



The Role of the Village Consultative Body in the Formulation of Village Regulations

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Abstract

This study aims to examine and analyze the role of the Village Consultative Body (Badan Permusyawaratan Desa/BPD) in the formulation of Village Regulations (Peraturan Desa) in Simpang Naneng Village, Karusen Janang District, East Barito Regency. The BPD holds a strategic position as a representative institution that accommodates and channels the aspirations of the community, while also participating in the formulation of village policies together with the village government. This research employs a qualitative descriptive method, with data collected through interviews, observations, and documentation. The findings reveal that the BPD of Simpang Naneng Village has played an active role, particularly in the stages of planning and deliberation of village regulations. However, several obstacles remain, such as the limited understanding of BPD members regarding legal drafting procedures, inadequate human resource capacity, and weak coordination with the village government. These challenges often hinder the effectiveness and inclusiveness of policy-making at the village level. Despite these limitations, the involvement of BPD contributes significantly to promoting democratic governance and ensuring that community needs are reflected in village regulations. The study concludes that strengthening the capacity of BPD members, enhancing cooperation with the village government, and improving community participation are essential steps to create transparent, accountable, and participatory governance at the village level.

Abstrak

Penelitian ini bertujuan untuk mengkaji dan menganalisis peran Badan Permusyawaratan Desa (BPD) dalam penyusunan Peraturan Desa di Desa Simpang Naneng, Kecamatan Karusen Janang, Kabupaten Barito Timur. BPD memiliki posisi strategis sebagai lembaga perwakilan yang menampung dan menyalurkan aspirasi masyarakat serta berpartisipasi dalam perumusan kebijakan desa bersama pemerintah desa. Penelitian ini menggunakan metode deskriptif kualitatif dengan teknik pengumpulan data melalui wawancara, observasi, dan dokumentasi. Hasil penelitian menunjukkan bahwa BPD Desa Simpang Naneng telah berperan aktif, khususnya dalam tahap perencanaan dan pembahasan rancangan peraturan desa. Namun demikian, terdapat beberapa kendala yang dihadapi, seperti

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keterbatasan pemahaman anggota BPD terhadap prosedur penyusunan peraturan, kapasitas sumber daya manusia yang masih rendah, serta koordinasi yang belum optimal dengan pemerintah desa. Kendala-kendala tersebut sering kali menghambat efektivitas dan inklusivitas proses perumusan kebijakan di tingkat desa. Meskipun demikian, keterlibatan BPD tetap memberikan kontribusi penting dalam mendorong tata kelola pemerintahan desa yang demokratis dan memastikan kebutuhan masyarakat tercermin dalam Peraturan Desa. Penelitian ini menyimpulkan bahwa peningkatan kapasitas anggota BPD, penguatan kerja sama dengan pemerintah desa, serta peningkatan partisipasi masyarakat merupakan langkah penting untuk mewujudkan tata kelola pemerintahan desa yang transparan, akuntabel, dan partisipatif.

1. Introduction

Villages constitute legal community units endowed with the authority to regulate and manage governmental affairs as well as the interests of local communities, thereby occupying a strategic position within the governmental system of the Unitary State of the Republic of Indonesia. The existence of villages predates Indonesian independence, and to this day villages remain the lowest yet most immediate level of government interacting directly with citizens. In the context of regional autonomy and democratic decentralization, the role of villages has gained increasing prominence, particularly following the enactment of Law Number 6 of 2014 on Villages, as amended by Law Number 3 of 2024.¹ This legal framework provides a strong normative foundation for the realization of autonomous, democratic, and participatory village governance. One of the most tangible manifestations of village autonomy is the authority to enact village regulations, which function as formal legal instruments governing village administration, development, and community empowerment.²

Within the process of formulating village regulations, the Village Consultative Body (Badan Permusyawaratan Desa/BPD) plays a central and strategic role. According to Article 1 point 4 of Law Number 6 of 2014, the BPD is defined as an institution that performs governmental functions, whose members represent village residents based on territorial representation and are determined through democratic mechanisms. Conceptually, the BPD is often regarded as a “village parliament,” serving as a representative forum for community aspirations and participation in village-level policymaking.³ Its existence is intended to ensure that village governance is not

¹ Zaenal Abidin As and Dadan Kurnia, “Implementasi Nilai-Nilai Demokrasi Dalam Pemilihan Kepala Desa Di Kabupaten Bandung Barat,” *Jurnal Academia Praja* 5, no. 1 (2022): 1–12, <https://doi.org/10.36859/jap.v5i1.700>.

² Dahlan A Rahman et al., “Otonomi Daerah Khusus Aceh: Jembatan menuju Rekonsiliasi atau Sumber Ketegangan Baru,” *Jurnal Pemerintahan dan Politik* 9, no. 3 (2024): 183–94, <https://doi.org/10.36982/jpg.v9i3.4459>.

³ Khaeril Anwar, “Hubungan Kerja Antara Kepala Desa Dengan Badan Permusyawaratan Desa (BPD) Menurut Undang-Undang Nomor 6 Tahun 2014 Tentang Desa,” *IUS Kajian Hukum dan Keadilan* VIII, no. 8 (2015).

dominated solely by the village head, but rather operates through a system of checks, balances, and deliberative decision-making.

The importance of the BPD is further emphasized in Article 55 of Law Number 6 of 2014, which stipulates that the functions of the BPD include discussing and jointly approving draft village regulations with the village head, accommodating and channeling community aspirations, and supervising the performance of the village head. These provisions indicate that the BPD simultaneously exercises legislative, representative, and oversight functions within the village governance structure.⁴ Among these functions, the legislative role is particularly crucial, as every village regulation proposed by the village head must be deliberated and approved by the BPD before it can be enacted. In addition, Articles 61 and 62 of the same law regulate the rights and obligations of the BPD, including the right to obtain information regarding village governance, express opinions on village administration and development, and receive operational funding from the Village Revenue and Expenditure Budget, as well as the obligation to uphold constitutional values, practice democratic governance, absorb and follow up community aspirations, and prioritize public interests over personal or group interests.

Further normative guidance regarding the formulation of village regulations is provided by Minister of Home Affairs Regulation Number 111 of 2014 concerning Technical Guidelines for Village Regulations. This regulation explicitly mandates collaboration between the village government and the BPD throughout all stages of drafting village regulations, from planning and formulation to discussion and enactment. The BPD is authorized not only to deliberate on draft village regulations proposed by the village head, but also to initiate and propose draft regulations independently. Without the approval of the BPD, a draft village regulation cannot be legally enacted. However, despite this strong normative framework, empirical realities indicate that the role of the BPD in the formulation of village regulations is often not carried out optimally.⁵

In practice, various obstacles hinder the effective performance of the BPD's legislative, representative, and supervisory functions. These challenges include limited legal knowledge and drafting capacity among BPD members, weak institutional coordination with village governments, imbalance of power relations between the BPD and the village head, as well as minimal community participation in the legislative process.⁶ As a result, many village regulations are drafted in a procedural manner without meaningful deliberation or substantive accommodation of community aspirations, thereby undermining the democratic and participatory ideals envisioned by the Village Law.

Previous studies on village governance and the role of the BPD have generally focused on normative analyses of legal frameworks or broad evaluations of village autonomy.

⁴ Muhammad Syaiful Aris, "Peran Badan Permusyawaratan Desa (BPD) Dalam Mendorong Demokratisasi Pemerintahan Desa," 2018, <https://csws.fisip.unair.ac.id/2018/08/peran-badanpermusyawaratan-desa-bpd-dalam-mendorong-demokratisasi-pemerintahan-desa-m-syaiful-aris/>.

⁵ Theresa Julien Lonteng et al., "Peran Badan Permusyawaratan Desa Dalam Pengawasan Pengelolaan Bantuan Langsung Tunai Dana Desa Dalam Menanggulangi Dampak Covid-19 (Di Desa Radey Kecamatan Tenga Kabupaten Minahasa Selatan)," *Gov 2*, no. 1 (2022).

⁶ Ahmad Averus and Dinda Alfina, "Partisipasi Politik Dalam Pemilihan Kepala Desa," *Jurnal MODERAT* 6, no. 3 (2020).

While these studies contribute valuable insights, they tend to overlook localized empirical dynamics that shape the actual functioning of the BPD in specific village contexts. Moreover, limited attention has been given to identifying concrete institutional and sociopolitical barriers that prevent the BPD from exercising its authority effectively in the formulation of village regulations. This gap in the literature indicates an urgent need for context-specific research that combines normative legal analysis with empirical examination of village-level governance practices.

Based on these considerations, this study is conducted to analyze the role of the Village Consultative Body in the formulation of village regulations in Simpang Naneng Village, Karusen Janang District, East Barito Regency. The novelty of this research lies in its empirical juridical approach, which not only examines the normative legal position of the BPD but also investigates its practical implementation within a specific village setting. By focusing on Simpang Naneng Village, this study provides original insights into how legal norms governing village legislation are translated into practice, identifies the concrete challenges faced by the BPD, and formulates recommendations for strengthening participatory and aspirational village lawmaking. This research is expected to contribute both theoretically to the development of village governance law and practically to improving the quality of village regulations as democratic legal products rooted in community participation

2. Research Methods

This study employs a juridical-empirical research method to examine the gap between normative legal provisions and their implementation in practice, particularly concerning the role of the Village Consultative Body (Badan Permusyawaratan Desa/BPD) in village regulation-making.⁷ The research integrates normative legal analysis with a sociological legal approach, positioning law as a dynamic social institution that interacts with community structures and governance practices. This approach allows the study to assess not only the regulatory framework governing village governance but also how such norms operate in reality, thereby clarifying the research as an integrated juridical-empirical inquiry rather than a purely doctrinal or empirical study. The object of this research focuses on the role of the BPD in the drafting and enactment of village regulations in Simpang Naneng Village, Karusen Janang District, East Barito Regency. Data sources consist of primary and secondary data.⁸ Primary data are obtained through in-depth and semi-structured interviews with key stakeholders, including BPD members and village government officials, to capture firsthand insights into legislative practices and institutional dynamics. Secondary data are derived from statutory regulations, academic literature, and relevant scholarly works that provide the normative and theoretical foundation of the study. Data collection is conducted through a combination of field research and literature review, ensuring a systematic and comprehensive approach. The analysis employs qualitative content analysis to examine the substance of legal norms, institutional roles, and empirical findings, with particular attention to the alignment between law in books and law in action. The results are presented

⁷ Zainuddin Ali, *Metode Penelitian Hukum* (Sinar Grafika, 2014).

⁸ Geofani Milthree Saragih, "Pancasila Sebagai Landasan Filosofis Pembentukan Peraturan Perundang-Undangan Di Indonesia," *Jurnal Pancasila dan Kewarganegaraan* 2, no. 1 (2022).

descriptively and analytically to provide a structured and in depth understanding of the effectiveness and challenges of the BPD's role in village regulation making.

3. Result and Discussion

3.1. The Role of the Village Consultative Body (BPD) in Drafting Village Regulations in Simpang Naneng Village

The role of the Village Consultative Body (Badan Permusyawaratan Desa/BPD) in the formulation of Village Regulations in Simpang Naneng Village must be understood within the broader framework of village governance, empirical field research, and the prevailing statutory regulations, particularly Law Number 6 of 2014 on Villages and Minister of Home Affairs Regulation Number 111 of 2014 concerning the Technical Guidelines for Village Regulations.⁹ Villages, as legal community units, are endowed with the authority to regulate and manage governmental affairs and the interests of local communities, thereby occupying a strategic position in Indonesia's decentralized governance system. Historically, however, such authority was not always fully realized, as Indonesia's political development from the Old Order to the New Order was largely characterized by strong centralization, where decision-making power was concentrated at the national level and local governments, including villages, functioned primarily as implementers of centrally determined policies.¹⁰

During this centralized era, village governance lacked genuine autonomy, as village officials were structurally subordinated to higher administrative authorities ranging from sub-district heads to provincial and central governments. Consequently, village policies often failed to reflect local needs and conditions, and village institutions were unable to optimize local potential. The shift toward decentralization and regional autonomy marked a significant transformation in Indonesia's governance paradigm. The enactment of laws on regional government and villages has reinforced the importance of community participation, accountability, and democratic governance at the local level. In this context, the role of villages and their representative institutions has become increasingly crucial in ensuring that governance and development initiatives genuinely serve community interests.

Within village governance, both the village government and the BPD are required to carry out their duties with a strong sense of responsibility, as their positions constitute a mandate entrusted by the people. The aspirations of village residents must be translated into concrete programs and regulatory instruments that support community welfare. This responsibility is further reinforced by the growing emphasis on participatory development, particularly given that a substantial proportion of Indonesia's population resides in rural areas. The success of regional autonomy is closely linked to the quality of human resources at the local level, as village officials and BPD members play a decisive

⁹ Susanti and Setiaji, "Penguatan Peran Badan Permusyawaratan Desa (BPD) Dalam Mendukung Sinergitas Penyelenggaraan Pemerintahan Desa Di Kabupaten Semarang Tahun 2018," *INTEGRALISTIK: Journal UNNES* (Universitas Negeri Semarang) 29, no. 2 (2018).

¹⁰ Mirza Nasution and Geofani Milthree Saragih, *Hukum Tata Negara Indonesia (Suatu Pengantar Dasar)* (Kencana, 2024).

role in determining whether governance and development processes function effectively.

In carrying out its role, the BPD is required to fulfill several fundamental aspects, including its functions, duties, authority, as well as rights and obligations. Regional Regulation Number 12 of 2018 concerning the Village Consultative Body stipulates that one of the primary functions of the BPD is to discuss and jointly approve draft Village Regulations together with the Village Head.¹¹ This function underscores the legislative role of the BPD in ensuring that village regulations are formulated in accordance with community aspirations and prevailing legal norms. Compliance with statutory provisions is therefore essential to enable the BPD to perform its mandate effectively and responsibly.

The formulation and enactment of Village Regulations are conducted in accordance with Minister of Home Affairs Regulation Number 110 of 2016 concerning the Village Consultative Body and Minister of Home Affairs Regulation Number 111 of 2014 concerning Technical Guidelines for Village Regulations. These regulations establish a procedural framework that requires collaboration between the village government and the BPD through several stages, including the initiation of regulatory proposals, submission of draft regulations by both the village government and the BPD, deliberation and refinement of draft provisions, and the organization of joint meetings to reach mutual agreement. The regulatory process emphasizes deliberation and consensus-building, reflecting the democratic principles underlying village governance.

In Simpang Naneng Village, the BPD plays a substantive role as a representative institution that channels community aspirations into the formulation of Village Regulations. In practice, the BPD functions as an intermediary between residents and the village government by collecting public input through village deliberation forums, neighborhood meetings, and informal consultations with community leaders.¹² Through these mechanisms, the BPD seeks to ensure that Village Regulations genuinely reflect local needs and priorities, rather than merely serving administrative or procedural purposes.

The BPD also plays a significant role in the planning and proposal stages of Village Regulation formulation. It possesses the authority to initiate draft regulations independently or based on community input. In Simpang Naneng Village, BPD members are actively involved in preliminary discussions with the village government to identify priority issues requiring regulatory intervention, such as the management of village land assets, forest resource governance, or institutional arrangements within the

¹¹ Sumarno et al., "Analisis Kedudukan Badan Permusyawaratan Desa Dalam Penyelenggaraan Pemerintah Desa Berdasarkan Perkembangan Pengaturan Desa," *Limbo: Journal of Constitutional Law* 2, no. 3 (2022): 458-77.

¹² Ombi Romli and Elly Nurlia, "Lemahnya Badan Permusyawaratan Desa (BPD) Dalam Melaksanakan Fungsi Pemerintahan Desa (Studi Desa Tegalwangi Kecamatan Menes Kabupaten Pandeglang)," *Jurnal Ilmu Pemerintahan* 3, no. 2 (2017).

village. This proactive involvement demonstrates that the BPD does not merely function as an approving body, but also as an initiator of local policy development.¹³

The deliberation and approval stage represents the core of the BPD's legislative function. Together with the Village Head, the BPD engages in detailed discussions of draft provisions, examining each article to ensure consistency with community interests and higher-level legal norms. In Simpang Naneng Village, these deliberations are typically conducted through joint meetings involving BPD members and village officials, with due consideration given to public input. In this context, the BPD operates as an equal partner to the Village Head rather than as a subordinate institution, exercising its right to propose amendments, offer critiques, or reject provisions deemed contrary to the public interest. This role is essential in maintaining a system of checks and balances within village governance.

Following deliberation, the BPD's approval is a prerequisite for the formal enactment of Village Regulations. Without BPD consent, a draft regulation cannot be legally established by the Village Head. In Simpang Naneng Village, the BPD actively ensures that approved regulations conform to the outcomes of village deliberations and comply with higher statutory frameworks. This function reinforces both the legality and legitimacy of Village Regulations, ensuring that they are procedurally sound and substantively justified.

Beyond enactment, the BPD also assumes responsibility for disseminating information regarding newly adopted Village Regulations and supervising their implementation. In collaboration with the village government, BPD members participate in community meetings and social activities to explain regulatory provisions and objectives. Furthermore, the BPD monitors implementation to ensure alignment with intended goals and addresses public complaints in cases of deviation. Through this role, the BPD ensures that Village Regulations are not merely formal documents, but living instruments that are effectively implemented in a transparent and accountable manner.

Despite these normative and practical roles, the BPD in Simpang Naneng Village faces several challenges that limit the effectiveness of its performance. These include limited understanding of legal drafting techniques and statutory interpretation, insufficient training and institutional support from regional governments, suboptimal coordination with the Village Head and administrative apparatus, and low levels of community participation in village deliberation forums. As a result, the BPD's involvement in the formulation of Village Regulations is sometimes reduced to a formalistic role, with limited substantive influence on regulatory content. Addressing these challenges is therefore essential to strengthening participatory village governance and enhancing the quality of Village Regulations as instruments of local democracy and development.

The discussion on the role of the Village Consultative Body (BPD) in the formulation of Village Regulations cannot be separated from the legal framework that explicitly

¹³ Sumarno et al., "Analisis Kedudukan Badan Permusyawaratan Desa Dalam Penyelenggaraan Pemerintah Desa Berdasarkan Perkembangan Pengaturan Desa."

regulates its position, functions, and authority within the village governance system.¹⁴ Normatively, the existence of the BPD is firmly grounded in Law Number 6 of 2014 on Villages, which establishes the BPD as a representative institution of the village community with legislative, supervisory, and aspirational functions. Furthermore, Minister of Home Affairs Regulation Number 110 of 2016 and Minister of Home Affairs Regulation Number 111 of 2014 provide detailed procedural guidelines for the drafting and enactment of Village Regulations, positioning the BPD as a central actor in the deliberation and joint approval process with the Village Head. This legal framework clearly demonstrates that, from a normative perspective, the BPD is not merely an administrative complement, but a strategic institution tasked with ensuring democratic principles, participation, and checks and balances within village governance.¹⁵

Unlike previous studies that tend to adopt a doctrinal approach and portray the BPD as a formal institutional component, this research reveals a significant gap between legal norms and empirical reality (the gap between law in books and law in action). In the context of Simpang Naneng Village, findings indicate that although the BPD is legally endowed with substantial authority, its role is not fully optimized in practice due to limitations in institutional capacity, inadequate understanding of legislative drafting techniques, and the dynamics of power relations between the BPD and the village government.

3.2. Obstacles to the Implementation of the BPD's Function in the Formation of Village Regulations in Simpang Naneng Village, Karusen Janang District, East Barito Regency

The implementation of the functions of the Village Consultative Body (Badan Permusyawaratan Desa/BPD) in the formulation of Village Regulations in Simpang Naneng Village continues to encounter various structural, institutional, and sociocultural challenges, resulting in the suboptimal performance of this institution as envisioned within a participatory and democratic village governance framework. One of the primary obstacles is the limited understanding of BPD members regarding regulatory frameworks and legislative procedures for drafting village-level regulations. The diverse educational backgrounds of BPD members, combined with the lack of technical training on legislative drafting, have contributed to difficulties in comprehending regulatory structures, legal language, and administrative procedures as stipulated in relevant laws and regulations, particularly the Minister of Home Affairs Regulation Number 111 of 2014 concerning Technical Guidelines for Village

¹⁴ Susanti and Setiaji, "Penguatan Peran Badan Permusyawaratan Desa (BPD) Dalam Mendukung Sinergitas Penyelenggaraan Pemerintahan Desa Di Kabupaten Semarang Tahun 2018."

¹⁵ Reynaldo Jeffry Polie et al., "Analisis Hukum Administrasi Negara Terhadap Pelaksanaan Pemekaran Daerah Berdasarkan Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah," *At-Tanwir Law Review* 4, no. 2 (2024).

Regulations. This limitation has directly affected the capacity of the BPD to provide substantive input during the formulation process.¹⁶

Another significant constraint arises from insufficient coordination and communication between the BPD and the village government. In practice, the discussion of draft Village Regulations is often dominated by the village administration, while the BPD is involved only at the final stage to provide formal approval. This condition undermines the position of the BPD as an equal institutional partner of the village government. The situation is further exacerbated by the low level of community participation in village deliberation forums, despite the BPD's primary function of absorbing and channeling public aspirations into village policies. Limited legal awareness and a weak culture of participation among community members have made it difficult for the BPD to collect substantive and representative input to support evidence-based policymaking.¹⁷

From an institutional perspective, limited facilities and operational support also constitute a major hindrance to the effective functioning of the BPD in Simpang Naneng Village. Inadequate infrastructure, including the absence of a proper secretariat and administrative facilities, along with limited operational funding, has weakened the institutional capacity of the BPD to perform its legislative and supervisory roles effectively. Moreover, the lack of continuous guidance and technical assistance from the district government has further constrained the ability of BPD members to fully understand legal aspects and procedural requirements related to the drafting of Village Regulations.

Collectively, these obstacles indicate that the implementation of BPD functions in Simpang Naneng Village requires comprehensive strengthening measures, particularly in enhancing human resource capacity, improving institutional support, and fostering more effective communication and coordination with the village government. Without systematic capacity-building efforts, the BPD will face ongoing difficulties in fulfilling its mandate as a representative body that balances the authority of the Village Head in the formulation of public policy at the village level.

Nevertheless, alongside these challenges, several supporting factors have enabled the BPD in Simpang Naneng Village to remain actively involved in village governance processes. One key supporting factor is the relatively harmonious working relationship between the BPD and the village government. Although differences of opinion occasionally arise, institutional interactions are generally grounded in deliberation and mutual respect, creating a conducive governance environment that allows for constructive dialogue. This cooperative relationship facilitates BPD involvement across various stages of Village Regulation formulation, from planning to enactment.

Another important supporting factor is the commitment and dedication of BPD members to fulfilling their responsibilities in accordance with statutory mandates.

¹⁶ I. Kadek Dwipiyana et al., "Penyelesaian Sengketa Tapal Batas Antara Desa Jasri dengan Desa Perasi Melalui Upaya Mediasi," *Jurnal Preferensi Hukum* 3, no. 1 (2022): 177-82, <https://doi.org/10.22225/jph.3.1.4680.177-182>.

¹⁷ Susanti and Setiaji, "Penguatan Peran Badan Permusyawaratan Desa (BPD) Dalam Mendukung Sinergitas Penyelenggaraan Pemerintahan Desa Di Kabupaten Semarang Tahun 2018."

Despite limited resources, BPD members demonstrate a strong sense of responsibility toward village development and progress. The spirit of mutual cooperation and commitment to public interests serves as a significant moral driver encouraging active participation in policy formulation processes.¹⁸ Community support also plays a crucial role in strengthening the position of the BPD. In several village deliberations, community members have provided input that assists the BPD in identifying priority issues requiring regulation, such as the management of local natural resources, village financial governance, and the utilization of village-owned land assets.

Regulatory support further reinforces the role of the BPD. A clear legal framework, including Law Number 6 of 2014 on Villages, Government Regulation Number 43 of 2014, and Minister of Home Affairs Regulation Number 111 of 2014, provides a strong normative foundation for the BPD to perform its functions. These regulations affirm the BPD's position as an equal partner of the village government in policymaking processes and grant legal legitimacy to the actions undertaken by the institution.

External support from sub-district and district governments has also contributed to strengthening the implementation of BPD functions. Through technical guidance, capacity-building programs, and socialization activities related to the formulation of Village Regulations, local governments have assisted in enhancing the competence of BPD members. Such initiatives have improved BPD members' understanding of formal legislative procedures and clarified their strategic role within village governance structures.

However, empirical findings from this study reveal several concrete factors that continue to hinder the effective performance of the BPD in Simpang Naneng Village. First, inadequate facilities, particularly the lack of a proper secretariat, significantly impede planning, administrative tasks, and coordination activities. A functional secretariat is essential for organizing BPD activities and facilitating communication with both the village government and the community. Second, some BPD members still lack a comprehensive understanding of their roles and responsibilities under applicable laws, particularly those who are newly appointed and possess limited institutional experience. Third, insufficient public awareness of the functions and authority of the BPD has resulted in low levels of community participation in village deliberation forums. The limited attendance of residents at village meetings restricts the flow of public aspirations and weakens the representative function of the BPD. Finally, inadequate community participation in the implementation of Village Regulations reduces the effectiveness of BPD oversight and contributes to a widening gap between village authorities and residents.

The performance of the Village Consultative Body in Simpang Naneng Village is shaped by a complex interaction of inhibiting and supporting factors. Strengthening institutional capacity, improving human resource competence, enhancing community participation, and ensuring sustained support from higher levels of government are essential prerequisites for enabling the BPD to function effectively as a local democratic institution. Such measures are vital to ensuring that Village Regulations are formulated

¹⁸ Abdulhalil Hi. Ibrahim et al., "Peran Dewan Perwakilan Daerah (DPD) Dalam Pembentukan Daerah Otonomi Baru (DOB) Di Wilayah Provinsi Maluku Utara," *Nakhoda: Jurnal Ilmu Pemerintahan* 19, no. 1 (2020).

through participatory, aspirational, and accountable processes that reflect the genuine needs and interests of the local community.

The obstacles encountered in the implementation of the BPD's function in the formation of Village Regulations must be examined within a firm legal framework that defines both the authority and responsibility of the institution. Normatively, the position of the BPD is clearly regulated in Law Number 6 of 2014 on Villages, which affirms the BPD as a representative body that carries legislative, supervisory, and aspirational functions within village governance.¹⁹ This is further elaborated in Government Regulation Number 43 of 2014 and Minister of Home Affairs Regulation Number 110 of 2016 and Number 111 of 2014, which establish procedural standards for the drafting and enactment of Village Regulations. These legal instruments emphasize that the BPD must be actively involved from the planning stage to the approval stage, thereby positioning it as an equal partner of the Village Head in the lawmaking process. Consequently, any marginalization of the BPD's role in practice reflects not only an administrative weakness but also a deviation from the normative legal framework governing village governance.²⁰

While existing studies generally focus on the formal authority of the BPD as prescribed by statutory regulations, this study highlights how such authority is constrained by structural, institutional, and sociocultural factors in practice. In Simpang Naneng Village, the findings demonstrate that despite the existence of a comprehensive legal framework, the implementation of BPD functions remains suboptimal due to limited institutional capacity, inadequate legal understanding, and weak participatory mechanisms. This indicates that the effectiveness of legal norms cannot be assessed solely based on their textual formulation, but must also consider the socio-institutional context in which they operate.

4. Conclusion

Based on the discussion, it can be concluded that the Village Consultative Body (BPD) of Simpang Naneng Village plays a strategic role in the process of drafting Village Regulations, from the planning stage through discussion, enactment, and oversight of implementation. The BPD serves as a representative body for the community, channeling residents' aspirations, providing substantive input on draft regulations, and ensuring that village policies align with community interests and the principles of transparent and accountable governance. However, the implementation of the BPD's functions still faces several obstacles, including limited understanding of regulations and procedures by BPD members, suboptimal coordination with the village government, minimal community participation in village deliberations, and limited facilities and institutional support. These obstacles have the potential to reduce the

¹⁹ Muh Rinto et al., "Koordinasi Badan Permusyawaratan Desa (BPD) Dengan Kepala Desa Dalam Perencanaan Pembangunan Di Desa Laikang Kabupaten Takalar," *Jurnal Administrasi Pemerintahan Desa* 2, no. 1 (2021): 24–37.

²⁰ Alfi Fadhillah et al., "Implementasi Manajemen Keuangan dalam Pengembangan UMKM Desa Curug Gunung Sindur Bogor Jawa Barat," *Jurnal Ilmiah Mahasiswa Mengabdi (JimawAbdi)* 2, no. 1 (2022): 23, <https://doi.org/10.32493/jmab.v2i1.18620>.

BPD's effectiveness in carrying out its strategic role. On the other hand, there are supporting factors that strengthen the BPD's role, including a harmonious relationship with the village government, the commitment and enthusiasm of BPD members to carry out their duties, community participation, regulatory support from relevant laws and regulations, and technical guidance from the sub-district and district governments. These factors enable the BPD to continue to carry out its functions despite these limitations. Therefore, increasing the capacity of BPD members, strengthening coordination with the village government, and increasing community participation are crucial steps to strengthen the BPD's role in drafting Village Regulations. These efforts are expected to create a more participatory, accountable, and good governance-based village regulation-making process at the local level.

References

Book

- Ali, Zainuddin. *Metode Penelitian Hukum*. Sinar Grafika, 2014.
- Mirza Nasution and Geofani Milthree Saragih. *Hukum Tata Negara Indonesia (Suatu Pengantar Dasar)*. Kencana, 2024.

Journals

- A Rahman, Dahlan, Muhammad Bin Abubakar, Muhammad Rizwan, Muntasir Muntasir, and Bimby Hidayat. "Otonomi Daerah Khusus Aceh: Jembatan menuju Rekonsiliasi atau Sumber Ketegangan Baru." *Jurnal Pemerintahan dan Politik* 9, no. 3 (2024): 183–94. <https://doi.org/10.36982/jpg.v9i3.4459>.
- Abdulhalil Hi. Ibrahim, Bakri La Suhu, Rifjal Tifandy, and Marno Wance. "Peran Dewan Perwakilan Daerah (DPD) Dalam Pembentukan Daerah Otonomi Baru (DOB) Di Wilayah Provinsi Maluku Utara." *Nakhoda: Jurnal Ilmu Pemerintahan* 19, no. 1 (2020).
- Abidin As, Zaenal, and Dadan Kurnia. "Implementasi Nilai-Nilai Demokrasi Dalam Pemilihan Kepala Desa Di Kabupaten Bandung Barat." *Jurnal Academia Praja* 5, no. 1 (2022): 1–12. <https://doi.org/10.36859/jap.v5i1.700>.
- Anwar, Khaeril. "Hubungan Kerja Antara Kepala Desa Dengan Badan Permusyawaratan Desa (BPD) Menurut Undang-Undang Nomor 6 Tahun 2014 Tentang Desa." *IUS Kajian Hukum dan Keadilan* VIII, no. 8 (2015).
- Aris, Muhammad Syaiful. "Peran Badan Permusyawaratan Desa (BPD) Dalam Mendorong Demokratisasi Pemerintahan Desa." 2018. <https://csws.fisip.unair.ac.id/2018/08/peran-badanpermusyawaratan-desabpd-dalam-mendorong-demokratisasi-pemerintahan-desam-syaiful-aris/>.
- Averus, Ahmad, and Dinda Alfina. "Partisipasi Politik Dalam Pemilihan Kepala Desa." *Jurnal MODERAT* 6, no. 3 (2020).
- Dwipayana, I. Kadek, I. Nyoman Gede Sugiarta, and Diah Gayatri Sudibya. "Penyelesaian Sengketa Tapal Batas Antara Desa Jasri dengan Desa Perasi Melalui Upaya Mediasi." *Jurnal Preferensi Hukum* 3, no. 1 (2022): 177–82. <https://doi.org/10.22225/jph.3.1.4680.177-182>.
- Fadhilah, Alfi, Muhammad Fauzan Rahadian, Nurlina Nurlina, et al. "Implementasi Manajemen Keuangan dalam Pengembangan UMKM Desa Curug Gunung

- Sindur Bogor Jawa Barat." *Jurnal Ilmiah Mahasiswa Mengabdi (JimawAbdi)* 2, no. 1 (2022): 23. <https://doi.org/10.32493/jmab.v2i1.18620>.
- Lonteng, Theresa Julien, Ismail Sumampow, and Neni Kumayas. "Peran Badan Permusyawaratan Desa Dalam Pengawasan Pengelolaan Bantuan Langsung Tunai Dana Desa Dalam Menanggulangi Dampak Covid-19 (Di Desa Radey Kecamatan Tenga Kabupaten Minahasa Selatan)." *Gov* 2, no. 1 (2022).
- Polie, Reynaldo Jeffry, Yusrianto Kadir, and Robby W. Amu. "Analisis Hukum Administrasi Negara Terhadap Pelaksanaan Pemekaran Daerah Berdasarkan Undang-Undang Nomor 23 Tahun 2014 Tentang Pemerintahan Daerah." *At-Tanwir Law Review* 4, no. 2 (2024).
- Rinto, Muh, Amir Muhiddin, and Anysari Mone. "Koordinasi Badan Permusyawaratan Desa (BPD) Dengan Kepala Desa Dalam Perencanaan Pembangunan Di Desa Laikang Kabupaten Takalar." *Jurnal Administrasi Pemerintahan Desa* 2, no. 1 (2021): 24-37.
- Romli, Ombi, and Elly Nurlia. "Lemahnya Badan Permusyawaratan Desa (BPD) Dalam Melaksanakan Fungsi Pemerintahan Desa (Studi Desa Tegalwangi Kecamatan Menes Kabupaten Pandeglang)." *Jurnal Ilmu Pemerintahan* 3, no. 2 (2017).
- Saragih, Geofani Milthree. "Pancasila Sebagai Landasan Filosofis Pembentukan Peraturan Perundang-Undangan Di Indonesia." *Jurnal Pancasila dan Kewarganegaraan* 2, no. 1 (2022).
- Sumarno, Kosariza Kosariza, and Arfa'i Arfa'i. "Analisis Kedudukan Badan Permusyawaratan Desa Dalam Penyelenggaraan Pemerintah Desa Berdasarkan Perkembangan Pengaturan Desa." *Limbago: Journal of Constitutional Law* 2, no. 3 (2022): 458-77.
- Susanti and Setiaji. "Penguatan Peran Badan Permusyawaratan Desa (BPD) Dalam Mendukung Sinergitas Penyelenggaraan Pemerintahan Desa Di Kabupaten Semarang Tahun 2018." *INTEGRALISTIK: Journal UNNES (Universitas Negeri Semarang)* 29, no. 2 (2018).