian government must be able to learn from the implementation of the MDGs, by continuing the SDGs which are based on BUMDes with Indonesian conditions, both social, economic, environmental, cultural and local wisdom conditions, as well as geography. The gap in progress between regions, archipelagic geography, and data that has not been integrated requires a more deeply rooted embodiment. That's why localizing SDGs became a special theme. As a step initiated by the Ministry of Villages PDTT through Permendesa PDTT No. 13 of 2020 which focuses on the use of village funds to achieve the Village SDGs. Kemendesa PDTT added the 18th point in the SDGs which gave birth to the Village SDGs, namely dynamic village institutions and adaptive village culture. Accommodating the local wisdom of the community and productive village institutions. The Village SDGs will contribute 74% to the achievement of TPB. There are two aspects of the Village SDGs that are believed to be able to make a significant contribution, namely the territorial aspect and the civic aspect. Judging from regional facts, 91% of Indonesia's territory is a village area, while based on the aspect of citizenship, 43% of the Indonesian population lives in villages and 6 SDGs goals are related to villagers.

Thus, grounding the SDGs is a strategic step. At least for 2 things, first, the Village SDGs become a vehicle to bring out the cultural character of the archipelago as a paradigm foothold. The Village SDGs can garner strength to maintain Indonesian identity in the midst of globalization which limits and relativizes state sovereignty and is hegemonic to nature. Second, the Village SDGs are a shield to protect village natural resources from privatization and exploitation. These two objectives will be difficult to realize if the participatory approach model is not institutionalized, not just artificial and temporary participation. If this agenda runs, the Village SDGs will become an opportunity to restore nature as a center that runs on the cultural wisdom of the archipelago. Keep in mind, without humans, nature can still be sustainable,³¹

This is part of answering the challenge. It is hoped that it can implement the achievement of the Sustainable Development Goals (TPB). As a response to the implementation of the SDGs as a continuation of the 2030 global development agenda. From a normative juridical point of view, developing BUMDes is reviewed

³¹ <https://sdgsdesa.kemendesa.go.id/sdgs-desa-dan-reconstruction-paradigma-pembangunan-berkelanjutan/> accessed 23/10/2021, at 13:41

in Article 117 of the Ciptaker Law which amends Article 1 point 6 of the Village Law. What previously referred to BUMDes as a business entity was changed to a legal entity. In the explanation of Article 117 paragraph (1) of the Ciptaker Law which changes the provisions in Article 87 of the Village Law. with changes in the form of the role of authority, they are able to adapt themselves in the flow of globalization. As well as changes in community culture followed by the massive development of digital technology. And the depletion of natural resources. BUMDes was formed by the Village Government to utilize all economic potential, economic institutions, as well as the potential of natural resources and human resources in order to improve the welfare of the Village community. Is it possible for BUMDes that have been regulated in PP No. 11/2020 concerning BUMDes can be implemented in line with the SDGs program for achieving sustainable development for community welfare.

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