



Legal Product Formation and Financial Management

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Abstract

Introduction: The village is granted broader authority to regulate and manage the interests of the community. Therefore, a number of village regulations must be created to effectively implement this authority. The importance of these village regulations is also aimed at accelerating the realization of public welfare through improvements in services, empowerment, community participation, and enhancing regional competitiveness, while considering the principles of democracy, equity, justice, as well as the uniqueness and special characteristics of each region within the framework of the Unitary State of the Republic of Indonesia.

Purposes of The Devotion: The aim of this community service activity is to enhance the knowledge and skills of the community regarding the position of regional regulations, the process of making regional regulations, and the proper implementation of village governance.

Method of The Devotion: Community service is carried out using a legal counseling method that focuses on interactive presentations or seminars, so that the service is not monotonous and does not only rely on the speaker. The topics covered include the formation of regional legal products, or "Perneg," and financial management in the administration of regional governance.

Results Main Findings of the Devotion: In general, participants in the community service activity are not aware that the role of regional regulations in the process of regional governance is very fundamental. This is because the process of regional governance itself is regulated in such a way in the law, where every rule or technical guideline for managing the region is already outlined in that law. Specifically, regarding the boundaries of the region and regional governance, these need to be regulated in regional regulations, as this will impact the status of the region itself.

Keywords: Authority; Management; Formation of Regional Regulations.

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INTRODUCTION

The legal study of village autonomy or other designations in Maluku State is generally related to how the state "treats" the country. Looking in depth at the meaning of regulation as stated in Article 18 of the Constitution of the Republic of Indonesia of 1945 and its explanation, it can be said that the essence of the article reflects the state's recognition of what is called "autonomy" today. Moreover, by mentioning the State as "the original order that has the right of origin", according to the 1945 Constitution, only the State is guaranteed to have autonomy. The country in reality is the owner of original autonomy, which has been a dynamic element of society in Indonesia for centuries, with the autonomy it has, the unity of customary law communities in Indonesia has so much diversity, consciously or not it has become a source of cultural wealth for Indonesia.¹

¹ Lindawaty, Debora Sanur. "Village development post Law Number 6 of 2014 on villages" *Jurnal Politica Dinamika Masalah Politik Dalam Negeri Dan Hubungan Internasional* 14, no. 1 (2023): 1-23. DOI: <http://dx.doi.org/10.22212/jp.v14i1.4120>

Basically, the perspective of indigenous peoples, in this case the country, affects attitudes and actions towards reality, greatly influenced by the prevailing social order. However, on the other hand, the modern legal order also exerts a strong influence through the actions of the state (government). Therefore, the state government seems to be running between two orders, a formal legal order that is fully supported by the state and a social order based on the needs of the local community. Each order constructs expectations for the position and role of the State Government. That is the dilemma felt by the state government.² The existence of Law Number 6 of 2014 concerning Villages sooner or later will have wide implications for the people's life system, especially on the authority of the state and the state government. The implications for state authority show that autonomy still exists, one of which is the existence of the authority of the right of origin inherent in the social status of the king and *saniri* which is a representation of the state government.

Based on Law Number 6 of 2014 concerning Villages, the definition of village itself is a village and customary village or country known in general in Maluku, is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs, the interests of the local community based on community initiatives, rights of origin, and/or traditional rights that are recognized and respected in the government system of the Unitary State of the Republic of Indonesia.³ The State has authority in the Village Law, among others, authority based on the right of origin, local-scale authority, authority assigned by the Government, Provincial Regional Government, or Regency/City Regional Government and other authorities assigned by the Government, Provincial Regional Government, or Regency/City Regional Government in accordance with the provisions of laws and regulations.

Apart from that, the State also has rights and obligations, some of the State's rights include, regulating and managing the interests of the community based on the rights of origin, customs and socio-cultural values of the community, establishing and managing institutions and obtaining sources of income. The State's obligations include protecting and maintaining the unity, unity, and harmony of society in the context of national harmony and the integrity of the Unitary State of the Republic of Indonesia, improving the quality of people's lives, developing democratic life, developing community empowerment and providing and improving services to the community.⁴ In the current era of regional autonomy, the State is given broader authority in regulating and managing the interests of the community. Therefore, a number of State Regulations must be made to effectively implement this authority. The importance of this State Regulation also aims to accelerate the realization of community welfare through improvement, service, empowerment, and community participation, as well as increasing regional competitiveness by paying attention to the principles of democracy, equity, justice, privilege and specificity of a region in the system of the Unitary State of the Republic of Indonesia.⁵

² Rahayu, Marza Nadya, Achmad Riky Pratama, Moh Aminullah Ahmad, and Ulil Amri Insan Kamil. "Analisis Pembentukan Peraturan Desa dan Kedudukannya dalam Sistem Hukum Indonesia." *Jurnal Media Akademik (JMA)* 2, no. 11 (2024): 1-16. <https://jurnal.mediaakademik.com/index.php/jma/article/view/900>

³ Sulistiya, Anisa, and Nurul Arifin. "Problematisasi Pengesahan Undang-Undang Nomor 3 Tahun 2024 Terhadap Indeks Korupsi Dana Desa." *Sosio Yustisia: Jurnal Hukum dan Perubahan Sosial* 4, no. 2 (2024): 137-158. DOI: <https://doi.org/10.15642/sosyus.v4i2.620>

⁴ Nurfurkon, Ardika. "How are the dynamics of village regulations related to preserving local wisdom and community culture? Consistency in laws and regulations in Indonesia." *LEGAL BRIEF* 14, no. 1 (2025): 67-74. <https://legal.isha.or.id/index.php/legal/article/view/1252>

⁵ Lainsamputty, Natanel. "Penetapan Pengakuan Dan Perlindungan Masyarakat Hukum Adat Di Kabupaten Maluku Tengah." *Jurnal Saniri* 3, no. 1 (2022): 11-18. DOI: <https://doi.org/10.47268/saniri.v3i1.1222>.

The existence of state regulations has binding legal force as long as they are ordered by higher regulations or formed based on (formal) authority, as emphasized in Article 8 paragraph (2) of Law Number 12 of 2011. This shows that the position of village regulations as a legal product. Consequently, state regulations must not conflict with higher regulations, in this case in drafting village regulations, they must pay attention to the type and hierarchy of laws and regulations as mentioned in Article 7 of Law Number 12 of 2011 concerning the Establishment of Laws and Regulations. Given the very strategic role of state regulations, the parties involved in the formation of state regulations (Kings, Saniri and indigenous peoples) must understand the position of village regulations as laws and regulations (legal products) and as political products, by understanding the position of the state regulations, simultaneously the aforementioned parties should increase their capacity in the technique of forming state regulations based on Law Number 12 of 2011 concerning Formation of Laws and Regulations.

METHOD OF THE DEVOTION

Community Service is carried out with a legal counseling method that leads to a two-way presentation or seminar so that this community service is not monotonous and only fixated on the speaker, the material raised is about the formation of a state law law or "Perneg" and financial management in the implementation of state government.

RESULTS AND DISCUSSION

Law Number 6 of 2014 in conjunction with Law Number 3 of 2024 concerning the Second Amendment to Law Number 6 of 2014 concerning Villages, among others, regulates the Position and Type of Village, Village Planning, Village Authority, Implementation of Village Government, Rights and Obligations of Villages and Village Communities, Village Finance and Village Assets, as well as Village Development and Rural Area Development.

Based on the Village Law, the definition of village itself is a village and customary village or what is called by other names, hereinafter referred to as Village, is a legal community unit that has territorial boundaries that are authorized to regulate and manage government affairs, the interests of the local community based on community initiatives, rights of origin, and/or traditional rights that are recognized and respected in the system of government of the Unitary State of the Republic of Indonesia. The village also has authority based on Article 19 of the Law on Villages, namely: 1) Authority based on the right of origin; 2) Village-scale local authority; 3) Authority assigned by the Government, Provincial Regional Government, or Regency/City Regional Government; and 4) Other authorities assigned by the Government, Provincial Regional Government, or Regency/City Regional Government in accordance with the provisions of laws and regulations. Apart from that, the village also has rights, in Article 67 of Law Number 6 of 2014 it is stated that several village rights are mentioned: 1) Regulating and taking care of the interests of the community based on the rights of origin, customs and socio-cultural values of the village community; 2) Establish and manage Village institutions and; 3) Getting a source of income.

Likewise, Article 67 of Law Number 6 of 2014 states the obligations of the Village: 1) Protecting and maintaining the unity, unity, and harmony of the Village community in the context of national harmony and the integrity of the Unitary State of the Republic of Indonesia; 2) Improving the quality of life of the village community; 3) Developing

democratic life; 4) Developing the empowerment of the Village community; and 5) Providing and improving services to the village community.

In addition, in the current era of regional autonomy, villages are given wider authority in regulating and managing the interests of the community. In this context, a number of Village Regulations must be made to effectively implement this authority. The importance of this village regulation also aims to accelerate the realization of community welfare through improvement, service, empowerment, and community participation, as well as increasing regional competitiveness by paying attention to the principles of democracy, equity, justice, privilege and specificity of a region in the system of the Unitary State of the Republic of Indonesia. However, the village regulations that are made should consider the integrity and ability of the community to implement them. Therefore, the process of drafting village regulations must pay attention to the aspirations of the community.

The implementation of one of the Tri Dharma of Higher Education, namely community service, is considered important to be explained to the community regarding the authority possessed by the state, especially related to the formation of legal regulations, in this case state regulations and authority in the management of village funds, Service in the Land of Lohu, West Seram Regency is carried out with the title "Formation of Legal Products and Financial Management in the Land of Luhu, This service was carried out in the form of socialization, the first material was given by S. E. M. Nirahua concerning the Implementation of Susuai Village Government Law Number 6 of 2014 concerning Jo Village Law Number 3 of 2024 concerning the Second Amendment to Law Number 6 of 2016. Followed by the presentation of Material on the Formation of State Legal Products by Garciano Nirahua and the Presentation of Material on Village Financial Management by Ronny Soplantila.



Figure 1. Providing Material by Resource Persons

Participants in this activity, who were present included the Luhu State Government, King and Saniri as well as youth leaders, community leaders, traditional leaders and religious leaders. In addition, the leadership of the Faculty of Law, Pattimura University, Dean and Vice Dean 3 together with the head of the law, state and state administration section were also present at this service activity.



Figure 2. Activity Participants

The expected output of this Community Service activity is that the public's understanding of the Formation of Legal Products and State Financial Management increases so that the public knows how a rule is formed and how important the rule is made, as well as the Community Service report.

CONCLUSION

Community Service Participants in general do not know that the role of State Regulations in the process of Implementing State Government has a very fundamental role, because in the process of implementing the State government itself it has been regulated in such a way in the Law where every rule or technical instruction for the management of the State has been regulated in the Law. Especially regarding the boundaries of the country's territory and state government, it needs to be regulated in state regulations, because this will have an impact on the status of this country itself. It is hoped that state regulations can be made immediately so that they can be in accordance with the provisions of the West Seram Regional Regulation, so that in the future the legalization of the status of Luhu and other state states in West Seram Bagain Regency can be clearly outlined in the West Seram Regional Regulations.

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