

membantu meringankan biaya hidup warga khususnya beban masyarakat pedesaan yang terdampak COVID-19. Kebijakan BLT di tengah pandemi ke-19 telah mencerminkan rasa keadilan yang dicita-citakan oleh hukum, karena sebenarnya undang-undang / peraturan / kebijakan dibuat untuk menciptakan keadilan bagi manusia, bahkan kebijakan tersebut menjadi prioritas dalam rangka mengatasi Pandemi covid19.

Kata Kunci: COVID-19, Adil, Pendampingan, Dana Desa

INTRODUCTION

Increasing the time and development of the times, it is inevitable that a process will make all elements participate in following that, including the village and its government. The village, which might not have received much attention from the State before, is now starting to improve after Law Number 6 Year 2014 concerning Villages is legally promulgated. With the presence of the Law on Villages, the political will of the government is very high so that the needs and interests of the community can be met properly. The state gives space and opportunities so that the village has a very wide opportunity to be able to manage and organize its own government and be able to carry out activities in the form of development to improve quality of life and create a situation that feels prosperous for the village community. Furthermore, the village government should become increasingly independent in carrying out government management and various kinds of resources, both human and natural resources, including managing the finances and assets owned by the village. The enormous responsibility of the village must be balanced with the maximum role played by the village. Therefore, the principle of openness and accountability in government must be applied, which in the future organizing activities for the village community must be held accountable before the village community in accordance with applicable regulations.¹

Related to the implementing regulations of Law Number 6 Year 2014 concerning Villages, so far there have been among them namely Government Regulation Number 43 Year 2014 concerning Village Funds, which is followed by the issuance of Government Regulation Number 60 of 2014 concerning Village Funds Sourced from the State Budget, which was then updated with Government Regulation Number 22 Year 2015 concerning Amendments to Government Regulation Number 60 Year 2014, and amended by Government Regulation Number 8 Year 2016 concerning Second Amendment to Government Regulation Number 60 Year 2014, as well as several technical rules from the Ministry of Home Affairs (Ministry of Home Affairs) including the Minister of Domestic Affairs Regulation Number 113 of 2014 concerning Village Financial Management. All of that is none other than a reference, basis, and legal basis for the village government to be able to be independent in carrying out activities in the form of managing resources that become village assets, which also includes managing village property and managing village finances. A budget of approximately Rp. 20.776 trillion in the 2015 Revised State Budget has been allocated as village funds given to all villages in Indonesia. In Permendagri 39 of 2015, it is mentioned that until now villages in all regions of Indonesia total 74,093, of course, this is not something that can be said of a small nominal budge, and indeed it is very much needed the role of the community to always oversee the allocation of funds that are scattered in various over villages throughout Indonesia.²

The Government of Indonesia as a representation of a country always strives to improve national development programs so that there is no imbalance in development growth both in urban and rural area. One of these efforts is by disbursing funds whose sources come from the State Budget (APBN) for villages which are then transferred through the district/city Regional Budget (APBD) for the costs of implementing the government, carrying out development, fostering and empowering the community or often referred to as the Village Fund, as stipulated in Permendagri Number 113 Year 2014 article 1 paragraph (9). In 2015 was the beginning where village funds

¹ BPKP, "Petunjuk Pelaksanaan Bimbingan Dan Konsultasi Pengelolaan Keuangan Desa," *Badan Pengawasan Keuangan Dan Pembangunan (BPKP)*, 2015, pg. 1.

² *Ibid.*,pg. 1

began to be distributed, it is a good news for the legal certainty to the financial considerations of the village itself. So that it is expected that with the village funds the community will participate in all activities organized by the village government, so that village fund management can be achieved properly. So the village funds are not only used to build village infrastructure, but are also used to empower people who live in the village as stipulated in Ministry of DesaPDTT Regulation Number 11 Year 2019 on Priorities for the Use of Village Funds in 2020.³

Currently, the international world is being hit by a virus outbreak that creates panic and disorder in a system as is known with the outbreak of the virus called Corona Virus Disease 2019. In early 2020, the emergence of the Corona Virus Disease 2019 outbreak or often referred to as COVID-19 infected almost in all parts of the country in the world, including the territory of Indonesia was also affected by the virus outbreak. The International Health Agency or the World Health Organization (WHO) itself has also given the determination that COVID-19 is a pandemic, as reported by Suara.com.⁴ The government certainly does not remain silent in the presence of this 19th plague case. Various efforts have been made by the government to be responsive and swift, including creating a Task Force for the Acceleration of COVID-19 Handling and issuing various policies. This was carried out by the Government of Indonesia in order to respond to the 2019 Corona Virus Disease outbreak which had also been declared a non-natural national disaster in Presidential Decree Number 12 Year 2020 concerning Determination of Non-Disaster Spreading in Corona Virus Disease 2019 (COVID-19) as a National Disaster.⁵

The emergence of COVID-19 in Indonesia drives a lot of negative impacts, which is not only in terms of health which clearly shows the occurrence of many casualties, but also on the social and economic conditions of society. The government through various leading sectors of the Ministries and Institutions is trying to solve the problems currently being faced. In the economic sector, especially in efforts to reduce poverty, the government issued a policy by disbursing various kinds of funds as direct cash assistance to the community. The target of direct cash assistance is of course only intended for poor citizens. Especially when the COVID-19 pandemic, the poor people really feel the effects of the consequences. The COVID-19 situation had an impact on the decline in purchasing power of both rural and urban communities, so the government needed to provide unconditional cash assistance to maintain the stability of purchasing power.⁶ The government is trying hard to be able to help ease the burden on the poor. In fact, quite a few budget posts have also been diverted and prioritized for assistance to affected communities in the context of COVID-19 prevention as issued by Ministry of DesaPDTT Regulation Number 11 Year 2019 concerning Priority in the Use of Village Funds in 2020 which has been changed through Ministry of DesaPDTT Regulation Number 6 Year 2020.

Nowadays there are many ideas about the constitutional system with the conception that law is an ideal idea to create a national and state life in a number of countries on various continents. This, of course, is inseparable from the definition of law itself, in which the real law is able to provide a sense of justice for humans, especially in a group of people when this law is truly made in accordance with the spirit of justice and enforced with full responsibility by the creator. As a center of position in the journey of the life of the nation and state, the law becomes a very urgent matter to

³ Khalida Shuha, "ANALISIS PENGELOLAAN DANA DESA (Studi Kasus Pada Desa-Desa Selingkungan Kecamatan Lubuk Alung Kabupaten Padang Pariaman)," *Universitas Negeri Padang*, 2018, pg. 1–21.

⁴ Reza Gunadha and Ruhaeni Intan, "Wabah Virus Corona Covid-19 Jadi Bencana Nasional, Apa Artinya?," *Suara.com*, 2020, <https://www.suara.com/news/2020/04/14/135322/wabah-virus-corona-covid-19-jadi-bencana-nasional-apa-artinya>.

⁵ Danung Arifin, "Presiden Tetapkan COVID-19 Sebagai Bencana Nasional - BNPB," *Bnpb*, 2020, <https://bnpb.go.id/berita/presiden-tetapkan-covid19-sebagai-bencana-nasional>.

⁶ Ah Maftuchan, "Program Tunai Di Era COVID-19: Bantuan Tunai Korona Atau Jaminan Penghasilan Semesta," *Prakarsa*, no. April (2020): 1–4, <https://doi.org/10.6092/unibo/amsacta/6247>.

make human life organized.⁷ With the law that is always developing and in the process of adjusting the conditions in a society, it will indirectly create a community environment that is able to do justice so that a harmonious life will be realized and far from inequality. Law created is inseparable from the spirit to give birth to justice, so to achieve that justice the law should be able to accommodate what is actually the will of man himself, because the law was created by humans, for humans, and it is certainly a matter that law must also be able to humanize humans. Furthermore, when a policy or legal product in the form of laws and regulations is issued by policymakers, which of course in this case is the government, it should be able to provide and give birth to a sense, namely justice for its citizens. Because a decision on a problem that occurs must be immediately taken, whether it is a problem that can be said to be simple or a problem that is categorized as complex, it is necessary to have a variety of accurate and comprehensive data so that in making decisions can be done properly and accurately.⁸ As the Ministerial Regulation issued, namely by the Minister of Villages, Disadvantaged Regions, and Transmigration Number 6 Year 2020 concerning Amendments to the previous Ministerial Regulation Number 11 Year 2019 concerning Priority of the Use of Village Funds in 2020, already contained elements of justice for the community? Is the regulation effective in the midst of a COVID-19 pandemic? Of course, this requires a more in-depth analysis of what it was like when the policy was implemented. Moreover, the issuance of the policy is believed to be an effort to ease the burden on the citizens affected by COVID-19 from the government.

Some scholars have examined issues related to village funds and direct cash assistance from various perspectives. Normative and administrative management of village fund allocation has been realized well, but it has not been maximized in terms of empowerment due to lack of community participation and is only charged to the village apparatus and the Sub-district authorities, as concluded by Faizatul Karimah et.al in his writings.⁹ Research on the management of village funds was also carried out by Triani and Handayani who stated that there was conformity with the regulations with the implementation of the management of these funds but was constrained by the weak quality of village assistant staff in managing village funds.¹⁰ In addition, the provision of village funds did not have a significant impact on reducing poverty in several districts in Bengkulu province because of the lack of maximum community participation and the ability of experts who were still minimal.¹¹

However, Siti Khoiriyah et.al said that the process of managing and overseeing village finances had a positive impact on local village accountability because of the strict supervision by BPK and BPKP.¹² Pamungkas et al also in their article stated that village financial management is manifested in three forms, namely handling and prevention of COVID-19 by providing disinfectants and hand sanitizers in public places, then funds for labor-intensive such as infrastructure development; and finally, it is used to provide direct cash assistance (BLT) to people in need and affected by COVID-19.¹³ Habibullah who conducted research in Pancoran Mas Sub-District, Depok City, West Java, explained that poverty reduction policies must refer to the category of poor people

⁷ Haposan Siallagan, "Penerapan Prinsip Negara Hukum Di Indonesia," *Sosiohumaniora* 18, no. 2 (2016): 131–37, <https://doi.org/10.24198/sosiohumaniora.v18i2.9947>.

⁸ Edy Nugroho et al., "Sistem Penentuan Penerima Bantuan Langsung Tunai (Blt) Dengan Metode Analytical Hierarchy Process" 2, no. 2 (2008): pg. 220–227, <https://doi.org/10.26555/jifo.v2i2.a5253>.

⁹ Faizatul Karimah, Choirul Saleh, and Ike Wanusmawatie, "Pengelolaan Alokasi Dana Desa Dalam Pemberdayaan Masyarakat (Studi Pada Desa Deket Kulon Kecamatan Deket Kabupaten Lamongan)," *Jurnal Administrasi Publik* 2, no. 4 (2014): pg. 597–602.

¹⁰ Ni Nyoman Alit Triani and Susi Handayani, "Praktik Pengelolaan Keuangan Dana Desa," *Jurnal Akuntansi Multiparadigma* 9, no. 1 (2018): pg. 136–55, <https://doi.org/10.18202/jamal.2018.04.9009>.

¹¹ Deni Triyanto Harmiati, Mulyati, Evsu Wulan Suri, "Analisis Pemberian Dana Desa Dalam Penurunan Angka Kemiskinan Di Provinsi Bengkulu," 2019, pg. 23–30, <https://journals.unihaz.ac.id/index.php/mimbar/article/view/833>.

¹² Siti Khoiriah and Utia Meylina, "Analisis Sistem Pengelolaan Dana Desa Berdasarkan Regulasi Keuangan Desa," *Masalah-Masalah Hukum* 46, no. 1 (2018): pg. 20–29, <https://doi.org/10.14710/mmh.46.1.2017.20-29>.

¹³ Binar Dwiyanto Pamungkas, et al, 2020,

in three categories, namely very poor, poor, and almost poor. The first category is the right target for BLT recipients, but the last two categories are more appropriate if directed at community empowerment programs.¹⁴ Based on the description as stated in the background of the above problems, the writer then makes a study and analyzes the policy of direct cash assistance in the midst of a COVID-19 pandemic in the perspective of justice.

RESEARCH METHODS

The research methods used by the author is to use qualitative methods that will produce a description that is poured into the writing or speech of people or actions that can be observed. Phenomenology approach and inductive analysis are used to understand the phenomena or events that occur as data and information¹⁵ about BLT policy in the midst of a COVID-19 pandemic in the perspective of justice by describing in the form of word and language descriptions using various scientific methods.

RESULTS AND DISCUSSION

1. Village Funds

Exploring development comprehensively cannot be separated from the understanding of development itself, both national and regional development. To achieve a goal of development on a national scale, must be gradual from the smallest structure to the largest. The smallest structure of national development is of course village development, which is an inseparable part of the framework of regional autonomy. The strategic and important role in the framework of regional development and national development is taken by the village, because through village development where there is an equitable element of development in the form of infrastructure development and empowerment of rural communities that directly touch and target the people who live in rural areas.¹⁶ Villages as mentioned in article 1 of Law Number 6 Year 2014 can be interpreted as

"... the legal community unity which has the authority to govern and manage government affairs, the interests of the local community based on community initiatives, original rights, and / traditional rights that are recognized and respected in the government system of the Unitary Republic of Indonesia".¹⁷

In the General Guidelines for the Implementation of the Village Fund Utilization in 2020, which is listed in the PD TT Village Ministerial Regulation Number 6 year 2020 , it is stated that the ideal village picture as envisioned by the Village Law, namely villages that are independent, democratic, developed, and strong. So by implementing the development and empowerment of rural communities, the intended ideals can be realized. The realization of the village community as the subject of development and the village as the legal subject authorized to manage village finances and assets is the focus of work for empowering the village community. The village is managed fairly and democratically by all members of the community. The village community elects members of the Village Consultative Institution (BPD) and the Village Head. Then the Village Head has the function as the leader of the village government and has the obligation to lead the village. In implementing government and community affairs, the Village Head has a balancing institution called the BPD. Furthermore, through the Village Conference held by the

¹⁴ Habibullah, "Sebaran Masyarakat Miskin Dan Program Bantuan Langsung Tunai (BLT) Bagi Rumah Tangga Sasaran Di Kecamatan Pancoran Mas Kota Depok-Jawa Barat," *Jurnal Penelitian Dan Pengembangan Kesejahteraan Sosial*, 2010, pg. 24–35, <https://ejournal.kemsos.go.id/index.php/SosioKonsepsia/article/view/524>.

¹⁵ Soerjono Soekanto, 1984, *Pengantar Penelitian Hukum*, UI Press, Jakarta, pg. 10

¹⁶ Marselina Ara Lili, "Pengelolaan Alokasi Dana Desa Dalam Upaya Meningkatkan Pembangunan Ekonomi Masyarakat Di Desa Magmagan Karya Kecamatan Lumar," *ARTIKEL ILMIAH Ekonomi Dan Bisnis Universitas Tanjungpura* 1, no. ekonomi (2018), pg. 5–19.

¹⁷ Shuha, "ANALISIS.... pg. 1–21

BPD, important matters must be discussed and agreed upon by the Village Head, village community, and the BPD which later the Village Head is obliged to guide the results of the village deliberation to formulate various village policies, which include village development policies. The goal of it, is to enforce village governance that is socially and democratic so that the village is able to carry out village development in a participatory manner which aims to improve the welfare of the village community, improve the quality of human life, and poverty can be overcome. The village has the right to have sources of income so that the village is able to exercise its authority. Village income includes village funds sourced from the state budget. The use of village funds is managed through a participatory development mechanism by placing village communities as the subjects of development. Therefore it is in the village deliberations that they are required to discuss plans for allocating village funds and produce agreements.

In relation to village finances, in every activity carried out by the village government, it is compulsory and must prepare reports on the realization of the implementation of the Village APB and the Accountability report on the realization of the Village APB. This report is based on the village financial management cycle, which starts with the stages of planning and budgeting, implementation and administration, and even village financial management must also have reporting and accountability. In order for the work programs and activities to be able to accommodate the interests and needs of the village community in accordance with the capabilities of the village, all stages in village financial management activities must involve various components of the village community embodied by the Village Consultative Institution (BPD), without exception the stages planning and finance. Then as a form of financial accountability, the village government must be able to make records that are at least in the form of accounting for financial transactions carried out. Because all the provisions already exist, the law and its implementing regulations also have set it.¹⁸

Furthermore, as mentioned in Regulation of the Minister of Home Affairs (Permendagri) Number 113 Year 2014 concerning Village Financial Management article 1 paragraph (6) that village financial management is the whole activity which includes planning, implementation, administration, reporting, and accountability of village finance. So in managing finances, villages must adhere to the principles of openness and transparency. It should be clear where the source of the budget is, used for, and what kind of reporting. So the hope is there is no element of budget misuse due to the lack of understanding of the village government in managing finances. Based on The Ministry of DesaPDTT Regulation Number 6 Year 2020 concerning Amendment to the Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration Number 11 Year 2019 concerning Priority of the Use of Village Funds in 2020 mentioned in article 1 paragraph (2) that village funds are funds sourced from the Revenue Budget and State expenditures intended for villages are transferred through the district / city Regional Revenue and Expenditure Budget and are used to fund governance, development, community development, and community empowerment. In Ministry of DesaPDTT Regulation Number 6 Year 2020, it is explained many things related to what activities can be carried out by the village government in the context of community empowerment. Including those that have not been regulated in Ministry of DesaPDTT Regulation Number 11 Year 2019 concerning Priorities for the Use of Village Funds in 2020, in Ministry of DesaPDTT Regulation Number 6 Year 2020 have been addressed and there are several additional points. So that the village government in this case the Village Head can carry out community empowerment activities in accordance with the policies of the central government.

2. COVID-19 in Indonesia

¹⁸ BPKP, "Petunjuk Pelaksanaan..... pg. 1-3.

Indonesia has been in the throes of a deadly disease since the last three months. According to Peraturan Dirjen Linjamsos No.03/3/BS.01.02/4/2020, 2020 states that Corona Virus Disease 2019 (COVID-19) originating from Wuhan China is a new type of disease that has never been found before in humans. COVID-19 is also called a pandemic because the virus spread to almost all parts of the world. Symptoms of transmission of this virus are characterized by symptoms of pneumonia such as high fever, coughing, and shortness of breath.¹⁹ Through the patient's body fluids or droplets or direct contact can cause transmission of the virus.

The Government of Indonesia has endeavored through preventive measures to prevent the spread of the virus widely. President Joko Widodo through RI Presidential Decree Number 7 Year 2020 concerning the Task Force for the Acceleration of COVID-19 Handling on March 13, 2020, which reads elements of the task force consisting of several Ministry and Institution officials. Indonesia established a COVID-19 pandemic disaster emergency status for 91 days from 29 February 2020 to 29 May 2020. However, until the end of the status, there has not been a massive decline in the COVID-19 case.

Some of the efforts that are socialized to the community are Social Distancing, namely maintaining a safe distance of approximately 2 meters between one human and another in order to prevent and cut off the transmission of the COVID-19 virus, avoiding crowds, doing all activities at home, avoiding mass meetings and minimizing physical contact physically directly with other people.²⁰ The Indonesian government also strictly forbids Lebaran homecoming even though many people do not comply with the ban. In addition, lockdown and the application of PSBB (Large-Scale Social Restrictions) were also carried out in several areas to combat the spread of the virus.

During this week, the monitoring turns out the curve has not shown a decrease in the number of COVID-19 cases in Indonesia. Based on data obtained on May 30, 2020, there were 25,773 positive COVID-19, 7,015 patients recovered, and 1,573 patients died.²¹ The government conducts monitoring related to the development of the COVID-19 case in Indonesia, one of which is through efforts to provide integrated information named "Unite Against COVID-19" which is managed by the Task Force for the Coordination of COVID-19 handling.²²

3. Justice in the Law

One of the objectives of establishing a country is to achieve prosperity for its citizens, where it can be realized one of them through the creation of a product of legislation that is responsive to the needs and urgency of its people. As we know, the last few months our country has been faced with a COVID-19 pandemic situation, which has had a tremendous impact on the economy of the Indonesian people. This makes the government take steps in order to help the community's economy through the provision of Direct Cash Assistance or we often call BLT. This BLT program is a strategic program to help realize community welfare in the midst of this COVID-19 pandemic. Efforts in following up on this matter, the government issued a regulation regarding changes in the management of village funds, which is regulated in Minister of Finance regulation No. 40 / PMK.07 / 2020.

¹⁹ Aytul Kasapoglu and Alev Akbal, "Relational Sociological Analysis of Uncertainties: The Case of COVID-19 In Turkey," *Advances in Social Sciences Research Journal* 7, no. 4 (2020), pg. 197–228, <https://doi.org/10.14738/assrj.74.8116>.

²⁰ Dana Riksa Buana, "Analisis Perilaku Masyarakat Indonesia Dalam Menghadapi Pandemi Virus Corona (Covid-19) Dan Kiat Menjaga Kesejahteraan Jiwa," *SALAM: Jurnal Sosial Dan Budaya Syar-I* 7, no. 3 (2020): pg. 217–26, <https://doi.org/10.15408/sjsbs.v7i3.15082>.

²¹ Task Force acceleration handling COVID-19, "Peta Sebaran, Gugus Tugas Percepatan Penanganan COVID-19," Covid19.Go.Id, 2020, <https://covid19.go.id/peta-sebaran>.

²² Task Force acceleration handling COVID-19.

Allocation of village funds that were previously used for village development, in the current situation is allocated to be funded to help affected village communities, the Cash Direct assistance hereinafter referred to as Village Fund BLT. Even the Village Fund BLT because COVID-19 is a priority fund as an effort to handle non-natural disasters in the form of a COVID-19 pandemic to poor families in affected villages, this is stated in the Regulation of the Minister of Villages, Disadvantaged Regions, and Transmigration Number 6 Year 2020.

Non-natural disaster in accordance with article 8A paragraph (1) Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration Number 6 Year 2020 is a disaster that arises because of an extraordinary event that resulted in the majority of people affected, such as bird flu, cholera, COVID-19 and / or other infectious diseases. The BLT-Village Fund is given to disadvantaged and domiciled families in the village, where the family has lost their jobs, has not been recorded in the Family Hope Program (PKH), Pre-Work Cards, Non-Cash Food Assistance (BPNT), and there are family members potentially chronic / chronic pain. The matter referred to is stated in article 8A paragraph (3) Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration Number 6 Year 2020.

Then, as has been explained before, that law and justice itself have a very close relationship, even according to some experts, the law must always be combined with justice so that it is in accordance with the actual legal goals, namely the achievement of justice in society. Justice is a main thing in a legal and judicial system, so it must refer to the principles relating to the national interests of the nation/state.²³ Justice according to the Big Indonesian Dictionary (KBBI), means equal, balanced, impartial, impartial, and not arbitrary.²⁴ Agus Santoso explained in his book further than fair means the decisions and actions must be based on objective norms. Fair is relative to everyone, fair to someone, does not always mean equally fair to others when faced with justice, so it must be in line with a general rule where a scale of justice is applied. The scale of justice can vary from place to place, which is determined and interpreted by the community itself according to the general rules agreed upon by the local community.²⁵ The purpose of positive law in Indonesia is to protect all Indonesian people, promote public welfare, realize social justice, it is stated in the fourth paragraph of the Preamble of the 1945 Constitution of the Republic of Indonesia.

In addition, matters relating to justice in our country are also listed in the second precepts and the fifth precepts of Pancasila which are the Basis of our Country, where both precepts contain basic values which are the purpose of living together based on the nature of humanity and justice in national life. The point is fair in the context of being fair between humans and themselves, humans and others, with the surrounding community, nation, state and with their Lord, so that harmony between vertical and horizontal relationships occurs.²⁶ The basic values are values that must be applied to realize the prosperity and justice social status of all citizens, all regions and the realization of order between nations in the life of the state.²⁷

The basic values of justice that must be implemented and implemented according to Agus Santoso consist of:²⁸

- a. Distributive justice, It is the values of justice that must be applied between the state and its citizens, namely the state must fulfill justice in terms of the distribution of welfare

²³ M Agus Santoso, 2014, *Hukum, Moral, & Keadilan : Sebuah Kajian Filsafat Hukum*, Kencana, Jakarta. pg. 30.

²⁴ KBBI Daring, "Arti Kata Adil - Kamus Besar Bahasa Indonesia," accessed May 15, 2020, <https://kbbi.web.id/adil>.

²⁵ *Op.Cit.* pg. 31

²⁶ *Op.Cit.* pg 31

²⁷ *Ibid.*

²⁸ *Ibid.*

assistance, subsidies, opportunity to live together based on rights and obligations as well as other assistance.

- b. Legal justice, It is the values of justice that must be applied by citizens with their countries, namely citizens who are obliged to obey the laws and regulations in force in the country where they live.
- c. Commutative justice, It is the values of justice that must be applied between the citizens themselves.

The problem of justice in society is a problem that is not easy. The two main tasks of law in society are the existence of a certainty of law that exists in society and achieve justice for the whole community. This is in accordance with one of the concepts of justice presented by Roscoe Pound, which is often referred to as sociological justice based on culture, circumstances that are common/ common, and relationships between individuals in a society.²⁹ In addition to formal procedural nature which is based on normative values, legal justice in society is also carried out substantive justice, namely justice that is not only quantitatively, but qualitatively based on human values and morals in general so that it is in line with what is expected by the community.³⁰

Procedural rules that affect the assessment of justice for individuals according to Taylor, et al (1995) there are six, which rules apply to the process of instrumental assessment and relational processes. The six procedural rules include:³¹

- a. Stipulations in the implementation of procedures
- b. Minimization of a procedure bias
- c. Accuracy based on accurate facts
- d. Can be corrected so that procedures can be improved
- e. Representative, namely open and involving various parties involved.
- f. Ethical according to applicable ethical and moral standards

Based on the results of research on beneficiary communities related to justice in the implementation of the procedures for granting BLT Assistance funds, the beneficiary communities stated that the process of providing BLT in the midst of this pandemic situation was fair and in accordance with the rules, although there were also beneficiaries who claimed not to know about the procedures, matters this is because these beneficiaries are classified as elderly who are unable to hear clearly. In relation to the assessment of the other side of justice regarding minimization of bias, all beneficiary families stated that they felt very fair because the BLT awarding committee did not prioritize the interests of the committee in providing BLT funds. As explained by Subakir who also acts as a village apparatus that the village in distributing cash assistance is based on the results of the village consultation (musdes). So who is the recipient, where is the address, everything has been determined through the musdes. "To determine this, we will discuss and discuss it through the musdes with community leaders and village officials," he said.

The BLT-Village Fund data collection mechanism is in accordance with Appendix II of the Minister of Village Regulation, Development of Disadvantaged Regions, and Transmigration Number 6 Year 2020 concerning Priority for the Use of Village Funds in 2020, namely the data collection is carried out by a team of COVID-19 Village volunteers. In this data collection is focused starting from the smallest part of the community, namely from RT, then RW, and the Village. Furthermore, the results of the data collection are presented in special

²⁹ Umar Sholehudin, *Hukum Dan Keadilan Masyarakat Perspektif Kajian Sosiologi Hukum* Malang: Setara Press, 2011, pg. 39.

³⁰ *Ibid.*

³¹ M. Susan Taylor et al., "Due Process in Performance Appraisal: A Quasi-Experiment in Procedural Justice," *Administrative Science Quarterly* 40, no. 3 (1995), pg. 495, <https://doi.org/10.2307/2393795>.

musdes / incidental deliberations for data validation and finalization. After that the village head is signed as a document legalization. Then, the village head reports the results of the BLT-Village Fund activities to the district head through the sub-district head no later than five working days after.

Then related to the accuracy of the target in providing assistance to all beneficiary families giving the same answer, namely the provision of BLT funds was appropriate given to those who were indeed entitled to get it, and even they felt greatly helped by this assistance because their source of income was no longer due to their family members. which was laid off due to the COVID-19 pandemic. As stated by one of the beneficiaries who declined to be named, stated that assistance from the state through the village government was very helpful and could ease the burden of COVID-19 affected communities. Meanwhile, some beneficiaries are traders in the market, who are very grateful to get this assistance because the sales turnover in the market has dropped dramatically to 90% so that they have confusion in looking for other income to support their families. Assistance from the government related to the handling of COVID-19 impacts is overwhelming, including direct cash assistance for village funds, as explained by Asrori, one of the village officials who hope that this direct cash assistance will not make noise in the community, but will become a unifying vehicle in addition to the burden the economy which is borne by the citizens cannot afford to be helped. This is also in accordance with Ministry of DesaPDTT Regulation Number 6 Year 2020 in Appendix II which states that the target recipients of the Village BLT-Fund are disadvantaged families who live in the village, have not been recorded in the Family Hope Program (PKH), Pre-Work Card, BPNT and there are family members who are potentially chronically ill/chronic.

Then, related to representative matters, namely the involvement of community parties in the distribution of BLT funds, all beneficiary residents said that the RT, RW, and Kadus apparatus were all involved in the distribution of these BLT funds, so it was truly the people who needed it and were following the rules that received this assistance, as well as all the beneficiaries, were also happy because the distribution of BLT COVID-19 impact funding was carried out openly between the committee and the community. In Ministry of DesaPDTT Regulation Number 6 the Year 2020 also states that the distribution of the Village BLT-Funds is done by giving non-cash (cashless) every book for three months since April 2020 by the village government. The amount of the BLT-Village Fund for each family is Rp. 600,000.00 (six hundred thousand rupiahs) every month. Then related to the monitoring and evaluation of the activities of the BLT-Village Fund giving is carried out by the Village Consultative Institution, the head of the sub-district, and the district/city Inspectorate, where the Village Head acts as the Responsible for the distribution of the Village BLT-Fund.

Regarding the method of determining the number of Village Fund BLT recipients, it is also regulated in Ministry of DesaPDTT Regulation Number 6 Year 2020, namely, first, villages with Village Fund receipts of less than eight hundred million rupiahs can allocate a maximum of 25% of this Village Fund BLT. Second, villages with Village Fund revenues of eight hundred million to one billion two hundred million rupiahs can allocate a BLT-Village Fund with a maximum of 30%. Third, villages receiving Village Funds of more than one billion two hundred million rupiahs can allocate Village Fund BLT at a maximum of 35%. Finally, for villages with a number of poor families that exceed the budget allocation, they can submit additional allocations after being approved by the District / City Government.

This is consistent with what was expressed by Ari as one of the Professional Assistance Staff who participated in assisting the distribution of direct cash assistance. "All the regulations that have been set up, we as a village assistant always assist the village related to the management of village funds, including the current village funds used as direct cash assistance

in the context of handling the impact COVID-19", he concluded. "Hopefully this direct cash assistance can be useful and can be used appropriately to ease the burden on COVID-19 affected residents in meeting their daily needs", continued Anikmatun who also acts as a Village Local Assistance (PLD) who also served for village assistance.

The beneficiaries of the BLT hope that this can be maintained so that the next BLT fund distribution can be carried out fairly as has been done at this time. Based on the results of the study, it can be concluded that the provision of BLT funds in the COVID-19 pandemic situation is a very responsive solution from the government, so that people feel very helped in terms of the economy, especially in people who feel the economic impact of the COVID-19 pandemic.

CONCLUSION

The BLT policy in the midst of the COVID-19 pandemic is an appropriate solution from the government to help ease the burden on the village community in particular those affected by COVID-19. The BLT policy in the midst of the COVID-19 pandemic reflects the sense of justice aspired by the law, because actually a law is a rule or policy made to create justice for people, and even that policy is a priority in the context of overcoming the COVID-19 pandemic.

SUGGESTION

Our suggestion in the future is that there is information disclosure to the public ini providing this assistance so that it is hoped that in the future there will be no misuse of aid funds, and are right on target because it is very helpful for the small community ini facing the pandemic.

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