

Function of Overseas Saniri Supervision as Form of Corruption Crime Prevention (Study on the Nalahia State of Central Maluku District)

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Function of Overseas Saniri Supervision as Form of Corruption Crime Prevention (Study on the Nalahlia State of Central Maluku District)

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Abstract: Saniri Negeri as traditional institutions in customary law community unit can perform supervisory functions to the head of the State Government (King) in the use of village funds and allocation of village funds Negeri Nalahlia. This study aimed to analyze the position of State Saniri Negeri Nalahlia in oversight to the King. This research method is normative to be equipped with socio-legal studies or the study of the law by using the approach of law and social sciences. Sources of data needed in this research is primary data and secondary data. Data and information for this study was obtained through literature and in-depth interviews (in-depth interviews) with stakeholders (stakeholders) Negeri Nalahlia. Furthermore, the data obtained were analyzed qualitatively. The results showed that one of the tasks Saniri Nalahlia State is to supervise the performance of the King Nalahlia, including in terms of the utilization of the Village Fund (DD) and the Village Fund Allocation (ADD). Oversight function which is run by the State Saniri Nalahlia on the performance of the King is a form of prevention against acts of misappropriation (of corruption) and ADD Foreign DD Nalahlia. So it is not the case as the alleged misappropriation of DD and ADD by the King of Akoon (one of the neighboring State in Nusalaut Island). Oversight function which is run by the State Saniri Nalahlia on the performance of the King is a form of prevention against acts of misappropriation (of corruption) and ADD Foreign DD Nalahlia. So it is not the case as the alleged misappropriation of DD and ADD by the King of Akoon (one of the neighboring State in Nusalaut Island). Oversight function which is run by the State Saniri Nalahlia on the performance of the King is a form of prevention against acts of misappropriation (of corruption) and ADD Foreign DD Nalahlia. So it is not the case as the alleged misappropriation of DD and ADD by the King of Akoon (one of the neighboring State in Nusalaut Island).

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I. INTRODUCTION

The existence of Act No. 6 of 2014 concerning Villages (hereinafter referred to as the Act Village),

provides a great opportunity for the village to take care of its own governance system and the implementation of development to improve the welfare and quality of life in society. Besides the village government is

expected to be more independent in managing government and various natural resources that are owned, including financial management and wealth belongs to the village. So great a role accepted by the village, of course, accompanied by a big responsibility as well. Therefore, the village government should be able to apply the principle of accountability in its governance, which all end activities of village governance should be accountable to the villagers in accordance with applicable regulations,

As the Village People, Negeri Nalahia also got a chance to implement development to improve the welfare and quality of life through the provision of Negeri Nalahia DD and ADD by the Government. As the Head of Government Affairs, King plays an important role in the use or management of the DD and ADD. To pose no irregularities or action detrimental to society, so any use of DD and ADD king always involve Saniri Negeri Nalahia to sit together to discuss various programs that will be intended for the community Negeri Nalahia through the distribution of DD and ADD. Involvement of Saniri Negeri Nalahia as Customary Institution in oversight to the Head of State (King) reflect good governance.

Efforts to realize good governance begins with the establishment of MPR / XI / MPR / 1999 and Law No. 28 of 1999 on the Implementation of Clean Government and free from corruption. on Article 3 of the law states that the principles of state administration clean include: the principle of legal certainty; principle of orderly administration of the state; the principle of general interest; the principle of openness; the principle of proportionality; professionalism principle and the principle of accountability. Meaning good in terms of good governance implies that upholds the values of justice or the will of the people to improve their ability in the achievement of independence, sustainable development and social justice [1]. Good implies also that there is a functional aspect of effective governance and efficient in the execution of their duties to achieve that goal.

In governance, good governance is not exactly a new formulation, but a principle or principles that have hundreds of years old and that should be the foundations of government in a modern democratic country, that is how the government organization that emphasizes the principles of participation, transparency, and accountability, as well as open space for the involvement of citizens [2]. The principles of governance are not only applied in the conduct of a democratic state but also in the narrower scope of government in a village (State).

The supervisory function carried out by Saniri Negeri Nalahia interesting to be studied more in depth, because of the various inputs Saniri Negeri and its involvement in the use of DD and ADD by the King of Nalahia deserves to be exemplified by Negeri-Negeri other on the island Nusalaut in order to guard against abuses as done by the King of Akoon for the use of DD and ADD king does not involve Saniri Foreign Affairs. King only discuss the use of DD and ADD with devices such as Treasurer and Secretary of Foreign Affairs Akoon. A number of previous studies that are relevant to this study ever conducted, among others, Ronald Alfrida [3], Eric S Holle [4] and FD Tuasamu [5]. Thus the authors are interested in mengkaji and analyze more deeply associated with the presence of Saniri Negeri in Function Control of DD and Utilization of Foreign ADD Nalahia.

II. LITERATURE REVIEW

Control Theory

The term supervision in Indonesian origin he is "watch out", so supervision is supervising activities only. Definition of supervision according to experts is quite diverse. According to Robert J. Mockler found management control is a systematic effort to define a standard implementation of the objectives of planning, designing information systems, feedback, comparing the real activities with the standards previously set, define and measure the deviations

and take corrective action necessary to ensure that all sources power companies used in a way effective and efficient in achieving the objectives of the company [10].

According to Sondra P. Siagian supervision is the process of observation of the the implementation of all activities of the organization to ensure that all work is being done goes according to plan has been determined [11]. In line with Sondra P. Siagian, Sarwoto provides a definition of supervision as follows: "Supervision is an activity manager who arranged for the works accomplished in accordance with the established plan and desired or results" [12]. Similarly delivered by Manullang that defines the surveillance process to establish the work in accordance with the original plan [13]. It can be concluded that oversight is a form of actions undertaken to ensure that all activities carried out run in accordance with what was previously planned.

The object of surveillance activities is the possibility of the occurrence of errors, irregularities, fraud, breach. Errors can occur because of miscommunication, deviations can occur due to the deliberate use part of the implementation of development for personal gain. Violations can occur because of either intentional or unintentional execution of development does not comply with the rules and regulations that have been established [14].

Utilization of the Village Fund (DD) and the Village Fund Allocation (ADD)

Article 72 paragraph (1) of the village, stated that the Rural Income referred to in Article 71 paragraph (2) come from:

1. Village revenues consist of net income, on assets, self-help and participation, mutual aid, and others revenues Village;
2. The allocation of the State Budget;
3. That part of the local taxes and levies District / Kota
4. The village fund allocation that is part of the balance funds received Regency / City;

5. Financial assistance from the Budget of the Provincial and Budget of the Regency / City;
6. Grants and donations that are not binding on third parties; and
7. Desa other legitimate income.

In the explanation of Law The village is meant by "The budget comes from the Budget of the State" is the budget earmarked for the Village and the Village People that are transferred through the Budget of the Regency / City that are used to finance the delivery of governance, development, and community empowerment and society. This is called the Village Fund (DD). While the Village Fund Allocation (ADD) referred to in paragraph (1) letter d at least 10% (ten percent) of the balance funds received by District / City in the Budget Revenue and Expenditure after deduction of Special Allocation Fund.

The village fund policy governing the use of funds the management and Village is a product of the State, while the locus were in the lowest region in the village government. The village is the monocentric region; ie separate / autonomous Multi more rules can produce the goods / public services are cheap and better than in the polycentric region (central / centralized, single law). meaning; Lowest village as an institution is the first stage that is directly in contact with primary care and as institutions that receive policy impacts [15].

III. METHOD

The methodology will result in a new paradigm in the development of science. The results of the paradigm of thought always insufficient and are open to further changes. In other words, the result of thinking through a paradigm shift will always be relative, it depends on the data and facts obtained from the real world that is then analyzed according to scientific principles [6].

This study is a normative law, the law laid the legal research system as a norm. Norm system in question is about the principles, norms, rules, from

legislation, court decisions, agreements and doctrines (teachings) [7]. Normative legal research can also be interpreted as a legal research done by researching library materials [8]. In this study is also equipped with socio-legal studies is an alternative approach to test for doctrinal studies of law. Socio said in socio - legal studies represent the relationship between the context in which the law is. That is why when a researcher uses social theory for analytical purposes, they often do not pay attention to the sociology or social science to another, but to the law and legal studies [9] or the study of the law by using the approach of the science of law and social sciences.

Source data used are primary data and secondary data. Data collection through literature study and in-depth interviews to stakeholders Negeri Nalahia. Furthermore, the data were analyzed qualitatively. So in this study, in addition to reviewing and analyzing the material library or a study conducted by the search for documents relating to premises n issues raised, equipped also with the study of socio-legal to look deeper into the role and functions of institutions Saniri Negeri Nalahia in exercising oversight to Head State government (King) related to the use of DD and ADD in the Negeri Nalahia Nusalaut District of Central Maluku district.

IV. RESULT AND DISCUSSION

4.1 Position of Saniri Negeri Nalahia

Act No. 6 of 2014 on the village and Regulation Number 43 Year 2014 concerning the Implementation Regulations of Law No. 6 2014 About the village, providing a guarantee and recognition of the right origin and / or traditional rights are respected to the Village and the Village People or called by another name, and also has set up its own village and the Village People or referred to by other names in the order and manner of governance and development towards a just,

prosperous and prosperous in the governance system of the Republic of Indonesia.

In General Dictionary Indonesian villages mentioned are (1) the area inhabited by a number of families who have self-government (headed by the Chief of the Village), (2) a group of houses outside the city which is the unity of the village, hamlet, (3) a hick or village (in the sense of the hinterland or the opposite of the city), (4) places the soil, the area [16]. According Soetardjo Kartohadikoesoemo, the village is a legal entity in which resides a powerful community and the community to hold the government itself [17]. According to Eddi Handono village is always associated with two main features, namely: (1) The village is sociologically seen as a community in the geographical entity of certain inter- they know each other well with the style of life that is relatively homogeneous and many depend directly on nature, so that the people most are still highly dependent on the nature, and (2) the village is often associated with the organization of power [18]. It can be concluded that the village is the unity of the people living in geographically and has a system of self-government.

Village People for the Indonesian people have different names. As Gampong in Aceh, Nagari in West Sumatra, Kampung in Papua and Negeri in Maluku. Local regulation Central Maluku District No. 1 of 2006 on Negeri, stated that the Negeri is the unity of indigenous and tribal peoples that are sociological teritoris which has boundaries, authority to regulate and manage the interests of local communities based on the right of the origin and the local customs and be recognized and respected in the State administration system of the Republic of Indonesia. Similarly, Foreign Affairs Nalahia one on the island Nusalaut, Nusalaut island has seven (7) Countries namely the Land of Ameth, the Land of Nalahia, the Land of Sila, the Land of Lenitu, the Land of Titawaei, the Land of Abubu and the Land of Acoon.. This country is seventh in the administrative area Nusalaut subdistrict, Central Maluku district. The capital of the District is in the Negeri Ameth.

Geographically, Nalahia State is a mountainous area \pm 600 hectares of the total area. Approximately \pm 100 hectares are rocks and the rest used as a residential and farming land. State boundaries Nalahia as follows:

1. State East with Ameth
2. To the North with the Seram Sea
3. The South side is bordered by State Forest Titawai
4. West borders with Sila

As a customary law community unit, the Nalahia State is led by the Head of the State Government who has the title Raja. The position of King is the right of certain Matarumah / Descendants based on a straight line and cannot be transferred to other parties, except in special cases determined based on the results of the matarumah / descent which is entitled together with Saniri Nalahia.

Saniri Negeri is the legislative body that carry out state administration functions together Heads of State Government to discuss and agree Regulatory Affairs, the community and share their aspirations, as well as overseeing the governance of the country by foreign governments. Saniri Negeri Nalahia nine (9) people who are representative of four (4) Soa. Soa is a community group that consists of several genera / fam. Four (4) Soa, State Nalahia ie, three (3) representatives from Soa Lewerissa, two (2) representatives from Soa Leiwakabessy, two (2) representatives from Soa Rikumahu, two (2) representatives from Soa Berhitu. Saniri Negeri Nalahia tenure is six (6) years from the date of the inauguration and may be re-appointed in accordance with applicable regulations. State Saniri Nalahia arrangement consisting of the Chairman, Vice Chairman, Secretary and members can be seen in the table below:

Table 1 Nalahia Saniri Country Membership Arrangement Based on the Decree of the Regent of Central Maluku No 147-823 of 2015.

No	Name	Position in Saniri Representation	Element
1	Christian Leiwakabessy	Chairman	Soa Berhitu
2	Librek Haurissa	Vice Chairman	Soa Lewerissa
3	Alexander Leiwakabessy	Member	Soa Leiwakabessy
4	Kerestian Leiwakabessy	Member	Soa Leiwakabessy
5	Willem Simaela	Member	Soa Lewerissa
6	Ridolf Hetharie	Member	Soa Lewerissa
7	Hendrik Syaranamual	Member	Soa Berhitu
8	Agustinus Tapilatu	Member	Soa Rikumahu
9	Julianus Manuputty	Member	Soa Rikumahu

Source: Saniri Nalahia Archives

4.2 Saniri Negeri Nalahia in Chief Performance Against Oversight Functions State Government (King) Nalahia

The objectives in the political development in Indonesia is the formation of a democratic political system. Therefore, sovereignty or the highest authority in the country must be in the hands of the people. That is, the people are sovereign, as well as the main owner of the highest power [19]. Saniri Negeri is

representative of the people in the government system Negeri Nalahia. General Explanation This corresponds to Law No. 6 of 2014 About the village, said that the Village Consultative Body or referred to by other names (For indigenous peoples in the island of Ambon and Lease Islands Village Consultative Body known as the name "Saniri Negeri") is an institution that performs the functions of government whose members are representatives of the inhabitants of the village

based representation of the region and determined democratically. Saniri Negeri serves as a legislative body with the head of state government establish domestic legislation, oversee the implementation of the task of heads of government of the country as well as the head of government agency assisting the country in the lead country.

Saniri Negeri government defines the village is the village head and the device village as a component of village administration. This formulation is different with Law No. 5 of 1979 which stated that the village administration comprising heads of village and village consultative meeting Organization (hereinafter referred to as LMD). LMD is a kind of village councils. But since LMD led by the village head position, role, function, and its main task is not clear as an institution with legislative and executive functions. Law No. 22 of 1999 sharply distinguish the role of the village chief and Village Consultative Body (hereinafter abbreviated BPD). The village head is BPD is implementing the policy while the regulatory agencies and policy makers (village regulations). Thus, BPD is a body as small villages Parliament [20].

As has been explained previously that Nalahia as the Village People, its mention as a Country led by a King. Furthermore, the BPD is known as Saniri Negeri. Central Maluku Regency Regional Regulation number 04 of 2006 concerning Guidelines for the Arrangement of Saniri Negeri and the Village Consultative Body, in Article 4 paragraph (2) letter d regulates that one of the functions of the Saniri Negeri is to supervise and determine the State Revenue and Expenditure Budget. State revenue sources among others through the distribution of DD and ADD apart from other revenue sources. The same thing was stated in the Central Maluku Regent Decree No. 147-823 2015 On Inauguration State Saniri Nalahia District of Central Maluku. As has been the author described in the previous chapter that the State Revenue (village) one of which is sourced allocation of the State Budget.

Explanation of Law in the village is the "Budget sourced from Budget. The country "is the budget earmarked for the Village and the Village People that are transferred through the Budget of the Regency / City that are used to finance the delivery of governance, development, and community empowerment, and community. This is called the Village Fund (DD). While the Village Fund Allocation (ADD) at least 10% (ten percent) of the balance funds received by District / City in the Budget Revenue and Expenditure after deduction of Special Allocation Fund.

The village fund policy is essentially a manifestation of the government's desire Center allocated funds to accelerate development in the village. Through the distribution of the budget is on the other side to meet the commitment of the political economy of Nawa Cita Joko Widodo - Jusuf Kalla is "Building Indonesia from the periphery", with the village as a base receiver makes direct control of government authorities [21]. Through the policy of DD and ADD the role and authority of the village government more dominant in determining community development and empowerment program which is based on people's aspirations and needs of the village although there are still many problems in its management like missing the target and use the Village Fund is not optimal.

DD associated with the management and ADD, one of the functions of State Saniri Nalahia is doing Supervision and Designation of the State Budget, including the management or utilization of the Village Fund (DD) and the Village Fund Allocation (ADD) Nalahia State. Since 2015 (long reign of Mr O. Leiwakabessy) until 2019 (in the government of the new king of Mr. F. Leiwakabessy) every use of DD and ADD always involves elements of the Saniri Nalahia State and Religious Leaders so that the utilization or management of DD and ADD can be efficient and bring a positive impact on the lives of the people of the Nalahia State and of course prevent deviations or arbitrary actions from the State Government.

The supervisory action carried out by the Saniri Negeri Nalahia is a process of observation of the implementation of all Nalahia government activities to ensure that all work that is being carried out goes according to the plan that has been determined in a joint meeting with Nalahia State government staff. Saniri Negeri Nalahia Supervision is a manager's activity that endeavors to carry out the planned activities together with the head of government (the king) in accordance with the planned plan and or desired results. So that the supervision of the use of the State budget is in accordance with the original plan of bringing prosperity to the people of the Nalahia State.

State Revenue (village) of DD and ADD are intended for four (4) areas of the *first*, the field of governance which include the provision of fixed income and allowances KPN; providing steady income and benefits of domestic devices; provision of social security for the country KPN and devices; provision operational of government land; Saniri allowance country; operational provision of BPD (ATK, eat and drink); KPN awarding full duty; provision of fixed assets) office; increase in building construction / land office facilities; pembangan planning organization of the country. *Secondly*, the areas of implementation which includes the implementation of early childhood development belongs to the village (honor); Support the organization of early childhood education; Implementation of Posyandu (food additives, Act, Pregnant women, elderly, Intensive); family toilet building construction; provision of health infrastructure (blood test); environmental cleanup; Rembung stanting; Land bridge maintenance; Support the implementation of development programs / Gakin Rehap appropriate housing; improvement of water source; Development / Rehabilitation / Improvement of water supply connection to the household; Infrastructure development community residential environment; Rural Organizing public information (posters, billboards); Wifi dues; Procurement / Construction

/ Development / Maintenance Srana Tourism Village. Rural Organizing public information (posters, billboards); Wifi dues; Procurement / Construction / Development / Maintenance Srana Tourism Village. Rural Organizing public information (posters, billboards); Wifi dues; Procurement / Construction / Development / Maintenance Srana Tourism Village.

Third, the field of social development which includes the maintenance of facilities and infrastructure of culture, custom home; intensive provision for non-formal leaders of religious institutions; support the organization of the PKK; Providing incentives for custom devices. *Fourth*, community empowerment which includes procurement / equipment help fishermen; procurement / aid agricultural equipment (Hydroponics); Food aid for the poor; Cash assistance for mothers of orphans and widows would strays; Capital fund for SMEs; Help lokaluntuk food management adds value to a market economy; State BUM management training support; Job skills training (Embroidery Embroidery); Training the manufacture of plates of bone coconut.

Before the management or use of DD and ADD, the King and his staff of domestic government (Secretary of State, Kaur Development, Government Kaur, Kaur general, head¹² Soa and Kewang) Saniri Negeri sit together to discuss plans for the use of budget DD and ADD. Government Affairs and Home Affairs Saniri discuss any programs or objectives to be achieved in terms of management and utilization of DD and ADD then end i with prayer led by Pastor. So all the planning in the mana¹⁰ment of these funds can be performed well with based on the principles of openness, fairness, justice, and of course, the working principle of fear of God.

After the planning stage agreed, at the time of execution management and use of DD and ADD was Saniri State involved. They jointly assist the State government Nalahia carry out various

activities is planned in advance. In the evaluation hold on the government's duty of State, Foreign Saniri at present in the meeting as a final evaluation of the implementation of the work program management and utilization of DD and ADD earlier. With the involvement of State Saniri both from the planning stage to the final stage of evaluation, management and use of State ADD Nalahia DD and the start enjoyed since 2015 until now no action occurs diversion or arbitrary actions of the State Government. Other than that, their billboards or banners detailing the DD budget and ADD annual budget is created and installed / placed on Nalahia State multipurpose building that can be accessed by the public. King was ready for questioning related to the use of the budget that are not understood / understood by the public when viewing / reading on the banner / billboard is installed.

As billboards mounted for use of the State Budget for Fiscal Year 2019 State Nalahia earn Rp. 1.234615 billion sourced from the Village Fund (DD) of Rp. 753. 970. 000 and the Village Fund Allocation (ADD) Rp. 480. 645. 000. Use DD and ADD are intended for four key areas namely areas of government budgeted Rp. 440. 337. 000; field construction is budgeted at Rp. 576. 243. 000; construction area of about Rp. 54.758 million and the empowerment budgeted at Rp. 140. 283. 050.

The existence of the Saniri Nalahia State involvement in planning to supervision of the utilization of DD and ADD Nalahia State is inversely proportional to that experienced by neighboring countries namely the State of Akoon. There was no involvement of the Saniri Negeri Akoon in the planning, let alone the oversight function of the local Saniri Negeri, so there was a misappropriation of village funds by the person of the Raja Negeri Akoon (at that time). All planning and implementation of the Akoon State revenue and expenditure budget only involves the King, the Secretary of the Interior and the Treasurer. As the information submitted by the Directorate of Criminal Investigation Maluku Maluku DD and

ADD who were investigated since 2015-2017. In 2015, DD sourced from the State Budget was Rp. 267,905,708, 2016 was Rp. 601,130,006, and 2017 was Rp. 965,935,966 Meanwhile, for ADD which was sourced from the 2015 Regional Budget was Rp. 86,777,573, in 2016 Rp. 101,310,090, in 2017 Rp. 499,741,966. In the use of these two budgets, it is suspected that there was a misappropriation of a number of jobs, because all were controlled by the King, the Secretary and the Treasurer. In the use of these items, budget misuse in a number of projects including procurement of body speed and clean water in the Negeri Akoon. As a result of the actions of the former King Akoon, state losses amounting to 700 million and impacted on the ADD and DD of the State of Akoon in 2018 could not be disbursed for the first phase until the third stage, although various efforts had been made by the state staff. In addition, there is no information on the use of the budget that can be seen / read by the wider community as is done by the people of Nalahia by installing Billboards / Banners in front of a multipurpose building. It is unfortunate if the State budget which is intended for physical development and human development in order to progress from being left behind is misused for personal gain.

V. CONCLUSION

It can be concluded that Saniri Negeri Nalahia is a number of people chosen based on the representation of Soa in the Nalahia State. In other words, Saniri Negeri Nalahia is a representation of the Nalahia State community. The existence of the Saniri Negeri Nalahia is very important in a government process that is clean of corruption. Because it is related to one of the oversight functions carried out by Saniri Negeri Nalahia in monitoring and evaluating the performance of the head of government (king). Especially when it comes to managing and utilizing village funds and the allocation of village funds which is a form of support from the central government in improving

the welfare of village communities. The oversight function carried out by the Saniri Negeri can have a positive impact on a government system that is free of corruption. Transparency and accountability in the process of utilizing and managing village funds and allocation of village funds by the head of government under the supervision of Saniri Negeri Nalahia have made Nalahia free from corruption in the use of village funds and allocation of village funds, which began in 2015.

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