

Utilization of Legal Education Digitalization for Village Heads in Empowering Village Owned Enterprises

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Abstract

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Most of Indonesia's population lives in rural areas, for this reason it is necessary to prioritize development to improve public services and the village economy in order to form individuals and communities to become self-reliant. One of the government's efforts is to implement a village digitization program. Digitalization through the use of this technology really needs to be implemented on a micro-scale development located in rural areas such as village-owned enterprises. The research method used is descriptive research. The results of the study show that digitalization of legal education has a very crucial role for the village head in empowering Village-Owned Enterprises (BUMDes), one of which will increase sufficient capacity and knowledge so that they can properly run and empower BUMDes. In addition to technical skills such as accounting and managerial skills, character-deepening training is also needed in order to produce honest and trustworthy BUMDes staff managers. BUMDes specifically cannot be equated with legal entities such as limited liability companies or cooperatives. In conclusion, the status of BUMDes after the issuance of Law Number 11 of 2020 concerning Job Creation, namely as a New Entity Legal Entity whose position is equivalent to BUMN at the national level and BUMD at the regional level.

Keywords: digitalization, education, BUMDes

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INTRODUCTION

The preamble to the 1945 Constitution mandated several goals for the Indonesian state, namely advancing public welfare and educating the life of the nation. General welfare or people's welfare can be increased if poverty can be reduced, so that to improve general welfare can be done through poverty alleviation efforts. In addition, Indonesia is also a social welfare state as formulated in Paragraph IV of the Preamble of the 1945 Constitution and Chapter XIV of the 1945 Constitution of the Republic of Indonesia. The concept of a welfare *state* is a concept of government in which the state or its institutions hold an important role in the protection and welfare of the social and economic life of its citizens. As a welfare state, the people hope that the government can implement *good governance*, namely the administration of government that is effective, efficient, transparent, accountable and responsible (Lailiyah, 2022).

Public service is a benchmark for the success of implementing tasks and measuring government performance through the bureaucracy. Subarsono defines

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public service as a series of activities carried out by the public bureaucracy to meet the needs of the users. The phenomenon of public service by the government bureaucracy is fraught with problems, for example lengthy service procedures, time and price uncertainties which make services difficult to reasonably reach by the public. To overcome this condition, it is necessary to make efforts to improve the quality of sustainable public service delivery in order to create excellent public services. (Batubara, 2015)

Digital technology is technology that no longer uses human power, or manually. But it tends to be an automatic operating system with a computerized system or format that can be read by a computer (Aji, 2016). Digitalization can be interpreted as a process of storing all the properties and information of text, sound, images or multimedia in an electronic string of zeros and one bits. The current era of digitalization requires different skills when compared to the previous era. Information technology competence is very urgent in the current era. Collaboration is needed between the academic world and industry to accelerate the realization of Industry 4.0. The industrial revolution 4.0 is projected to have a negative impact economically, especially for developing countries which still have relatively high socio-economic disparities. For this reason, the actualization and implementation of the use of information technology is absolutely necessary. The industrial revolution will also give rise to a technology-based economy or often referred to as economic digitalization. (Suwardana, 2018) Digitalization through the use of this technology really needs to be implemented in the development of micro-scale business entities located in rural areas such as Village-Owned Enterprises (BUMDes).

In the reform era in 1999, Law Number 22 of 1999 on Regional Government was issued. The issuance of this regulation is a change solution from the Government, namely to encourage the formation of business entities or institutions that are used to manage their resources efficiently. Then it was clarified by Government Regulation Number 72 of 2005 concerning Villages Article 78 paragraph (1) which states that "In increasing community and village income, the Village Government can establish Village-Owned Enterprises" because villages need an institution to manage their potential to improve the economy, self-sufficiency, and the welfare of the village community. The formation of BUMDes is also mandated in Law Number 6 of 2014 concerning Villages.

In general, the establishment of BUMDes goes through four stages; First, the village government and the community agree to establish BUMDes, then BUMDes management is carried out and the requirements for office holders are determined, monitoring and evaluation are also carried out, and finally, management accountability reporting is carried out. In daily activities, the manager must refer to the mutually agreed upon rules as stated in the BUMDes Statutes and Bylaws (AD/ART), as well as according to BUMDes governance principles. As a village business, the formation of BUMDes is expected to be able to maximize the potential of the community from the economic aspect, natural resources and human resources so that they can be managed as well as possible which is intended for people's lives so that they become independent village communities and develop even better in improving social life. public. This can be seen from the role of the village head in supervising and coordinating business activities within a village. In addition, the

role of the village head as a public servant and community protector is one of the keys to increasing the standard of living of the community, especially in the economic sector (Agusliansyah, 2016).

METHODS

In this study, the authors used normative legal research methods, namely legal research that examines applicable legal provisions. (Sunggono, 2003) Normative legal writing is also called library research, which is research conducted by tracing or studying and analyzing library materials or ready-to-use document materials in order to find out as many opinions and or concepts as possible from experts who have done research or written beforehand about the role of legal education technology in empowering BUMDes. In this case, normative legal research is used to review Law Number 6 of 2014 concerning Villages, Law Number 11 of 2020 concerning Job Creation and other laws and regulations related to research.

The data used in this study is secondary data, which is data collected from pre-existing data. (Soekanto, 1986) In the secondary data, three legal materials are known, in this case, primary legal materials include Law Number 6 of 2014 concerning Villages, Law Number 11 of 2020 concerning Job Creation, Government Regulation Number 11 of 2021 concerning Village Owned Enterprises, Secondary legal materials include articles, journals and papers related to BUMdes and educational technology, and tertiary legal materials include newspapers, dictionaries, encyclopedias, etc.

RESULTS & DISCUSSION

The village as the smallest unit in governance is an important component in moving Indonesian society. If the national development process that is carried out tends to be city-biased, social and political problems such as increasing urbanization will occur. In 2016, around 52% of Indonesia's total population lived in cities. Compare this with data for 2010 where only 49.79% of the population lived in cities and 50.21% lived in villages. One of the main reasons for this increasing flow of urbanization is because villages are considered not to provide a decent source of life, so residents decide to try their luck in the city. (Santoso)

Building Indonesia from the periphery is the government's top priority to date. The move was to cut the gap between villages and cities. The Ministry of Villages, Development of Disadvantaged Regions and Transmigration with reference to the Regulation of the Minister of Villages, Development of Disadvantaged Regions and Transmigration of the Republic of Indonesia Number 6 of 2015 concerning the Establishment, Administration and Management and Dissolution of Village-Owned Enterprises, has the task of carrying out the development of villages and rural areas, empowering rural communities, accelerating the development of underdeveloped areas, and transmigration to assist the President in administering state government.

The aim is none other than to create "social justice for all Indonesian people" as stated in the foundation of our country, namely Pancasila.

To answer the above challenges, the government has issued various efforts, one of which is through Law Number 6 of 2014 concerning Villages. Since the Village Law was first implemented, various social and political changes have occurred in the village. Village economic growth increased to 12% in 2016, exceeding the national economic growth of only 5%. The number of underdeveloped villages has decreased from 45% to 32% of the total villages. Meanwhile, villages that experienced development increased, from 30% to 45% (World Bank, 2017). The presence of the Village Law, one of whose mandates is to disburse nearly 1 billion rupiah per village, has created development and development in villages

The strong currents of globalization drive advances in technology, information and communication (ICT), which then bring and force changes in governance for various sectors, from business to government. Communication technology is seen as capable of acting as an effective and efficient solution to a problem. For the business sector, marketers are required to develop new marketing methods, develop various products that can accommodate technological advances, and improve their services by developing technology-based systems. The same goes for the government sector. The government is expected to improve public services and develop its territory through technology adoption. One of the main phenomena of this technological advancement is the emergence of the Industrial Revolution 4.0 (Kazancoglu, 2018).

Technological advances in the industrial revolution 4.0 have brought major changes to everyday life. However, these technological developments pose a threat and worry as well as have advantages. For example, artificial intelligence (AI), a technology that is currently widely used and developed in various scientific disciplines, one of which is law. Technology has always made it easier for humans. However, what happened resulted in digital imperialism, where technology is always changing rapidly, so that the development of legal science follows technological developments (FHUI, 2023).

Progress technology has cause fast change in every _ country , in each continents , and in all sector . Part big development characteristic positive , create life And work more simple , more easy , and slimmer . So Also in world law , sector law the more feel effect positive from change technology And start feel the benefits completely . More go on , pandemic speed up period digital acceleration . Sector law start fully reap benefit from technology – in part big Because need . The importance of information technology and technology is felt to be important for empowering villages. So that it is expected to be able to maximize the benefits of cross-sectoral development starting from the economy, health, education, to regional government management. Some of the adage that has been put forward by the observers

the development of modern communication shows every human being that information is one of the constitutive elements in a society. Straubhar states that the information society is a society that has political-social economic activity through the process of production, consumption and distribution of information. The

information society is characterized by a high intensity of exchange and use of communication technology (Straubhaar, 2002)

Village-Owned Enterprises (BUMDes) in a legal sense, in the Regulation of the Minister of Villages, Development of Disadvantaged Regions and Transmigration Number 4 of 2015 concerning the Establishment, Management and Management and Dissolution of Village-Owned Enterprises, in Article 1 paragraph (2) mentions Village-Owned Enterprises, hereinafter referred to as BUM Desa, is a business entity whose capital is wholly or substantially owned by the village through direct participation originating from separated village assets to manage assets, services, and other businesses for the greatest welfare of the village community (UU, Peraturan Menteri Desa, Pembangunan Daerah Tertinggal dan Transmigrasi Nomor 4 Tahun 2015 tentang Pendirian, Pengurusan dan Pengelolaan dan Pembubaran Badan Usaha Milik Desa, 2015).

The definition above was later amended after the issuance of Law Number 11 of 2020 concerning Job Creation, to be precise in Article 117 number 1 which states "Village-Owned Enterprises, hereinafter referred to as Village-Owned Enterprises, 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 businesses for the greatest welfare of the Village community. (UU, 2020) This definition is also in line with the definition of BUMDes as stated in Article 1 point 1 of Government Regulation Number 11 of 2021 concerning Village-Owned Enterprises.

The Village Head plays an important role in empowering BUMDes, this is as stated in Article 21 paragraph (1) of Government Regulation Number 11 of 2021 concerning Village-Owned Enterprises which states "The advisor referred to in Article 15 letter b is held concurrently by the Village Head". In his role as an advisor, the Village Head can delegate and can authorize other parties to carry out the advisory function.

BUMDes is a pillar of economic activity in the village that functions as a social institution and a commercial institution. BUMDes as a social institution must side with the interests of the community through its contribution to the provision of social services and as a commercial institution, the nature of BUMDesa's business is profit-oriented. Therefore, in planning and selecting the BUM Desa business unit that you want to run, it is necessary to consider the feasibility of the business and also the performance achievement targets of the BUM Desa so that through these business activities the village community feels direct and indirect benefits as well as the sustainability of the business being carried out sufficient for all the expenses needed to run the business. (Shanti Veronica br Siahaan. BenedhiktaKikky Vuspitasari, 2021)

Discussion

In the current system change, the village government is given more space through a structural reshuffle where control is in the hands of the community. The point is that the community is given the opportunity to change the capacity to carry out both internal and external interests. Six years ago, the digital economy was legitimized at the level of international agreements as a new economic order. The agreement occurred at the 2016 Ministerial Meeting held on 22-23 June in Cancun

(Mexico), which was attended by ministers from *the Organization for Economic Cooperation and Development (OECD)*, the European Union, and a number of other countries. This meeting is considered as a benchmark of the modern movement towards digital transformation of modern society. The basic idea of the Ministerial Declaration on the digital economy is an acknowledgment of the digital development of the world economy, increasing use and investment in digital technology and capital, as well as recognition that the digital economy plays a role as a strong catalytic force for innovation, growth and welfare of citizens, especially residents in rural areas.

In essence, digitalization of education is closely related to the issue of introducing and implementing artificial intelligence technology in everyday life. It is also related to the emergence of the digital generation, the competencies and skills to enter the digital job market, and the demand for lifelong learning. A number of researchers in the field of modern education have concluded that the application of educational technology has the potential to have a positive impact, including for policy makers, in this case the Village Head (Hasanudin Wahid, 2023).

Digitizing education for Village Heads can be implemented by providing digital-based education and training that utilizes technology as a training facility. Digitalization of Education plays an important role for the Village Head because it will increase sufficient skills and knowledge so that they can properly run and empower BUMDes. In addition to technical skills such as accounting and managerial skills, character-deepening training is also needed in order to produce honest and trustworthy BUMDes staff managers. It is very important for BUMDes management to have qualified skills and abilities as well as good character, so that the BUMDes they run can manage funds from the community and government properly, so that there are no more stories of funds being diverted for personal or group interests, therefore every activity in BUMDes if managed properly will certainly be accountable. (Bumdes.id, 2023)

Reporting from bumdes.id, in terms of digitizing education and training to increase human resource capacity for BUMDes management, bumdes.id and Bumdes Schools are institutions that have a commitment to provide education and training for BUMDes managers including Village Heads towards Advanced BUMDes. BUMDes school is a service offered with various curricula in it which are adapted to the problems found in the journey of accompanying villages and BUMDes throughout Indonesia.

As it is known that the existence of Village Owned Enterprises (BUMDes) has such an important role in efforts to build the village economy. BUMDes is a forum for managing businesses that develop in the village, whether businesses run collectively or individually in a village will be maximized. Therefore BUMDes has a duty in this case to provide assistance and supervision. BUMDes assistance and supervision of business continuity in the village is here interpreted as a partner, in which BUMDes can become a forum for joint ventures in the village. BUMDes become education and training centers in an effort to develop existing products or business units (Adawiyah, 2019).

Law Number 11 of 2020 concerning Job Creation or hereinafter referred to as the Job Creation Law in Article 1 point 1 explains the definition of Job Creation, namely efforts to create jobs through efforts to facilitate, protect and empower

cooperatives and micro, small and medium enterprises, increase investment ecosystem and ease of doing business, and Central Government investment and acceleration of national strategic projects.

The purpose of the promulgation of the Job Creation Law as contained in its preamble is that the Job Creation Law is expected to be able to absorb the widest possible Indonesian workforce amid increasingly competitive competition and the demands of economic globalization. Arrangements related to facilitation, protection and empowerment of cooperatives and micro, small and medium enterprises, enhancing the investment ecosystem, and accelerating national strategic projects, including increasing the protection and welfare of workers spread across various sectoral laws are currently unable to meet the needs the law for the acceleration of work copyright so it needs to be changed (Alfiansyah, 2021).

There is a regulation regarding BUMDes in the Job Creation Law as stipulated in Article 117 part ten of the Job Creation Law which changes the provisions in Law Number 6 of 2014 concerning Villages Article 1 point 6 Village-Owned Enterprises, hereinafter referred to as Village BUMDes, are legal entities that established by the village and/or with the villages to manage businesses, utilize assets, develop investment and productivity, provide services, and/or provide other types of businesses for the greatest welfare of the Village community. As well as the provisions of Article 87 which also regulates BUMDes, it is amended in the Job Creation Law in Article 117 so that it reads as follows: (Hadi, 2021)

- (1) Villages can establish BUM Desa
- (2) The BUMDes referred to in paragraph (1) are managed in a spirit of kinship and mutual cooperation
- (3) BUM Desa can run businesses in the economic sector and/or public services in accordance with statutory provisions.
- (4) BUM Desa as referred to in paragraph (1) can form a business unit with a legal entity in accordance with the needs and objectives.
- (5) Further provisions regarding BUM Desa as referred to in paragraph (1), paragraph (2), paragraph (3), and paragraph (4) shall be regulated in a Government Regulation.

In increasing village income sources, BUMDes can collect savings on a local scale for village communities, including through management of revolving funds and savings and loans. BUMDes in their activities are not only oriented towards financial gain, but are also oriented towards supporting the improvement of the welfare of the village community. BUM Desa is expected to be able to develop business units in utilizing economic potential. In the event that business activities can run and develop properly, it is very possible that in time the BUM Desa will follow the legal entity that has been stipulated in the provisions of the laws and regulations (Adisasmita, 2019).

CONCLUSION

Digitalization or educational technology for Village Heads can be implemented by providing digital-based education and training that utilizes technology as a training facility. Educational technology has a very crucial role for the village head in empowering Village-Owned Enterprises (BUMDes), one of which will increase sufficient skills and knowledge so that they can run and empower BUMDes properly. In addition to technical skills such as accounting and managerial skills, character-deepening training is also needed in order to produce honest and trustworthy BUMDes staff managers. In this case, it is very important for BUMDes management to have qualified skills and abilities as well as good character, so that the BUMDes they run can properly manage funds from the community and government.

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