Analysis of Sosio-Juridical Participation of Sota Village Government in Increasing Income of Marind Kanum Indigenous People in Sota Merauke Village

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ABSTRACT

The Merauke regency area has a village level government, one of which is Sota village which is one of the villages located on the border of the State of Indonesia and Papua New Guinea. One of the indigenous people who inhabit the Sota village area is the Marind Kanum Tribe. Administratively for community empowerment to increase income is one of the roles of the village government, especially for the indigenous people, the increase in income still needs to be increased because the average income of the local community is still relatively low, therefore support from various parties including local government through the relevant agencies. The purpose of this study was to find out how the role and government of the Sota village in increasing the income of the indigenous people of Marind Kanum and to determine the extent to which the laws and regulations governed that. The results of this study indicate that the participation of the village government by assigning tasks to village officials is to provide training and equipment assistance for business and transmigration which in this case is in accordance with Law number 6 of 2014 concerning Village Government.

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1. INTRODUCTION

Merauke Regency is one of the areas located in the eastern tip of Indonesia, the Papua province is one of the national food barns, where the commodity needed is rice in addition to paddy provided by komuditi such as meat, fish, and sago. By making Merauke a national food barn, it is hoped that it can help increase the income and
income of Merauke people, especially local communities living in villages/villages, which are approved in article 4 letter (i) of law number 6 the year 2014 concerning village regulations to improve village communities as the subject of development. Article 1 paragraph (1) of Law No. 6 of 2014 concerning Villages that deals with villages is customary villages and villages or what is referred to by another name, hereinafter referred to as Desa, is a community that is related to law which has an approved boundary regulated and regulated in the government, community interests on the initiative of the community, origin rights, and / or traditional rights needed and respected in the system of government of the Unitary State of the Republic of Indonesia.¹ In Indonesia, the customary justice model is very necessary for resolving indigenous conflicts that occur in the community.²

In Merauke district there is a village-level government called kampong, one of which is Sota village, Sota village is one of the villages located on the border of Indonesia and Papua New Guinea. One of the tasks of the Sota village district government was as an extension of the Merauke Regency government through the Sota district. The district government consists of several villages governed by a village head, which is expected through the role of the village government in managing the implementation of village development which is expected to run as it should. For the sake of the realization of an increase in the economy and income of the community, it is inseparable from the role of the government, both the regional government, district government and village government as outlined in various forms of policies implemented by the village government in each region. Administratively for community empowerment to increase income is one of the roles of the village government, especially for the indigenous people, the increase in income still needs to be increased because the average income of the local community is still relatively low. One of the indigenous people who inhabit the Sota village area is the Marind Kanum indigenous community which is a sub-tribe of the Marind Imbuti indigenous people.

Marind Kanum Indigenous People who reside in the Sota Village Area are Marind Ndek communities, Marind Ndek is a term for Marind people who inhabit Forest Areas or commonly referred to as Marind Hutan, besides Marind there are also Marind Wala, Marind people who live in the Coastal Area. The majority of the Marind Kanum community still lives in simple conditions by foraging for the results of hunting pigs and deer around the area of sota forests and hemorrhoids, there are also some Marind Kanum people who seek additional income by conducting economic activities such as selling Angrek flower plants, concocting wood oil white, selling noken bags, and accessories - accessories from hunted body parts such as cassowary feather bags, key chains from gangguru legs, and home decoration from deer antlers.³

With the participation of the government, especially the Sota village government, it is expected that the income of the Marind Kanum indigenous people who inhabit the Sota village area will be increased so that they can change towards a better life than before. For the sake of the realization of an increase in the economy and income of the community, it is inseparable from the role of the government, both the

¹ Undang – Undang Nomor 6 Tahun 2014 Tentang Desa
regional government, district government and village government as outlined in various forms of policies implemented by the village government in each region. Administratively for community empowerment to increase income is one of the roles of the village government, especially for the indigenous people, the increase in income still needs to be increased because the average income of the local community is still relatively low.4

2. METHOD

This research is socio-legal research. Sociolegal research is also known as nondoctrinal research. Nondoctrinal research places the results of observations on social realities not to be placed as a general proposition. Nondoctrinal research looks for patterns of permanence or patterns of relationships (correlation or causal) between various symptoms that manifest the presence of law in the realm of reality. This study uses an analytical descriptive approach, namely the procedure or problem-solving research is done by exposing the object being investigated as it is based on actual facts at the present time is not limited to reaching data collection but includes analysis and interpretation of the meaning of the data. This research was conducted in Merauke with the research locations being in the Sota village and related agencies namely the Sota Village / Village Office, and the Sota Merauke District Office.

The location of this study was chosen based on the authority approach and the level of involvement of the agency. The data in this study are primary data, and secondary data. Data collection begins with secondary data collection through library research. Secondary data that has been analyzed will be used as a guideline for making a list of questions. The list of questions is used later as an instrument for primary data collection through in-depth interviews (in-depth interviews) to informants and respondents. Data from respondents was conducted using the accidental sampling method. Based on this method, the respondents selected were the Sota village government officials, Sota district and the Marind community head of the Kanum community. The process of data analysis is carried out continuously starting with reviewing all available data from various sources. Data analysis was carried out qualitatively on information obtained from interviews and literature studies. Data analysis is carried out after the data collection stage. The study of the participation of the Sota village government in increasing Marind Kanum's traditional community income is not only in terms of its normative but also related to various phenomena that occur during the implementation of the regulation.

3. RESULTS AND DISCUSSION

A. Legislation concerning the Participation of the Sota Village Government in Increasing the Income of the Indigenous People of Marind Kanum

1. According to Law No. 6 of 2014 concerning Villages

The village or village is a legal community unit that has regional boundaries that are authorized to regulate and manage the interests of the local community, based on local origins and customs that are recognized and respected in the Government system of the Unitary State of the Republic of Indonesia.

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In article 1 paragraph 1 of Law No. 6 of 2014 explains that Villages are traditional villages and villages or what is called by other names, hereinafter referred to as Villages, are legal community units that have territorial limits that are authorized to regulate and manage government affairs, interests of local communities based on community initiatives, origin rights, and or traditional rights recognized and respected in the system of government of the Unitary State of the Republic of Indonesia.5

Whereas in Article 1 paragraph 2 it is explained that the Village Government is the administration of government affairs and the interests of the local community in the system of government of the Unitary State of the Republic of Indonesia. The one who runs the Village Government is the Village Head or what is referred to by another name assisted by the Village apparatus as an element of the Village Administration.

In article 3 of Law No. 6 of 2014 concerning villages mentioned principles - principles that are used to run village government, these principles include: Principle of recognition; The principle of subsidiarity; Principle of diversity; The principle of togetherness; Principle of mutual cooperation; Family principle; The principle of deliberation; The principle of democracy; Principle of independence; Principle of participation; The principle of equality; Principle of empowerment; and the principle of sustainability.

In terms of managing the economy in order to improve the welfare of the local community, Sota Village must cling to the principles mentioned above. The principles, namely, first, referred to as the principle of recognition, the principle of Recognition is that the village has the right to utilize, support and strengthen the village economic business that already exists and is no longer based on intervention from the parades or structures over the village such as for years occurred in villages throughout the archipelago. Now the village has the authority to manage its own potential and assets to achieve its welfare. This effort was accommodated later with a Village-Owned Enterprise which is now obliged to stand in all villages. Recognition of this principle is fundamental to changes in the social situation in the village because it can create a large influence on improving the welfare of the village. Recognition is then accompanied by the strength of the allocation of funds for the village from the State Expenditures Budget (APBN) and the Regional Expenditure Budget (APBD) for the establishment, establishment, management, and management of Village-Owned Enterprises (BUMDes).

The second principle in this law is the principle of Subsidiarity, the principle of subsidiarity is the principle that recognizes the existence of village-scale local authority through the Regents / Regents’ Regulations and Village Regulations on Village Scale Local Authority by including the establishment, establishment, management, and management of BUMDes in them. This subsidiarity must be born through the authority of the village government, the BPD and the village community through village meetings in developing initiatives for the establishment, establishment, management, and management of BUMDes.

The third principle is the principle of diversity, namely the recognition and respect for the value system that prevails in the village community, but by still heeding

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the shared value system in the life of the nation and state; so that in terms of the economy the value that applies to the people of Marind Kanum, the village of Sota is by creating economic improvements related to nature, such as making souvenirs from deer antlers, kangaroo feet, cassowary, and cassowary feathers. But keep in mind, like cassowaries and kangaroos are endemic animals that are protected, but in order to improve the economy of local people, one of them is marind kanum which inhabits the sota region, which is permitted by them to hunt traditionally, and then from the traditional hunt used as an economic commodity, the meat is sold, the limbs are made as souvenirs, and the fur and skin are used as craft bags, even the bones can be used as sharp objects with high economic value, because they are very good.

The next principle is the principle of togetherness. The principle of togetherness is the spirit to play an active role and work together with the principle of mutual respect between institutions at the village level and elements of the village community in developing villages. From the results of interviews with the Sota Yuliastr District Head Karim In terms of improving the economy the village government facilitated the community to trade across the country, between the Marind Kamun people who were PNG citizens, and the Marind Kamun indigenous people who were the people of the Republic of Indonesia, and the Transim community. What the district government and the Sota village government did was to implement the Custom Immigration Quarantine system commonly abbreviated as CIQ, which is an activity that handles security checks where goods and passengers enter or exit. Not only that, but CIQ also covers how to take care of a document that is needed to get out or enter the territory of a country. Through this CIQ system, the exit and exit prices are determined by the price of goods from PNG to RI 300 USD, so if the amount of goods is more than 300 USD, it must be subject to import-export duty fines. So that the trade and barter process between the Marind Kanum people who are PNG citizens, Indigenous people of Marind Kanum who is an Indonesian citizen, and the Transmigration community so that the trade flows will run more smoothly and can improve the economy of the Marind Kanum local community.

The next principle is the principle of mutual cooperation, mutual cooperation is an activity carried out jointly and is voluntary so that the activities carried out can run smoothly, easily and lightly. After the next principle of mutual cooperation is the principle of kinship, the principle of kinship is a group that works together to achieve a goal by perceiving members of their group as their own family. So that the group's goals are easily achieved. The meaning of kinship itself is more about an understanding or principle where with kinship all difficult problems become easy. This principle of family includes the content of values such as cooperation, togetherness, justice, and participation. So that the values of togetherness, justice and participation were also applied by the Sota village government in increasing the local community income of Marind Kanum.

The next principle is the principle of Munsyawarah Asas Musyawarah is a joint effort with an attitude of humility to solve problems (find a way out) to take joint decisions in solving or solving problems, the principle of deliberation is also used in effect in increasing the local community's marind kanum.

Based on the results of an interview with the head of the Sota village Adolf Mbanggu, that in every decision and policy always coordinate with Bamuskam, the material in which deliberations are discussed in the deliberations is an absorption of aspirations from the community, and sometimes the village head directly meets with the
community head rising Marid Kanum community and Transmigration community. So that the principle of musaywarah is applied in sota very optimally.

After the principle of discussion there is a principle called the principle of democracy, the Principle of Democracy is the principle that emphasizes the importance of being able to be democratic. In this case, the press is obliged to provide equal opportunities to all parties equally and proportionally, in terms of the economic principle of democracy this is applied, namely by providing assistance and training that is fair and proportionate to all indigenous people of Marind Kanum who inhabit the sota region.

In addition to the principle of Democracy, there is also the principle of independence, the principle of independence is an attitude that allows someone to act freely, do something on their own and for their own needs without help from others, or think and act original/creative, and full of initiative,

In addition, there is also a principle of participatory principle, the participatory principle means that every member of the community is encouraged to play an active role in the decision-making process and implementation of environmental protection and management, and the economy, both directly and indirectly.

The principle of equality, namely equality in position and role. The similarity in position and role in increasing opinion is the equality of the village government to provide assistance and guidance to the sota community according to their needs and characteristics of their livelihood.

The principle of empowerment, namely efforts to improve the standard of living and welfare of rural communities through the establishment of policies, programs, and activities that are in accordance with the essence of the problem and priority needs of the village community.

The principle of sustainability, which is a process carried out in a coordinated, integrated, and sustainable manner in planning and implementing village development programs and also in terms of increasing the opinions of indigenous people in Marind Kanum. Thus based on the explanation of the principles contained in Law No. 6 of 2014 concerning village governance, it can be shown that law number 6 of 2014 concerning Village Government has been very adequate to become a legal basis for the government of Sota Village in increasing the income of Marind Kanum people who inhabit the Sota region.

2. According to Law No. 32 About Regional Government

Indonesia is a sovereign country and has laws in carrying out a regulation. After the reform of the regulation on the Village became a package with the Regional Government Law, namely Law No.32 of 2014 concerning Regional Government, and the last Village was regulated separately through Law No. 6 of 2014 concerning Villages. The village/village is not subordinate to the sub-district, because the sub-district is a part of the district/city, and the village is not part of the regional apparatus. Regional Apparatus is an organization or institution in the Regional Government that is responsible to the Regional Head in the framework of administering the regional government. In the Provincial Region, the Regional Apparatus consists of the Regional Secretariat, Regional Service, and Regional Technical Institutions. In the Regency /

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City Region, the Regional Apparatus consists of the Regional Secretariat, Regional Service, Regional, District and Village Technical Institutions.\(^7\)

Regional equipment is formed by each region based on consideration of the characteristics, potential, and needs of the region. Organizations of Regional Apparatus are stipulated by Local Regulation by referring to Government Regulations. Organizational control of regional apparatus is carried out by the Central Government for the Province and by the Governor for the Regency / City based on Government Regulations. Formation and requirements for the office of regional apparatus are stipulated by Regional Head Regulations based on Government Regulations.\(^8\)

In the regional government in Sota Village, it was like that. Unlike the case with the village, it was not said to be a regional apparatus because the village or village had its own authority. The local government only protects and accompanies any activities carried out by the village head and his officials. This can be seen from the implementation of village programs, in which the regional government, in this case, the district head and regional apparatus also only supervised village officials.

B. Participation in the Village Government or Sota Village in improving the economy of the Marind Kanum Indigenous Community.

1. Government structure of Sota village

   The organizational structure of the Sota village was first the village head, then went down to the village secretary. Sota village consists of three hamlets. The village head is assisted by three section heads, namely:
   1. Head of Government Section
   2. Head of the welfare section
   3. Head of the service section

   Then the Secretary brings three heads of affairs:
   1. Head of Administrative and Public Affairs
   2. Head of Financial Affairs
   3. Head of Planning Affairs

   The village head has the task of organizing government, development and community affairs. The village head is the village government or what is called by another name the village head who is assisted by the village apparatus as the organizing element of the village government whose task is to organize village governance and village empowerment.

   In the village of Sota the village head is assisted by three section heads, the section head is located at a technical implementing element, the section head is tasked with assisting the village head as the executor of operational tasks. In Sota village, there are three section heads. the three heads of this section.

   To carry out his duties, the section head has the following functions:
   1. Head of Government Section

      The Head of Government Section has the function of carrying out government administrative management, drafting village regulations, fostering land issues,
building peace and order, implementing efforts to protect the population, population management, and regional management, as well as collecting data and managing village profiles.

2. Head of Welfare Section
The Head of the Welfare Section has the function of carrying out the construction of village infrastructure, the development of the education, health, and socialization tasks and motivations of the community in the fields of culture, economy, politics, environment, empowering families, youth, sports, and youth organizations.

3. Head of the service section
The Head of the Service Section has the function of carrying out counseling and motivation towards the implementation of the rights and obligations of the community, increasing efforts for community participation, preservation of the socio-cultural values of the community, religion, and employment related to the Village.

In addition to the village head, one of the other most important elements in the village government structure is the Secretary of the Village, the Village Secretary is located as an element of the Village Secretariat. The village secretary is in charge of helping the village head in the field of government administration. To carry out his duties the Secretary of the Village has the function:

a. Carry out administrative matters such as script arrangement, administration of correspondence, archives, and expeditions;

b. Carry out general affairs such as structuring the administration of the village apparatus, providing village and office equipment, preparing meetings, administering assets, inventorying, official travel, and public services.

c. Carry out financial matters such as financial administration, administration of sources of income and expenses, verification of financial administration, and administration of income of the Village Heads, Village Devices, BPD, and other village government institutions.

d. Doing planning business such as arranging village income and expenditure budget plans, inventorying data in the framework of development, conducting program monitoring and evaluation, and preparing reports.

Then the Secretary brought three heads of affairs, including, Head of Administrative and General Affairs, Head of Financial Affairs, and Head of Planning Affairs.

1. Head of Administrative and Public Affairs
The Head of Administrative and General Affairs has functions such as carrying out administrative affairs such as the manuscript arrangement, administration of correspondence, archives, and expeditions and structuring the administration of village apparatus, providing village and office equipment, preparing meetings, asset administration, inventory, official travel, and public service.

2. Head of Financial Affairs
The Head of Financial Affairs has functions such as carrying out financial affairs such as managing financial administration, administering sources of income and expenses, verifying financial administration, and administering the income of the Village Heads, Village Devices, BPD, and other village government institutions.
3. Head of Planning Affairs

The Head of Planning Affairs has the function of coordinating planning matters such as preparing village income and expenditure budget plans, inventorying data in the framework of development, conducting program monitoring and evaluation, and preparing reports.

3.2. The role of the Government in improving the Economy of the Marind Kanum Indigenous People in Sota Village

The majority of the Marind Kanum community still lives in simple conditions by foraging for the results of hunting pigs and deer around the area of sota forests and hemorrhoids, there are also some Marind Kanum people who seek additional income by conducting economic activities such as selling Angrek flower plants, concocting wood oil white, selling noken bags, as well as accessories - accessories from hunted body parts such as cassowary feather bags, key chains from kangguru feet, and decoration of home walls from deer antlers. Culture or culture, in this case, involves a collection of values and norms that form a responsive behavior that is typical of the group members.9

With the participation of the government, especially the Sota village government, it is expected that the income of the Marind Kanum indigenous people who inhabit the Sota village area will be increased so that it can change towards a better life than before, considering Law Number 21 of 2001 concerning Papua's Special Autonomy 8 (eight) more years, that is until 2026 placing the indigenous Papuan community as the focus of the main development object, but until now there has not been seen significant progress related to the development of indigenous peoples, especially in terms of the economy which affects the income of indigenous people, especially Marind Kanum inhabits

In the results of interviews with the Sota Yuliastri District Head Karim Sota District divided into two groups mapped into two lines namely line A and line B. The route A is mostly inhabited by local communities Marind Kanum and on route B notenaben inhabited by transmigration communities, the number of Family Heads in Sota District it reached 425 heads of families.

In terms of economy, the community of Blok B, which originated from transmigration communities, had provisions and skills in managing land and selling things such as opening food stalls and grocery stalls, while the residents of Block A were not native to Sota, the Marind Kanum tribe and the community. local income still depends on nature.10

In terms of economy, the Sota village government has managed it in the Village Budget (ADK) and Village Fund Budget (ADD), through this ADK and ADD the village government gives the rock to the community.

The community of Block A whose notes are transmigration communities usually receive assistance in the form of artisan equipment, wood sensor devices, skates, which are given to groups to be managed, for local communities Marind Kanum is given assistance to seeds, and also venture capital assistance to mothers - thousands of sellers souvenir. In addition, in Sota there are also international motorcycle taxi groups that

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10 Yuliastri Karim interview, December 4, 2018
facilitate the needs of Kanum people who live in the PNG country and the people of Kanun who live in Indonesia.

For international ojek, there is a name called Quarantine Implant Custom (CIQ), Custom Immigration and Quarantine which is one of the things that is usually done in transporting passengers and goods on aircraft. Customs Immigration and Quarantine is very important for a country, especially in the world of aviation. In Custom Indonesian means Customs, while Immigration means immigration and Quarantine means quarantine. Custom Immigration Quarantine commonly abbreviated as CIQ is an activity that handles security checks where goods and passengers enter or exit. Not only that, but CIQ also covers how to take care of a document that is needed to get out or enter the territory of a country. Through this CIQ system, the exit and exit prices are determined by the price of goods from PNG to RI 300 USD, so if the amount of goods is more than 300 USD, it must be subject to import-export duty fines.

In addition, there are also much assistance coming from the province and the central government such as seeds and financial assistance, the district government has provided assistance for vegetable and plant seeds. Sota Masyratakat also makes eucalyptus oil, and receives assistance from refining equipment from the district government, besides that the district government also provides equipment in the form of 3-wheeled motorized vehicles for accommodation. It's just that the constraints on the packaging until the production is sold to the World Wide Fund for Nature (WWF) to then accommodate and put the white paddling oil in. World Wide Fund for Nature (WWF) is an international non-governmental organization that handles issues concerning conservation, research, and environmental restoration, formerly called the World Wildlife Fund and is still the official name in Canada and the United States.  

The transmigration community lives from the results of farming and trading, while the indigenous Papuans are still alive from hunting or depending on nature. So that there still needs to be a lot of encouragement and assistance for local communities to improve their economy through trade channels.

Based on the season from December to March is the season of Arwana Fish, usually the local people of Marind Kanum who are in Merauke go looking for Arwana fish in the PNG region, this activity will greatly increase the income of the local Marind Kanum inhabitants around the Sota region, so this shows income Marind Kanum Indigenous People are still very dependent on nature.

The Regional and District Governments are also trying to encourage Youth Youth in the Marind Kanum Indigenous community to go to school because school is one of the doors to get out of poverty. On the other hand, there are many employee quotas, TNI, and Pilri that are specifically for indigenous Papuans, one of them is the marind kanum community, but most of them are still deceased in terms of their qualifications and qualifications.

Regarding the trade of the indigenous people of Marind Kanum who inhabit the Sota region, they also sell souvenirs, which are made from crocodile skin, deer antlers, cassowary nails, legs, and other things. In this case, the Sota District government had coordinated with the Office of Family Welfare Improvement (PKK) to create a gallery from each district and then market the craft products from Sota.

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11 Muruda S. Widjjo, Dkk, (2009). Papua Road Map (Negotiating the past, improving the parents and Securing the Future), Jakarta: LIPI.
In view of Law No. 21 of 2001 concerning Special Autonomy for Papua and Law No. 6 of 2014 concerning Villages which places the indigenous Papuans as the main object of development and now the validity period is only 8 (eight) years, namely until 2026, but until now this has not seen significant progress related to the development of indigenous peoples, especially in terms of the economy which has an impact on the income of indigenous peoples, especially the Marind Kanum indigenous people who inhabit the Sota Village / Kampung area. The sota village government has not fully realized the mandate of Law No. 6 of 2014 concerning Villages specifically in increasing the income of the Marind Kanum indigenous people who inhabit the Sota Merauke village area. In terms of making white paddy oil, the sota district government has also coordinated with the industrial service so that they can find ways and training on how eucalyptus oil is produced with good results and then market.

4. CONCLUSION

The participation of the Sota village government in increasing the income of the Marind Kanum indigenous people in Merauke Sota village is in the form of providing training and assistance in business equipment and trade to the local marind kanum community and transmigration communities. In this case also in Article 3 of Law No. 6 of 2014 mentioned the principles used to carry out village governance, the principles include: Principles of recognition, Principle of subsidiarity, Principle of diversity, Principle of togetherness, Principle of mutual cooperation, Principle of kinship, Principle of deliberation, Principle of democracy, Principle of independence, Principle of independence, Principle of participation , Principle of equality, Principle of empowerment; and the principle of sustainability. So based on the explanation of the principles contained in Law No. 6 of 2014 concerning village governance so that it shows that this law is very adequate to become a legal basis for the government of Sota Village in increasing the income of the Marind Kanum community who inhabit the Sota region.

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