

VILLAGE DIMENSIONS & ITS LEGAL INSTRUMENTS (THE CHALLENGE OF CREATING PROSPEROUS FARMERS)

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**Abstract:**

Various programs at the village level will not succeed without understanding from various elements of policymakers and program implementation in the village. This includes government systems, legal and economic instruments, and social/cultural institutions. For this reason, the community service that the author does is to find out various dimensions related to the village and existing legal instruments. The fact is that rural areas are the majority areas with diverse lives. As a supporter of life, the majority of villages produce food, both for household needs and on a larger scale. Although it is the backbone of food producers, it can be said that there has not been much luck and prosperity, due to various factors, including the implementation of policies that have not been in favor of them (farmers). How is the implementation of development in the village after the enactment of Law Number 6 of 2014 concerning Villages as a legal instrument? Are there still gaps and obstacles for farmers? What efforts are made by the state in protecting the citizens (farmers) who live in the village? Community service is carried out to obtain data related to "village autonomy" in the implementation of equitable development. As well as to obtain factual data, the extent to which the village government (stakeholders) are capable of accelerating development acceleration by utilizing the central government development assistance fund (APBN). And, observing the stretching of village development as the front line/lowest level of government in the constitutional system in Indonesia.

**Keywords:** Village, Legal Instruments, Farmer Welfare

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## INTRODUCTION

Natural phenomena are signs of life in the village of Rain; for example, it becomes an infinite blessing for farmers to fertilize rice that is starting to turn yellow in the fields. The benefits that farmers will achieve are already in their heads when they are harvested. How many harvests should be saved for household consumption, and how much should be distributed/shared to the market to be sold and then turned into savings, future investment.

That is how farmers' lives and rural areas are an ecosystem that cannot be separated from nature. Rural communities' lives have a close relationship with the surrounding natural environment. First, nature is the backbone of the rural economy, especially in the agricultural sector. Second, nature is a source of meeting basic daily needs such as water and food. In addition, nature is also a part of local cultural life, both in handicraft products and local rituals and beliefs. Thus, natural damage/changes clearly impact people's lives in rural areas.

In fact, the state (read: the government) cannot be denied playing a key role in maintaining and advancing its citizens' economic, food, and social welfare. As an embodiment of the founding fathers' wishes, the Concise Oxford Dictionary of Politics defines the welfare state as a system in which the government claims to be responsible for providing social and economic security for the population. The welfare state is associated with the fulfillment of basic needs. Therefore, it is considered as an equalization mechanism against the gap created by the market economy. In the context of the 1945 Constitution of the Republic of Indonesia, the desire of the founders of the State to create a welfare state is reflected in the Preamble to the 1945 Constitution,

in particular, the phrase "... to form an Indonesian State Government that protects the entire Indonesian nation and the entire homeland of Indonesia and to promote general welfare. ...". From the excerpt of the opening sentence of the 1945 Constitution above, it is clear that the efforts of the founding fathers of the State to form a Government of the State of Indonesia aimed at providing welfare for all Indonesian citizens.

Although it is not explicitly stated that Indonesia is a welfare state in the formulation of the norms of the 1945 Constitution (compared to Article 1 paragraph (3), which states "Indonesia is a state of law"), the spirit to realize the concept of a welfare state is evident from the composition of the constitution. Norms in the 1945 Constitution. At least, in the 1945 Constitution, there is a Special Chapter, Chapter XIV, which regulates Social Welfare which consists of two norms and can be categorized as an effort to provide welfare guarantees to the people, namely Article 33 and Article 34, 1945 Constitution. Therefore, our Founding fathers imagined and had a dream, that an independent Indonesia is an Indonesia whose people are prosperous. It can be seen, when the people are from wherever they come from, whatever color their skin is, whatever religion they believe in (believing in) or whatever ethnicity they come from, and whatever conditions they have to accept physically, not living behind, not living abandoned, and having the opportunity to live well.

However, so that our country can become an economic pioneer, so that the wheels of the economy grow double digits, in order to realize the ideals of the Proclaimers of the Nation Bung Karno and Bung Hatta, what first needs to be resolved are the two big problems faced by our farmers. First, the government must pay more attention to or prioritize the agricultural sector, so that the people (farmers) are more serious about working on their agricultural land. The villagers who produce their agricultural products get a selling value to raise their welfare. Second, at every harvest, farmers experience a food surplus. It can be seen from the income of farmers of food crops has increased. Because of this, farmers will continue to wait and collect government promises to continue to increase the price of grain. So, of course, the most effective way (mode) is to increase the absorption.

Thus, farmers hope that Bulog will be more aggressive in absorbing grain and rice as a form of realization of the government's promise to absorb domestic production so that the selling price of grain at the farmer level will increase. It is also part of the government's commitment to improving the peasants' welfare. With such hope, we will no longer hear complaints from farmer groups regarding the situation of grain prices whose prices have fallen below the standard, namely the price of grain dropping to Rp. 3,500 per kg of GKP in mid-April 2021. (Kompas, Farmers Awaiting Government Promise, 7/5 /2021).

An important point for the farmer is that if he is really able to be fulfilled, then the agricultural sector will become the foundation of life for the increasingly exciting villagers. And in the end, the productivity of farmers will continue to increase every year. This challenge will become a big homework for the government in the future, namely to pay attention by helping farmers to realize their welfare. If this condition is ignored, in the sense that the government does not help, the farmers will forever be unable to compete because their current position is too weak. I think we hear this kind of opinion or argument a lot, so actually, this is not a new argument. Even in foreign countries, many have practiced it, such as: China, Malaysia, Taiwan, and India, which have already done it.

Again, it is not an easy job. If necessary, our farmers are assisted by the Government with seeds, plants, irrigate, and fertilizer assistance in this context. Thus, it is hoped that later farmers will have great quality harvests. Thus, it is hoped that farmers can rise to the stage of prosperity in this way. Moreover, what farmers produce is food which is a strategic commodity. Food is not just an economic commodity. Food is a strategic commodity, a strategic commodity for the benefit of the nation and state. It can be implemented and realized through a concept introduced by the Chancellor of IPB Prof. Arif Satria: One village One CEO (one village one CEO), which is

proven to be able to encourage creativity and improve the quality of agricultural products in villages.

It is this basic assumption that must be acknowledged. The new civilization provides physical assets, such as infrastructure, and builds the strength of human resources (HR). With a note that we always return to Bung Karno's philosophy: Agriculture is the basis of our civilization. In the context of agricultural development, the government's commitment to the welfare of farmers cannot be questioned. Farmers are the main actors in food production, an integral part of agricultural development. The success of agricultural development lies in the strength of farmers. Because of that, the welfare of farmers is non-negotiable.

Therefore, the presence of the state is a necessity. The constitution mandates that the state is always present in every citizen's problems. In Law Number 18 of 2012 concerning Food and Law Number 7 of 2014 concerning Trade, the obligation of the state to be a stabilizer of food prices are regulated. In fact, the commitment of "the state is present" is also stated in President Joko's Nawacita. In point 1 of Nawacita, it is emphasized: "Bringing back the state to protect the whole nation and provide a sense of security to all citizens," As for point 2: "Making the government not absent by building governance that is clean, effective, democratic, and reliable. All of them that, to prove the state's concern for farmers. In the context of agricultural development, the government's commitment to the welfare of farmers cannot be questioned. Farmers are the main actors in food production, an integral part of agricultural development. The success of agricultural development lies in the strength of farmers. Therefore, in Karelia, the welfare of farmers is non-negotiable.

Indonesia has 77 sources of carbohydrates. That is, there are so many choices besides rice. These carbohydrate sources have the same nutritional content as rice, so they can replace each other, even more, profitable because the index is on average lower than rice. However, so far, the majority assumption that rice is the main staple food makes the diversity of other carbohydrate sources underutilized. The recorded amount of rice consumption is 94.9 kilograms per capita per year. Compare this with cassava, for example, which is 8.6 kilograms per capita per year.

Meanwhile, the consumption of other carbohydrate sources, such as corn, sago, potatoes, bananas, and taro, is still below cassava. All of that, is to show and/or prove that Indonesia is an agrarian country. Therefore, the government's commitment and consistency to "strengthen" this existence must be realized in real terms. To make us aware that it is important to maintain food security and sovereignty while always being upright with existing legal instruments and prioritizing the principles of justice/welfare for farmers and rural communities, as concrete evidence of concern for the future of human civilization.

The formulation of this problem proposes several important points: how is the implementation of development in the village after the enactment of Law Number 6 of 2014 concerning Villages. What are the obstacles that arise in implementing government in the village to support the realization of farmer welfare? What are the efforts made by the state to protect citizens (farmers) from being able to build the strength of quality human resources (HR) to achieve the welfare of farmers in the village?

## **METHODS**

This research was conducted to obtain data related to the discussion of village autonomy in implementing development to realize prosperity in the agricultural sector. Obtaining factual data, the extent to which the ability of the village government (stakeholder) to accelerate development acceleration with the presence of central government assistance. Observing the dynamics of village government as the front line in the constitutional system, enacting the legal instrument of Law No. 6 of 2014 concerning Villages. The methodology used is to take samples in villages where the government is relatively clean in managing village funds and successfully driving the agricultural sector's development through funds from the central government (APBN). In fact, the development dynamics continue to develop with the various existing facilities (infrastructure)

such as the construction of schools, health services, community sports facilities, and the availability of village libraries (Taman reading).

## RESULT AND DISCUSSION

1. The paradigm shift of rural communities can be seen when they are aware of their rights as citizens to play an active role in encouraging the progress of agricultural development in the welfare of farmers.
2. The findings of community service at the location also show that community land ownership is still minimal, education and health levels are still low. Therefore, there must be "interference" from the government as one of the stakeholders in the village. However, the number of poor people is reported to have decreased to single digits. But the polarization between the cycle of poverty and the circle of excess still can cause marginalization or marginalized people.
3. Legal instruments in Law Number 6 of 2014 concerning Villages, at least produce important implications, namely villages have full authority and autonomy in developing agricultural activities. Thus, the legitimacy of village authority and function appears to be more dynamic in optimizing its existence through existing legal instruments.

## CONCLUSION

A necessity, that the State of Indonesia is rich in natural resources. And food remains one of the country's policies priorities. After all, the village area is part of the territory of the State of Indonesia, so that the village is a pillar of national food security stability.

Whereas the role of farmers shows that it is very strategic in terms of basic human needs. So, it is very relevant if the government gives optimal attention to the agricultural sector. Of course, the goal is to improve farmers' quality of life (welfare). The welfare of the people (farmers) who live in villages is a state goal that has been endeavored to open the 1945 Constitution of the Republic of Indonesia, paragraph 4.

The village must become an economic power because it is in line with the development program outlined by the government, namely the development of Indonesia centric. It means that development is evenly distributed from cities to villages, so that the government allocates quite large village funds. From 2015 to 2019, it was recorded that village funds that had been disbursed had reached 257 trillion Rupiah. Indeed, the village must be independent, as mandated by Law No. 6 of 2014 concerning Villages, which gives extraordinary flexibility to the village to become an independent village. By always making agriculture the focus and solution for welfare.

In the context of accelerating development, it is recommended that the village dimension related to the empowerment of its citizens must be in line with the formulation of the vision of human development in the government of each President of the Republic of Indonesia, namely emphasizing the agenda of empowerment and improving the quality of life of citizens in the context of realizing prosperity. Therefore, sustainable (sustainable) development in the village continues despite changes in leadership at both the central and regional (village) levels of government.

Another challenge in realizing prosperity in the village is the mastery of agricultural factors (land). In this context, it is suggested that the land ownership consensus program be accelerated to become the locomotive for increasing the people's production base in the village. The state is obliged to protect people's lives (responsibility to protect) so that no more citizens (farmers) do not own land as arable land.

Village organizations must continue to be improved by further optimizing existing infrastructure facilities in the village and more transparent and accountable management of village funds by involving the active participation of the community and youth groups in the village. Thus, the use of aid funds from the central government (APBN) can be utilized/functioned

according to the budget allocation (its designation). It is also hoped that the village apparatus will always develop the capacity of the village apparatus, careful planning of agricultural management, accompanied by the preparation of village regulations (Perdes).

## **REFERENCES**

- Abustan, Hak Konstitusional Tenaga Kerja di Indonesia, Cet 1, Bildung , 2020  
----- Relasi Pemerintahan Pusat-Daerah, Unhas Press, 2020  
----- Hak Asasi Manusia (isu-isu kontekstual & Kontemporer), RajaGrafindo, 2021  
Asshiddiqie Jimly, Menuju Negara Hukum Yang Demokratis, Sekretariat KY, 2008  
Bagir Manan, Nilai-nilai ke Indonesiaan, Sekretariat KY, 2019.  
Dwipayana Ari, Membangun Good Governance di Desa, Yogyakarta  
AA LaNyala Mahmud Mattalitti, Ketua DPD RI, 2021  
Kompas, Petani Menanti Janji Pemerintah, 7 Mei 2021  
Dwi Andreas Santosa, Kompas, 7 Nov 2019  
Utan Kayu, Jakarta, awal Januari 2021