The Dynamics of The Transformation Policy of Ex-PNPM Into Bumdes Based on Government Regulation Number 11, 2021

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Abstract: This study explains the dynamics of the policy of transferring former PNPM into Village-Owned Enterprises (Bumdes). This transfer is based on Government Regulation No. 11 of 2021 concerning the Bumdes. This research was conducted in the former PNPM Sungai Tarab District. The purpose of this study is to examine how this transformation takes shape and what obstacles are faced by UPK DAPM Lenggogeni which is a former PNPM in transforming into a Joint Village Owned Enterprise (Bumdes). The research method used is descriptive qualitative research method. Interviews were conducted with the Chair of the DAPM Lenggogeni, Sungai Tarab Sub-district, the Secretary of Nagari, the Sub-district of Sungai Tarab and the Head of Community Empowerment of the Tanah Datar DPMD. The results obtained are that a number of former PNPM Financial Management Units (UPKs) are still skeptical of this change, this is because there are doubts about the transparency and accountability of PP No. 11 of 2021 which does not get clarity on the legal risks that are obtained if a UPK does not transform. The UPK also felt anxious and worried about the entry of intervention from outside parties so that it would cause conflict within the UPK.

Keywords: Policy, Transformation, Bumdes

INTRODUCTION

Indonesia's social and economic conditions that have not yet recovered have been exacerbated by the emergence of the corona virus in the past two years. Statistically, this pandemic has had a significant impact on increasing poverty rates in cities and villages. The number of poor people spread out in both urban and rural areas must be addressed with truly targeted and effective poverty alleviation programs.

Poverty alleviation measures have been tried both in the form of direct cash assistance to the community and programs based on community empowerment, including assistance for fishermen and farmers (P4K), savings and loan programs (TPSKUD), business group assistance (KUBE), Village Enterprises (UEDSP), Regional Program (PKT), Presidential Instruction (IDT and P3DT) and many other programs as a serious effort by the government to tackle poverty in an integrated and sustainable manner. So far
UPK DAPM is a program that has been well received by the community and has lasted the longest, as evidenced by the increase in the number of members and the number of institutional assets from year to year. The success stage of the program, especially community empowerment programs where these people can become strong to participate in the program, share control and influence their lives (Desiyani, 2016).

In 2014 the Village Law No. 06, where one of the demands is the establishment of a Village-Owned Enterprise (Bumdes), as a reinforcement for community participation in village management. Based on the available data, as of March 2021 there have been 313 BUMDes together and have been registered online.

In the midst of the process of establishing and developing BUMDes which is still as young as its corn, a new polemic emerged where on February 2, 2021 the Government issued PP No. 11 of 2021 concerning Bumdes, where one of the articles, namely article 73 paragraph 1 states: "Manager of community revolving fund activities The former National Program for empowering independent rural communities must be formed into a joint BUMDesa no later than 2 (two) years from the promulgation of this PP.

This article will certainly bring up pros and cons, on the one hand the government intends to save assets because of course when it is changed to BUMDes it is clear that its status is already a legal entity. But on the other hand, it must be understood that the former PNPM has been around for quite a long time and many of its benefits have been felt by the community, of course when it is merged with a new institution it is clear that it will be different in many ways. Sources of funds with different uses, visions and missions of the two institutions that are also different, different programs, program management and others will certainly become a problem in implementing these regulations.

Various points of view must be carefully scrutinized, from the local government’s point of view, whether it has been properly socialized and prepared for various steps so that the implementation process can run well. PNPM or the community as beneficiaries also seem to refuse to be transformed. Because until now more than one year after the PP was issued, there is no description of the implementation process that has been carried out. Based on the problems above, the researcher is interested in seeing how the dynamics in the implementation process are related to the transformation of the former PNPM into BUMDesma from
the point of view of the local government and from the management. As well as any constraints found in the PP implementation process. This initial observation became the starting point for the researcher in analyzing the next research plan, namely to further explore the dynamics that occur in the Sungai Tarab sub-district environment.

In the early stages of analyzing the results of the initial observations, the researchers found that in West Sumatra itself, there were already several sub-districts that had quickly moved their former PNPM to carry out the process of smelting into bumdesma. Among them, the Solok Selatan Regency, almost all of its sub-districts, have been in the process of smelting since the end of 2020, even before the emergence of PP No. 11 of 2021, a regional government regulation has been issued in this regard. However, if you refer to the e Pandawa website belonging to the Ministry of Villages, in West Sumatra itself there are only 2 sub-districts that have registered their BUMDesma and are already running, namely Matur and IV Koto sub-districts in Agam district. This data is certainly very different when compared to other provinces in Indonesia which are currently competing to improve their quality at the village level with BUMDes, and at the sub-district level with BUMDesma. West Sumatra itself, according to data from the Village Development Index (IDM) released by the Ministry of Health, is currently ranked 10th with an increase of 3%, while from the perspective of Tanah Datar district and Sungai Tarab sub-district, no data has been found on the website.

The direction of government policy in building this nation certainly needs to be supported by all aspects within the local government. Especially in the information age like today, all assessment data, performance evaluation results, the economy and sub-district village development, have all been integrated with a web-based information system, so that competition that has been running warmly and full of motivation in other sub-districts is certainly expected to be used as an opportunity by the sub-district and villages in West Sumatra, especially the Tarab River. Several sub-districts and villages in other areas have received the title of independent sub-district and village (4.44%) or a total of 3,278 villages, then at the advanced village level (20.75%) or a total of 15,372 villages, then the title of developing (51.57%) or as many as 38,086 villages , as for underdeveloped villages (16.49%) or as many as 12,177 villages, and very underdeveloped (6.75%) or as many as 4,985 villages.

Since the start of village-based development, the government certainly hopes for the readiness of all villages
mentally and skillfully, bearing in mind the era of globalization that has crossed our era, demanding that villages be more open to investments that may come to their villages or sub-districts and then invite villages to strive to pick up the progress of their villages, or more great independence. The government sets standards for independent villages with 3 parameters: Social resilience (Education, Health, Social Capital, Settlements), Economic resilience (Diversity of community production, Access to trade and market centers, logistics access, Banking and credit access, regional openness), ecological resilience (environmental quality, natural disasters, disaster response). This parameter is expected to become a regional vision in its development, so that no sub-districts or villages are considered to be left behind or, if possible, encouraged to progress and be independent.

The hope of the government, of course, is to produce policies that also push towards the vision and mission that have been set with all kinds of measuring parameters. From a political point of view, top down policies often get different responses from implementation objects. For those who respond positively, they will move quickly by joining the competition, then leading in village independence and speed. However, some have a view that prefers to read the situation and judge, as did some former PNPM, in assessing the village's unpreparedness in managing their assets, or their own unpreparedness to join this bumdesma.

As example from the UPK DAPM point of view, the various conditions faced by BUMDES that they witnessed directly or through media news certainly also contributed to adding to the arguments for objections to the implementation of PP No. 11, which of course adds to the interesting dynamics of the implementation of PP No. 11 Year 2021 especially article 73 of this. As an example of the news released by Tirto.com with the theme "why are thousands of Bumdes insolvent even though the village funds are trillions of Rupiah", explained in their interview with a BPK member, that there are so many incompetent staff managing Bumdes, a Bumdes business field that is not appropriate with the superior potential of the village, so that the contribution of village-owned enterprises to increasing village finances is very minimal. Not to mention that actually in the field it turns out that many Bumdes are not active at all, after being formed they are abandoned, even reports are not submitted, and do not have a feasibility study at the time of formation. And it is common knowledge that the structures in village-owned enterprises are usually KKN or only the close family of village officials, not based
on a standard fit and proper test that is measured according to their level.

However, the point of view used by the UPK DAPM in seeing the implementation of this policy also needs to be balanced with the government’s efforts to revive a village-based economy by transforming the former PNPM into village financial institutions (LKD) as mandated by Article 117 of the Job Creation Law. This is intended so that the assets belonging to the UPK DAPM remain public property, while for UPKs that are under the auspices of the work organization of the Inter-Village Cooperation Agency (BKAD), this must be fundamentally questioned, because the source of funds that they manage are Grant funds that are Aid. directly Community/BLM, whose main function is the poor community. According to them, this basic function will clearly be shifted if the UPK and its assets become the property of a Bumdesma whose general designation is for the entire sub-district community/several villages.

It is even more interesting to explore if we take an institutional perspective, where almost all UPK DAPM that have not yet been formed into Bumdesma are already legal entities, for Sungai Tarab itself the form of legal entity chosen is the Legal Entity Association (PBH) and already has a notarial deed. An in-depth study is needed regarding the transformation of a more senior institution (formed in 2007) into an institution that was just born the year after 2014, as well as the basic principles that are different from these 2 institutions because they have their own guidelines.

For this reason, it is urgent to stipulate new operational technical guidelines regarding the transformation of UPK DAPM into Bumdesma, in order to bridge miscommunication and distortion of information that may occur between policy makers and implementers in the field.

According to Agustino (2006), communication is one of the important variables that influence the implementation of public policy, it also determines the success of achieving the objectives of the policy to be implemented. With good communication, doubts and misunderstandings can be reduced for the sake of achieving a common goal, namely a prosperous society.

Conditions that give rise to these different views can certainly affect policy implementation, according to Awan Abdoellah (2016: 58) this symptom of inability to implement is called the implementation gap, which is a term intended to explain a situation that in the policy process there will always be a possibility of differences between what is expected by policy makers and what is
expected by implementers. The greater the distance between expectations and reality, the greater the influence of organizational capacity (implementation capacity) and the actors or bureaucracy to implement the policy.

This problem does not only occur in big cities, in areas such as Sungai Tarab District, Tanah District also experience the same thing. Where this sub-district has been incorporated into the PNPM Mandiri program since August 27 2007. The amount of BLM received was Rp. 9,669,482,750. The revolving fund has been managed by UPK DAPM Lenggo until December 2020, the amount of these funds has amounted to Rp. 12,711,459,100. This means that this program has a fairly good turnover of funds and can be felt by the beneficiary community, one of which is women's savings and loans.

In terms of research studies and implementer capacity, it is also important for researchers to further explore the assessments and perspectives of the Inter-Village Cooperation Agency (BKAD) which oversees the UPK DAPM at the sub-district level. Considering that the task entrusted by Permendagri No. 96 of 2017 to BKAD is quite heavy, the communication patterns of BKAD and UPK DAPM need to be examined in terms of their decision-making methods and the values espoused so that so far there has been no visible effort to immediately implement government policies.

**METHOD**

The basic approach in this research is a case study approach with qualitative research methods. The selection of informants was carried out in an accidental manner, namely the technique of selecting informants who were determined by chance to be selected by the researcher and considered capable of providing the information or data needed in this study.

Data collection techniques in this study were carried out using multiple sources of evidence (triangulation), meaning data collection techniques that combine various data collection techniques and existing data sources. Technical triangulation means that researchers use different data collection techniques to obtain data from the same source.

**RESULT AND DISCUSSION**

The interval before entering 2 (two) years since the enactment of Government Regulation (PP) No. 11 of 2021 concerning the transformation (change) of the ex-National Community Empowerment Program (PNPM) into a Joint Village-Owned Enterprise (BUMDesMa), until now the government is still "istiqomah" announcing this message to all levels of state organs to continue "dragging "All ex-
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PNPM in Indonesia to immediately merge into BUMDesMa. Where, the order was also explicitly finalized into article 73 paragraph 1 PP No. 11 of 2021 which states that "Managers of community revolving fund activities in the former National Program for empowering rural independent communities must be formed into joint BUMDesa no later than 2 (two) years from the promulgation of this PP”.

Taking into account the running out of deadlines, a number of government organs such as the Office of Community Empowerment, Population Control and Family Planning (PMD-PPKB) which are spread throughout Indonesia, especially in Tanah Datar Regency which is located in West Sumatra province, are increasingly intensively socializing the transformation implementation strategy. exPNPM in the sub-district of Tanah Datar district became BUMDesMa in accordance with the decree in the laws and regulations. Based on Law no. 15 of 2021, the flow of change from Ex-PNPM to BUMDesMa is the first stage of Socialization: Where, this socialization stage is carried out vertically from the top-down organ of the central government, then down to the provinces, and the socialization continues to the districts as well as to the district and ending in the village or kelurahan. Overall socialization activities are fully carried out by the Office of Community Empowerment, Population Control and Family Planning (PMD-PPKB). Second Stage of Transfer In accordance with the statement in the regulation, that the transfer of ex-PNPM status to BUMDesMa must be followed by transfer of assets, transfer of institutions, transfer of personnel and transfer of administrative activities. The third stage is the Inter-Village Deliberation stage. In this stage, after the transfer of status from the previous requirements has been fulfilled, the next important step is to hold inter-village deliberations. The fourth stage is that the kelurahan cannot become a BUMDesMa. The fifth and final stage is if there is a sub-district that does not meet the requirements for transformation, for example the UPK in the EksPNPM only has one village, then the UPK may merge into another sub-district that meets the requirements to become a former PNPM.

Based on credible and accurate reference data that researchers collected from the official office for Village Community Empowerment, Population Control, and Family Planning (PMD-PPKB) in Tanah Datar District, that of the 14 sub-districts in Tanah Datar District, more than 80% of the sub-districts has received socialization activities carried out by the PMD-PPKB service. Among the 14 existing sub-districts, Sungai Tarab with its former PNPM Lenggogeni is one of the sub-districts that clearly received
socialization from PMD-PPKB on 27 July 2022.

After the end of the socialization, the responsiveness shown by the majority of Wali Nagari in Sungai Tarab sub-district showed a positive attitude and "enthusiasm" to immediately hold a meeting with several elements in all Nagari Sungai Tarab sub-districts. And those who were appointed as presenters at that time were not only from the PMD-PPKB, but also representatives from the Tanah Datar District Inspectorate as monitors as well as giving considerations about the readiness of UPK Lenggogeni in Sungai Tarab District to transform into BUMDesMa by providing the results of the review they had do to the feasibility of the number of assets that need to be prepared as prerequisites for the transformation. The results of the review from the inspectorate have positively demonstrated the feasibility of UPK Lenggogeni to "anchor" towards BUMDesMa even though there are still some gaps in the calculation of these assets, which according to the inspectorate is not a crucial problem because it can be solved at a later date.

Taking into account these feasibility conditions, in the end the majority of the Wali Nagari who were present at that time agreed to directly hold deliberations in their respective Nagari.

Thus, currently each Nagari currently on the Tarab River is negotiating all kinds of things that are important to prepare for. Then, when each Nagari has finished discussing all types of their preparations, the next level that will be addressed is to bring together representatives from each Nagari at the sub-district level to carry out what is called the Inter-Nagari Deliberation, to finalize all matters become the initial prerequisite for BUMDesMa, such as establishing a work program, preparing the Statutes/Bylaws (AD/ART), applying for legal status as a legal entity and other crucial matters.

Basically, every change will always be accompanied by discourse in the form of arguments to accept (pro) or reject (contra) the substance of the change. No exception in the context of government policies, both in Indonesia and globally. In its development, the community, both structurally and non-structurally joined, serves as a supervisory agent and controls the running of good governance. Because, it is not impossible without supervision, a wheel of power will "turn in direction" from the interests of the community to become the interests of individuals and groups. As a reminder. Lord Acton has "illustrated" a warning by saying "power tends to corrupt, but absolute power corrupts absolutely" which means that
power (which is not controlled) tends to ignore the interests of society above personal and group interests.

Glancing into the context of current government policy issues, of course debate is a constitutional matter which is a legitimate way to enrich the discourse of a policy so that it does not deviate from the "circular line" of the interests of the people themselves. If we narrow it down in more detail, then an interesting issue that is still being debated is the transformation of the ex-PNPM UPK into a Joint Village Owned Enterprise (BUMDesMa) after being announced in Government Regulation (PP) no. 11 of 2021 which is specifically wrapped in article 73 paragraph 1 which requires all ex-PNPM revolving fund UPKs in Indonesia to merge into BUMDesMa.

"It's like a lot more baking than fire" even though the government in its regulations seems to 'seduce' all UPKs to transform, but still along the way it is found that some UPKs still feel 'skeptical' about the government's good intentions in this discourse. One of the UPKs that became the object of this research was UPK DAPM Lenggogeni which is located in Sungai Tarab District, Tanah Datar Regency, West Sumatra Province. The technique used by the researchers in this study was interviews conducted with the head of UPK DAPM Lenggogeni Sungai Tarab. Where, in this case the researcher analyzed, even though in an institutional context, UPK Lenggogeni had to immediately "nod" the PP to be implemented.

But at first, when the PP had just been launched, the Lenggogeni UPK was included in a "group" that denied the contents of the PP's obligations in every way, such as re-communicating with a number of governments to revise the PP to "coup" the PP by conducting a judicial a review (conducting a review) to the Supreme Court has been carried out by UPK Lenggogeni and together with other UPKs in Indonesia. Not without reason, based on the results of interviews conducted by researchers there were several things that triggered the UPK's ambiguity to clearly "agree" with the announcement in PP No. 11 of 2021, including:

The confusion of the word "mandatory" in article 73 paragraph 1 which contains an order obliging all UPKs to transform into BUMDesMa. In fact, there is no explanation of the risks or impacts caused if a UPK refuses to transform. So that this article "provokes" debate about the legal risks to the process of transforming UPK into BUMDesMa.

Related to the main argument used by the government under the pretext of saving assets, a number of questions that
arose in the minds of UPK Lenggogeni were the timing problem, namely the question of why this change idea was only carried out at this time, while the PNPM program had ended in 2014, so that the ambiguity making some parties ambiguous will be full of conflicts of interest behind this.

Then, the next "bullet" that the government "shot" to pass this PP is by using the argument that there is no legal umbrella covering UPK DAPM, so with that the government needs to drag all UPKs into transformation even though some UPK DAPM are already legal entities. A simple example is that in Tanah Datar district, 11 out of 14 UPKs are already legal entities. This means that more than 70% of UPKs in Tanah Datar Regency are already legal entities. Thus, until now this statement is still controversial in the midst of the government's incessant pressure on UPK to immediately become BUMDesMa.

The existence of disinformation due to the lack of transparency from the government in the socialization process requires this change. For example, when there was a Hearing Meeting (RDP) held by the House of Representatives (DPR) commission V which at that time had politically 'approved' all UPKs to determine their fate (transformed or not) but in fact on the ground the DPR commission's statement v is not realized or in other words it still forces the change.

There are doubts about the legal duality that covers the UPK. Where in the PP it requires each UPK to renew its respective legal entity. Whereas previously some UPKs were already legal entities, so the necessity or need to create a new legal entity from the same ministry for UPKs became ambiguous.

However, on the other hand, some UPKs are still trapped in doubts about moving to BUMDesMa due to the following matters, namely: There is anxiety that after the UPK has been transformed, there will be misunderstandings and perceptions among the community that the funds managed by the BUMDesma are government funds so that as is the case in general, the borrowing community will feel that the funds should be their right, so there is no need returned.

There are fears of intervention from outsiders. When a UPK has legally transformed into BUMDesMa, at the same time the UPK "apparatus" will be filled by various parties who were previously outside the UPK. So, it is not impossible that it will cause a conflict of interest within the institution and will further affect the stability of the institution's performance.

These series of doubts and anxieties continue to be a "scourge" for
some UPKs which are currently undergoing the process of transforming into BUMDesMa. The reason is that in the ushul fiqh rules it is explained that there is no doubt in doubt, which indirectly means that this transformation process is accompanied by openness (transparency) so that all UPKs are able to give their blessing in this transformation process so that it succeeds in achieving its goals, as expectation.

CONCLUSION

The interval before entering 2 (two) years since the enactment of Government Regulation (PP) No. 11 of 2021 concerning the transformation (change) of the ex-National Community Empowerment Program (PNPM) into a Joint Village-Owned Enterprise (BUMDesMa), until now the government is still "istiqomah" announcing this message to all levels of state organs to continue "dragging" All ex-PNPM in Indonesia to immediately merge into BUMDesMa. Where, the order was also explicitly finalized into article 73 paragraph 1 PP No. 11 of 2021 which states that "Managers of community revolving fund activities in the former National Program for empowering rural independent communities must be formed into joint BUMDesa no later than 2 (two) years from the promulgation of this PP".

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REFERENCES