

Assistance and Establishment of an Anti-Corruption Legal Clinic in Puguh Village, Boja District, Kendal Regency

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Abstract

The cause of corruption in village funds is due to the lack of competence of village officials, lack of transparency and lack of government and community supervision as well as superior intervention in the implementation of physical activities that are not according to planning. A joint commitment from the Puguh Village Government and the community is needed in alleviating corruption at the village level. This paper describes and analyzes various efforts to increase anti-corruption awareness for the community and the Puguh Village Government. The method used in this program includes three things, namely: (1) exploratory; (2) topical; (3) evaluation and monitoring. The service team embodies a commitment to answer problems by establishing an anti-corruption legal clinic with programs including counseling on anti-corruption from the KPK Education Center related to transparent and corruption-free village fund management, computer and internet training from UPTTIK UNNES for the use of an online system in managing village funds and online marketing of village products, as well as assistance in resolving legal cases that occur in the community through a legal aid study center.

Abstrak

Pendampingan dan Pendirian Klinik Hukum Anti Korupsi di Desa Puguh, Kecamatan Boja, Kabupaten Kendal.

Penyebab korupsi dana desa adalah adanya intervensi atasan dalam pelaksanaan kegiatan fisik yang tak sesuai perencanaan, tidak adanya transparansi dan kurangnya pengawasan pemerintah dan masyarakat. Komitmen bersama dari Pemerintahan Desa Puguh dan masyarakat dibutuhkan dalam mengentaskan korupsi di tingkat desa. Tulisan ini mendeskripsikan dan menganalisis berbagai upaya dalam meningkatkan kesadaran anti korupsi bagi masyarakat dan Pemerintahan Desa Puguh. Metode yang digunakan dalam program ini meliputi tiga hal, yaitu: (1) eksplorasi; (2) topikal; (3) evaluasi dan pemantauan. Tim pengabdian mewujudkan komitmen untuk menjawab permasalahan dengan membentuk klinik hukum anti korupsi dengan program antara lain penyuluhan mengenai anti korupsi dari Pusat Edukasi KPK terkait pengelolaan dana desa yang transparan dan bebas korupsi, pelatihan komputer dan internet dari UPTTIK UNNES untuk penggunaan sistem



online dalam pengelolaan dana desa dan pemasaran produk desa secara online, serta pendampingan penyelesaian perkara hukum yang terjadi di masyarakat melalui pusat kajian bantuan hukum.

INTRODUCTION

Rural communities have had the opportunity to participate in the implementation of Law No. 6 of 2014 concerning Villages since its enactment (Esfandiari & Al-Fatih, 2020). This is because the village will receive financial assistance in managing the village which is called the Village Fund. Village Money are funds derived from the Anggaran Pendapatan dan Belanja Negara (APBN) and transmitted through the Regency/City Regional Revenue and Expenditure Budget for the administration of village governance, village development, and rural community empowerment (Zakariya, 2019).

Today, corrupt behavior committed against village funds is still happening. Cases of corruption at the village level have in reality been planned from the beginning of the village development planning process by either compiling a development program that will intentionally provide opportunities for corruption or by increasing the program budget from what it should be (Rahman, 2011). This indicates that corruption at the village level has become a planned behavior that is structured and systematic (Herdiana, 2019). Village funds are vulnerable to corruption due to several factors, including the lack of competence of village officials, lack of transparency and lack of supervision from the government and the community as well as superior intervention in the implementation of physical activities that are not in accordance with the plan. Therefore, it is necessary to prevent corruption at the village level (Bunga, 2018).

Boja sub-district consists of 18 villages. Puguh village is one of the villages in the Boja sub-district that has the potential to develop Badan Usaha Milik Desa (BUMDES) management to the maximum from the results of its natural resources. However, so far they have never received assistance from related parties. Based on the results of field observations, a lot of information was obtained regarding Puguh Village which has territorial boundaries, namely:

- a. North side: Kliris Village
- b. South side: Gonoharjo Village
- c. West side: Pagerwojo Village
- d. East side: Pasigitan Village

The total area of the village is 1,577,640 km² (1 km² = 100 hectares) (Anonim, 2021). The topography of Puguh village is a highland/mountain that has a typology of agricultural villages. The demographic data are as follows:



Table 1. Puguh Village Demographic Data

DEMOGRAPHIC DATA		
Population		
Total Population	1,852 people	
Total Male Population	908 people	
Total Female Population	944 people	
Total Immigrants	10 people	
Total Residents Leaving	5 people	
Head of family		
Total of Family Heads	593 FH	
Total of Female Family Heads	26 FH	
Total of Poor Families	110 FH	
Population Based on Age Structure		
a. <1 year	34 people	
b. 1-4 years	96 people	
c. 5-14 years	218 people	
d. 15-39 years	703 people	
e. 40-64 years	550 people	
f. 65 years and over	251 people	
Population by occupation	Male	Female
Farmer	150 people	95 people
Farm workers	245 people	185 people
Factory workers	15 people	88 people
Civil Servant	14 people	13 people
Private employees	23 people	7 people
Self-employed/trader	51 people	153 people

Currently, village development is one of the government's priorities as stated in the third Nawacita, Specifically, strengthening regions and villages within the framework of a unitary state to develop Indonesia from the periphery. Since rolling in 2015 and until 2020, as much as 260 trillion village funds have flowed to 74,957 villages. The goal is to



reduce the number of poor people, close the urban-rural divide, and increase the well-being of rural communities. In actuality, the large sums of money available in the community are prone to corruption (Anjani, 2019). The governance of village funds is not completely free from corruption. The trend of corruption is increasing from year to year. State losses due to this corrupt behavior reached 40.6 billion. From ICW's monitoring, seven forms of corruption were identified that are generally carried out by village governments, namely embezzlement, budget abuse, abuse of authority, illegal levies, mark-ups, fictitious reports, budget cuts and bribes (Bali et al., 2020).

The seven types of corruption imply that there are five points in the process of managing village revenues that are prone to corruption. In terms of distribution and management of village funds, the five vulnerable points are: 1. the planning process; 2. the accountability process; 3. the monitoring and evaluation process; 4. the implementation process; and 5. the process of acquiring products and services. Meanwhile, effectively tracked ways of fund corruption include (Zakariya, 2019):

1. Make a Budget Plan above the market price.
2. Responsible for the financing of physical buildings with village funds even though the project is sourced from other sources.
3. Temporarily borrowing village funds for personal interests but not returning them.
4. Collecting or withholding village funds by sub-district or district officials.
5. Make a fictitious official trip of the village head or his staff.
6. Mark Up payment of village officials' honorarium.
7. Mark Up payment for office stationery.
8. Collecting village taxes or levies but the proceeds from the collection are not deposited into the village treasury or the tax office.
9. Purchase of office inventory with village funds but for private use.
10. Public budget cuts are then allocated for the benefit of village officials.
11. Play a game (Kongkalingkong) in a project funded by village funds.
12. Create fictitious activities or projects whose funds are charged from village funds.

In terms of actors, village heads are the most involved in corruption.

Areas that are vulnerable include planning and disbursement. The causes of corruption in village funds are due to the lack of competence of village officials, lack of transparency and lack of supervision from the government and the community as well as the intervention of superiors in carrying out physical activities that are not according to planning (Cahyani & Al-Fatih, 2020). Therefore, it takes the ability to develop a Puguh Village development program.

By knowing the problem and potential map, the Puguh Village development program is prepared by outlining the steps for implementing the village's vision and mission by taking into account the aspirations of the developing community, applicable rules and regulations, conditions, problems and potential as well as village capabilities, and determining program priorities adjusted to the functions and affairs of government,



so that a priority scale for handling problems and options for action can be formulated. In addition, the potential of each State Civil Apparatus must also be polished and developed as a Human Resources package with Anti-Corruption characteristics in order to make the use of Village Funds successful. In order to make it happen, the field of village empowerment and development includes: Village fund administration management programs that are transparent and free of corruption; Extension Cadre Training Program to Socialize the Anti-Corruption Movement in the Village; Assistance Program for the Settlement of Criminal Cases of Misuse of Village Fund Allocations; Village Fund Monitoring Unit Establishment Program; Character Strengthening Program for Village Heads and Village Apparatus; and Pioneering for the Establishment of a Village Fund Management Consulting Clinic. With the hope that there will be regularity in the process of allocation, utilization, evaluation of village government governance in the use of village funds (*Interview Results, Reprocessed, 2020*).

In this activity, the devotees feel the need to carry out outreach activities in Puguh Village which aims to increase the insight of the community in general and individuals in particular. Develop an understanding of legal awareness in everyday life as an effort to create legal awareness for both community members and village officials. One of them is related to the problem of village funds. The problem of community service partners can be formulated as follows: How is the village fund administration management program transparent and free of corruption through the establishment of a Village Fund Management Consulting Clinic?

IMPLEMENTATION METHOD

The form of counseling, training, and mentoring activities uses the Participatory Rural Appraisal (PRA) method. Etymologically, PRA means a participatory and elaborative regional assessment (Maulani et al., 2020). PRA is theoretically a set of approaches and methods that encourage village or kelurahan communities to actively participate in increasing and analyzing knowledge about their own living conditions and needs so that they can make action plans according to the problems in their area. Then they are facilitated to make an activity plan according to the potential and problems that exist in the village or sub-district or outside their environment. Facilitators, assistants or field officers as outsiders of the village community only analyze living conditions which include the potential and problems that exist in the village, while decision making is in the community itself. Community service activities involve facilitators from various interdisciplinary sciences, including:

1. Anti-Corruption Counsel from the KPK Education Center regarding transparent and corruption-free management of village funds;
2. Computer and internet training instructor from UPT Information and Communication Technology (UPTTIK) UNNES for the use of online systems in managing village funds and marketing village products online;



3. Legal aid institutions that will aid in the settlement of criminal cases;

The operational stages according to Bhandari, which are needed to overcome the problems described in the background include three things, namely: (1) exploratory, namely to find out everything about the location of certain areas according to the local community. This exploratory is used when starting to explore the location to make an activity plan or program, (2) topical, used to obtain certain information in depth tailored to the objectives of PRA, (3) evaluation and monitoring, PRA to evaluate and monitor the progress of programs and related agencies (Bhandari et al., 2005). In implementing PRA, the community service team will pay attention to the main elements contained in PRA, namely the learning process by exchanging knowledge and experience, learning tools in the form of PRA techniques and expected learning outcomes.

The following is a list of work programs in this service program:

1. Observation of social situations and conditions
 - a) Location observation;
 - b) Observation of etiquette and culture;
 - c) Observation of government institutions;
 - d) Observation of the implementation of village deliberations.
2. Transparent and Corruption-free Village Fund administration management
 - a) Administrative training;
 - b) Training on how to figure out how Village Funds are spent;
 - c) Accountability Report for the Use of Village Funds is being prepared;
 - d) Creating a matrix of achievement of Village Funds utilization on a regular basis;
 - e) Management of the Village Fund is transparent.
3. Training of technology-based anti-corruption extension cadres
 - a) Basic computer usage training;
 - b) Internet training;
 - c) Introduction of simral government cloud system (e-budgeting);
 - d) Utilization of simran government cloud system (e-budgeting);
 - e) Assistance in the settlement of criminal cases of misuse of Village Fund allocations;
 - f) Increase knowledge about preventing misuse of Village Funds;
 - g) Increasing knowledge of handling criminal cases of misuse of Village Funds.
4. Establishment of a Village Fund supervision unit



- a) Increase knowledge of the priority allocation process for the use of Village Funds;
 - b) Understanding the distribution flow of the use of the Village Fund;
 - c) Make a mapping of the use of Village Funds;
 - d) Increasing village community participation;
5. Strengthening the character of the village head and village apparatus, in the form of technical guidance on the management of Village Funds and the introduction of legal aspects in the settlement of criminal cases of misuse of Village Funds.
6. Pioneering establishment of Village Fund Management Consulting Clinic Konsultasi
- a) Improving community performance in overseeing the use of Village Funds;
 - b) Facilitating the community to obtain the widest possible information about the problems of using the Village Fund;
 - c) Increase human resources with character, anti-corruption, and can minimize misuse of Village Funds;
 - d) Information center for handling both administratively and criminally in the misuse of Village Funds.

RESULTS AND DISCUSSION

Implementation of Legal Assistance and Advocacy Activities

Community service activities are carried out as an effort to provide knowledge, information, and awareness to the community which in this case is the village head, village officials and village communities regarding the management and transparency of the Village Fund that is free of corruption. The activity has been carried out by a service team in Puguh Village, Boja District, Kendal Regency.

This community service is carried out in order to help improve the understanding and skills of village heads and village officials in realizing transparent and accountable Village Fund management. In addition, the community must understand that the participation of the village community in supervising the use of the Village Fund is important (Rusdiana et al., 2020). This is because the Village Fund is a means in developing villages and providing village community empowerment. That the village head and village apparatus need to understand the importance of realizing transparent and accountable Village Fund management, as well as being effective in making every policy on the use of Village Funds.

This service activity took place at the Puguh Village Hall, Boja District, Kendal Regency. This service was carried out for 4 (four) days with a total of 20 participants, consisting of the puguh village head, puguh village apparatus, RT head, RW head and the



puguh village community. Participants in the service are limited to minimize the transmission of the Covid-19 virus. In addition, this service is carried out by implementing strict health protocols.

This community service activity is carried out in stages, namely through 3 stages. The first stage is the exploratory stage, which is to find out everything about the location of a particular area according to the local community. These exploratorys are used when going to start exploring the location to make an activity plan or program. This stage is carried out from 22 to 23 May 2021. The head of the service implementation team accompanied by service members from students visits the service location to carry out licensing and give a glimpse of the service program that will be carried out, as well as make observations about the Village Fund management system in Puguh Village, and understanding of village officials to make it easier to provide targeted education.

The second stage was held on May 29, 2021, the service team began to conduct socialization about the importance of transparent and corruption-free Village Fund management in Puguh Village, Boja District, Kendal Regency. This activity is carried out by presenting the material orally assisted by slides and LCD. The second stage of this service was attended by the village head, village officials, and the Puguh Village community. This socialization activity began with an opening ceremony which was immediately opened by Ngamidjo as the Head of Puguh Village. Then proceed with the introduction of a service team from FH UNNES who will provide material and understanding about the management of Village Funds that are free from corruption. Then the leader of the service team, Anis Widyawati, gave a welcome and thanks for the opportunity given by the people of Puguh Village to hold service in the village. Furthermore, the material presented by team members, by Indung Wijayanto and Dian Latifiani.



Picture 1. Coordination Process and Preparation of Activities Proses



In general, the results of the socialization activities showed positive results with the activities taking place according to the planning and enthusiastic participation of the participants with high usefulness values. Tailored delivery methods feel good and more pragmatic.

Assistance activities for the management of Village Funds that are clean and free from corruption are evaluated in the third phase of activities on May 30, 2021, with the following achievements:

1. Transparent and Corruption-free Village Fund administration management, including:
 - a) Administrative training;
 - b) Training to map the use of Village Funds;
 - c) Preparation of Accountability Report for the use of Village Funds;
 - d) Periodic making of the achievement matrix for the use of Village Funds;
 - e) Village Fund management transparency.
2. Training of technology-based anti-corruption movement extension cadres, including:
 - a) Basic computer usage training;
 - b) Internet training;
 - c) Introduction of simral government cloud system (e-budgeting);
 - d) Utilization of simran government cloud system (e-budgeting).
3. Assistance in the settlement of criminal cases of misuse of Village Fund allocations, including:
 - a) Increase knowledge about preventing misuse of Village Funds;
 - b) Increase knowledge of handling criminal cases of misuse of Village Funds.
4. Establishment of a Village Fund supervision unit, including:
 - a) Increase knowledge of the priority allocation process for the use of Village Funds;
 - b) Understanding the distribution flow of the use of the Village Fund;
 - c) Make a mapping of the use of Village Funds;
 - d) Increasing village community participation;
5. Strengthening the character of the village head and village apparatus, in the form of technical guidance on the management of Village Funds and the introduction of legal aspects in the settlement of criminal cases of misuse of Village Funds.



6. Pioneering establishment of Village Fund Management Consulting Clinic, including:
 - a) Improving community performance in overseeing the use of Village Funds;
 - b) Facilitating the community to obtain the widest possible information about the problems of using the Village Fund;
 - c) Increase human resources with character, anti-corruption, and can minimize misuse of Village Funds;
 - d) Information center for handling both administratively and criminally in the misuse of Village Funds.



Picture 2. Submission of Material by the Service Team

Based on the service activities that have been carried out, there is a sustainability plan for the ongoing program, namely, Puguh Village can be independent through Community Empowerment and Development by creating a corruption-free village area.

Legal Assistance and Advocacy Discussion

The village is the smallest element of the state, but is closest to the community. The Village is a legal community unit with territorial boundaries that is 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 Unitary State government system Republic of Indonesia (Kadir & Moonti, 2018).

With the passage of Law No. 6 of 2014 on Villages, it is intended that all of the village community's interests and requirements would be better met. Providing more



possibilities for villages to manage their own governance and execute equitable development is intended to improve the welfare and quality of life of rural communities, reducing issues like regional inequities, poverty, and other socio-cultural issues.



Picture 3. Discussion Session with Socialization Participants

The village government has been mandated to be more independent in managing the government and various natural resources possessed, including the management of village finances and assets, under Law No. 6 of 2014 and its implementing rules (Karimah et al., 2019). Villages also have Village Original Income and Transfer Income in the form of Village Fund Allocations, a portion of Regency/Municipal Taxes and Levy Revenues, and Financial Assistance from the Provincial/Regency/City APBD, pursuant to Article 72 of the Village Law. The village's important position is, of course, coupled by a great deal of responsibility (Anjani, 2019). As a result, the village government must be able to use the accountability principle in its governance, with all final village governance activities being accountable to the village community in compliance with the provisions.

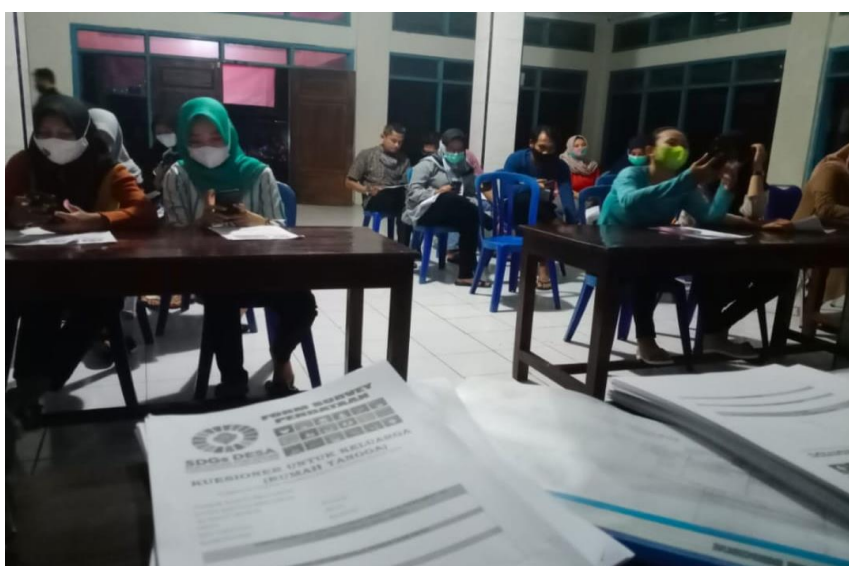
The existence of Village Funds received by each village creates opportunities for irregularities in the use of Village Funds. Corruption in village funds is one of the causes of non-optimal public services in the village for the community. This corruption does not only arise from the large value of village fund allocations for each village per year, but also because it is not accompanied by the principles of transparency, participation, and accountability in village financial governance.

Corruption in village funds has increased every year. On average, every year there are 61 cases of corruption in the village sector, which are carried out by 52 village heads and cost the state finances reaching Rp. 256 billion. Overall corruption in the village sector that occurred during 2015-2019 reached Rp. 1.28 trillion (Alamsyah, 2020 Ramadhan,



2020; CNN Indonesia, 2020; Indonesian Corruption Watch, 2018). The high involvement of the Village Head as an actor shows that Article 26 paragraph (4) letter f of the Village Law has not been carried out optimally by the Village Head (Herdiana, 2019). Where the Village Head in carrying out his duties is obliged to carry out the principles of accountable, transparent, professional, effective and efficient Village Governance, clean, and free from Corruption, Collusion and Nepotism (KKN).

Based on the results of service in Puguh Village, Boja District, Kendal Regency, it was found that village officials did not fully understand the allocation of village funds based on priority use. In addition, the lack of participation of village communities in supervising the use of village funds. Corruption is prone to occur in the village, causing losses for the village community.



Picture 4. Review Process with Puguh Village Officials

The benefits expected from the implementation of legal assistance and advocacy include the Village Head and Village Apparatus being able to properly manage Financial Aid so as to minimize the form of errors, both administrative and non-administrative; as a means to submit complaints/discussions for the community regarding the management of financial assistance in their village; and can identify the real problems in the management of financial aid so that it can provide input for corrective steps including improving regional policies in the management of financial aid.

The existence of the role of village clinics where consultations are expected to improve the understanding and skills of village heads and village officials in managing Village Fund Allocations (ADD), Village Funds (DD), Village Financial Assistance and management of grant funds in their villages, means that this clinic was built seriously. - really to help village officials and the community in finding solutions according to applicable regulations because there are many problems that have not been properly understood by village heads and village officials as well as the community. Community participation has benefits as a real manifestation of the implementation of the principles



of transparency and accountability mandated by laws and regulations in the context of preventing corruption in village funds (Karmani et al., 2019).

CONCLUSION

The position of the anti-corruption legal clinic as an effort and solution for early prevention of corruption in village funds because of the many problems and problems of the village, especially the human resource element of each village apparatus, then with efforts through the anti-corruption law clinic, the element of prevention is prioritized rather than action (Karmani et al., 2019; Fajrin & Triwijaya, 2019).

Based on the results of the evaluation, observations and direct responses from participants, this service activity was quite successful given the increasing understanding of the importance of understanding the management of clean and transparent village funds. Participants' participation and responses were also very good, as seen from the many responses and questions asked, including the large number of participants, activities, and discussions.

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