

ABSTRAK

PERGESERAN BIROKRASI DALAM PENYELENGGARAAN PEMERINTAHAN DESA BERDASARKAN UNDANG- UNDANG NOMOR 6 TAHUN 2014 TENTANG DESA

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Sejarah peraturan tentang desa, menunjukkan bahwa desa mengalami perubahan, namun perubahan tersebut belum menempatkan desa sesuai dengan konstitusi Negara Indonesia, bahwa desa memiliki hak asal usul yang ada di desa. Perubahan pergeseran Indonesia berdasarkan Undang-Undang Nomor 6 Tahun 2014 Tentang Desa, menempatkan desa menjadi subjek, disertai dengan dana desa yang harus dipertanggungjawabkan oleh birokrasi desa. Adaptasi Kebiasaan baru bagi birokrasi desa dalam penyelenggaraan desa, sehingga menimbulkan permasalahan korupsi dan mal administrasi publik. Birokrasi desa belum memiliki konsep tatanan penyelenggaraan pemerintahan desa, maka perlu untuk mendesain konsep tata pemerintahan yang baik bagi birokrasi desa dalam penyelenggaraan pemerintahan desa.

Tujuan disertasi ini adalah untuk menganalisis dan menjelaskan penyelenggaraan birokrasi pemerintahan desa berdasarkan kewenangan desa, menjelaskan dan memprediksi arah pergeseran birokrasi desa dalam penyelenggaraan pemerintahan desa, dan mendesain konsep *good village governance* dalam penyelenggaraan birokrasi pemerintah desa untuk mewujudkan desa mandiri. Metode penelitian yang digunakan dalam disertasi ini adalah metode penelitian hukum normatif dan penelitian hukum empiris, dengan menggunakan pendekatan perundang-undangan (*statute approach*), dan pendekatan konsep (*conceptual approach*) serta pendekatan *socio-legal approach*. Hasil penelitian menunjukkan bahwa Penyelenggaraan Birokrasi Pemerintahan Desa Berdasarkan Kewenangan Desa adalah penyelenggaraan birokrasi pemerintahan desa berdasarkan kewenangan hak asal usul (asas rekognisi), kewenangan berskala lokal (asas subsidiaritas), kewenangan penugasan, dan kewenangan lain yang ditugaskan. Adanya kewenangan desa tersebut, maka birokrasi desa mengalami pergeseran dalam kewenangan dan kelembagaan yang berimplikasi pada adanya pertanggungjawaban alokasi dana desa. Arah pergeseran birokrasi desa yaitu dari watak birokrasi tradisional ke arah watak birokrasi modern, dan mendesain konsep *good village governance* dalam penyelenggaraan birokrasi pemerintah desa untuk mewujudkan desa mandiri adalah konsep *good village governance* yang terdiri dari elemen *good governance*, elemen gotong royong, dan elemen inovasi. Konsep *good village governance* ini akan membentuk wajah baru birokrasi desa yaitu birokrasi desa yang melayani dan birokrasi desa yang mengayomi sehingga akan mewujudkan desa mandiri.

Kata Kunci: Birokrasi, Penyelenggaraan, Pemerintahan Desa,

ABSTRACT

BUREAUCRATIC CHANGE OF BUREAUCRACY IN VILLAGE GOVERNMENT IMPLEMENTATION BASED ON ACT NUMBER 6 OF 2014 CONCERNING VILLAGES

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The history of village regulations shows that the village has undergone changes, but these changes have not placed the village in accordance with the Indonesian constitution, that the village has the rights of origin that exist in the village. Changes in Indonesia's shift based on Law Number 6 of 2014 concerning Villages, place the village as the subject, accompanied by village funds that must be accounted for by the village bureaucracy. Adaptation of new habits for the village bureaucracy in managing villages, giving rise to problems of corruption and maladministration of public administration. The village bureaucracy does not yet have a concept of village governance arrangements, so it is necessary to design a good governance concept for the village bureaucracy in administering village governance.

The purpose of this dissertation is to analyze and explain the implementation of the village government bureaucracy based on village authority, explain and predict the direction of shifts in the village bureaucracy in the administration of village governance, and design the concept of good village governance in the implementation of the village government bureaucracy to create an independent village. The research methods used in this dissertation are normative legal research methods and empirical legal research, using a statute approach, and a conceptual approach as well as a socio-legal approach related to bureaucratic shifts in the implementation of village government based on the principle of subsidiarity. The results of the study show that the Implementation of Village Government Bureaucracy Based on Village Authority is the implementation of village government bureaucracy based on the authority of origin rights (recognition principle), local scale authority (subsidiarity principle), assignment authority, and other assigned authorities. With this village authority, the village bureaucracy experiences a shift in authority and institutions which has implications for accountability for village fund allocations. The direction of shifting the village bureaucracy, namely from the character of traditional bureaucracy towards the character of modern bureaucracy, and designing the concept of good village governance in the implementation of the village government bureaucracy to create an independent village is the concept of good village governance which consists of elements of good governance, elements of mutual cooperation, and innovation element. The concept of good village governance will form a new face for the village bureaucracy, namely the serving village bureaucracy and the protecting village bureaucracy so that it will create an independent village.

Keywords: *Bureaucracy, implementation, Village Government*