



THE ROLE OF THE VILLAGE REPRESENTATIVE COUNCIL IN IMPLEMENTING VILLAGE GOVERNMENT IN MALUKU

*(Peran Badan Permusyawaratan dalam Pelaksanaan Pemerintah Desa di Desa Karang
Jaya, Maluku)*

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Abstract

The territory of the Republic of Indonesia is very wide covering many large and small islands, so it is not possible if everything will be managed entirely by the Government which is domiciled in the State Capital, to manage the administration of state government to all corners of the country, it is necessary to form a regional government. Local governments and village governments have shifted from a centralized system of government to a decentralized one so that providing services to the public is closer and can be done optimally. This implementation brings a lot of hope to the improvement, management, and quality of local performance. This study aims to examine the role of the Village Consultative Body (BPD) in the Village Government and what factors hinder the role of the Village Consultative Body (BPD) in the Village Government in Karang Jaya Village. This research is a descriptive type of research, namely a study that describes the phenomena of a BPD cooperation management with the village head, thus the approach used is the normative approach. The results show that the BPD in Karang Jaya village has not been able to carry out its role optimally because the human resources of BPD members are still low, especially in the education sector so that in carrying out its roles and functions the BPD does not understand what to do concerning the control and supervisory functions. becomes its authority in controlling and supervising the performance of the Village Government / Village Head.

Keywords: BPD, Karang Jaya, Role

Abstrak

Wilayah Negara Kesatuan Republik Indonesia yang sangat luas meliputi banyak pulau besar dan kecil, sehingga tidak mungkin semuanya akan dikelola sepenuhnya oleh Pemerintah yang berkedudukan di Ibukota Negara, untuk menyelenggarakan penyelenggaraan pemerintahan negara sampai ke seluruh pelosok negara, perlu membentuk pemerintah daerah. Pelaksanaan ini membawa banyak harapan bagi peningkatan, pengelolaan, dan kualitas kinerja daerah. Penelitian ini bertujuan untuk mengetahui peran Badan Permusyawaratan Desa (BPD) dalam Pemerintahan Desa dan faktor-faktor apa saja yang menghambat peran Badan Permusyawaratan Desa (BPD) dalam Pemerintahan Desa di Desa Karang Jaya. Penelitian ini merupakan jenis penelitian deskriptif, yaitu penelitian yang mendeskripsikan fenomena pengelolaan kerjasama BPD dengan kepala desa, sehingga pendekatan yang digunakan adalah pendekatan normatif. Hasil penelitian menunjukkan bahwa BPD di desa Karang Jaya belum dapat menjalankan perannya secara optimal karena SDM anggota BPD masih rendah khususnya di bidang pendidikan sehingga dalam menjalankan peran dan fungsinya BPD belum memahami apa yang harus dilakukan terkait fungsi kontrol dan pengawasan. menjadi kewenangannya dalam mengendalikan dan mengawasi kinerja Pemerintah Desa / Kepala Desa.

Kata Kunci: BPD, Karang Jaya, Peran.

INTRODUCTION

The territory of the Republic of Indonesia is very wide covering many large and small islands, so it is not possible if everything will be managed entirely by the Government which is domiciled in the State Capital, to manage the administration of state government to all corners of the country, it is necessary to form a regional government.

Local governments and village governments have shifted from a centralized system of government to a decentralized one so that the provision of services to the public is closer and can be done optimally. This implementation brings a lot of hope for improvement, in terms of management and quality of regional performance. Belinda, et.al, 2019. One that has autonomy is the village, the implementation of village government is a subsystem of the government administration system so that the village has the authority to regulate and manage the interests of its community.

Law Number 9 of 2015 concerning Regional Government, in article 200 paragraph 1 it is known that in the implementation of village government there are 2 (two) important government elements that play a role in it, namely the Village Government and the Village Consultative Body. BPD has a strategic position in the implementation of village governance. Based on Law Number 9 of 2015 the Village Consultative Body is said to carry out its role if it has participated in village policy-making and accommodates the aspirations of the community.

As an important element that is considered to be the driving force for the democratization of the village, the presence and performance of BPD are still covered by many problems that have the potential to backfire on the democratization process. In some cases, the presence of the BPD has been seen as causing complications in village political life, where many BPD

depend on district, sub-district, or village government officials/bureaucrats.

The BPD is only a “stamp giver” to provide legitimacy to the village government. In general, members of the Village Consultative Body are inexperienced in understanding and formulating agendas that are expected to effectively create reform in the village, naturally, later in the implementation of Village Government, the Village Head is still more dominant in the Village Consultative Council government.

The Village Consultative Body (BPD) in Karang Jaya Village, Buru Regency has been in the village for a long time. As an agency that has a strategic position in the village administration, the BPD is in charge of and conveying the aspirations of the community to be conveyed to the village government, but this role is not seen in the Karang Jaya Village Government.

Based on the information obtained by researchers, it is known that there are still many people who do not know what a Village Consultative Body (BPD) is, even though they are the head institution that is placed in and conveying the aspirations of the community, even the community is more familiar with the hamlet as their representative in the village and not the BPD.

Apart from that, in carrying out its role, the BPD Desa Karang Jaya does not have a separate office, but still occupies the office of the village head. Meetings between BPD members are also held in the village head's office, this results in a lack of freedom for the BPD to be separated from the intervention of parties related to BPD performance. In such a situation, it would be difficult for BPD to optimize its role as an institution that participates in the making of village regulations.

Regional autonomy has provided space for community participation in development, which makes society not only the object of development but also the subject of development and with this level of

participation, it is hoped that the acceleration of development results can be realized immediately and be effective in improving the quality of community life.

Besides being carried out by non-formal institutions such as the involvement of non-governmental organizations (NGOs), other interest groups through demands against the government or forms of rejection of government policies, it is also carried out by formal institutions at the regional level through Greater authority in the Regional People's Representative Council (DPRD) and at the village level with the establishment of the Village Consultative Body (BPD).

The Village Consultative Body (BPD) is a manifestation of democracy in the implementation of village governance as an element of village administration. The existence of BPD in the village government is evidence of community involvement in the field of governance. During the New Order era, community involvement in the implementation of village governance was carried out through the formation of the Village Deliberative Council (LMD) and the Village Community Resilience Institution (LKMD).

However, this institution does not function proportionally, only functioning as the right-hand man of the Village Head. On the other hand, the hegemony of the village authorities is very dominant in all matters. As a result, people are less able to learn to be democratic. This is evidenced by the power of the Village Head which can be said to be analogous to the power of a dictator or absolute king so that people cannot directly channel their aspirations. 2: "Sovereignty rests in the hands of the people and is exercised according to the constitution".

Some countries think that their sovereignty is in the hands of the people, meaning that the voices of the people are heard, their complaints, and their sufferings. This is an example of democracy, by the people and for the people. But this is only to

cover up the behavior of the governing government. For sovereignty to be guaranteed, every organ of government including the Village Consultative Body (BPD) is obliged to carry out its duties with a full sense of responsibility because the position is a mandate of the people.

The room for democratization and community participation in its journey related to the issue of trust has not taken seriously the interests of society. It is jointly recognized that changing a socio-economic, institutional, and cultural system cannot occur in a relatively short time (the enactment of a law does not automatically change the system, politics, and culture of society).

Consistency, goodwill is required from the implementation of laws, government policies, readiness from the public and the government bureaucracy, and non-governmental organizations. In other words, the ideas of regional autonomy, democratization, and respect for human rights in development have their dynamics in their implementation at the central, regional, and village levels.

The centralistic development paradigm has proven to have failed and it is necessary to develop a new paradigm, namely a development paradigm that involves wider community participation through enhancing civil society so that development is from society by society and for the society which ultimately is Nation Development as a whole, and that can only be there is sustainable development starting from "development of village communities".

At present, efforts to develop and develop the life of rural communities are felt to be increasingly important. This is because most of the population is in rural areas, now community participation in residential development activities is highly expected, out of Law Number 9 of 2015 concerning Regional Government. Regional autonomy requires a qualified human resource condition because they are the ones who will

determine whether or not a region moves in carrying out development activities and governance in general.

An autonomous region requires the existence of an autonomous society as well. An autonomous society is a society that is empowered, which, among other things, weighs heavily on its participation in development activities. Because, in the era of regional autonomy which is now starting to be implemented, increasing public participation in development activities and governance, in general, is very important. It is also available as a place to get to know each other. Then it can implement that a government/ruler who upholds justice means that he has carried out the position given as well as possible.

As previously stated, every power is exercised fairly for everyone, including the ruler/government itself. Therefore, this alignment is implemented in a tyrannical, dictatorial, authoritarian, or absolute manner, so that power will boomerang in the form of a disaster, a catastrophe whose consequences will not be separated from the ruler/government itself.

Theoretically, in the implementation of regional autonomy, there are pillars as supporting pillars for autonomy, they include (1) distribution of power (a division of authority); (2) revenue sharing (profit sharing); (3) empowerment (independence/empowerment of local governments). These three joints are very influential in the implementation of regional autonomy, so the implementation of these joints is getting stronger, the implementation of regional autonomy is getting stronger too, and the relations between these joints are weak, so the implementation of autonomy is getting weaker too.

These three pillars as the pillars of autonomy have been described in the principles of autonomy as outlined in Law No. 9 of 2015 concerning Regional Government in conjunction with Law No. 33 of 2004 concerning Financial Balance

between the Central and Regional Governments have described the three principles, namely the principles of autonomy. Efforts to accelerate the realization of the welfare of local communities have been carried out by the government through various development programs, including Village Development Funds, Inpres Assistance for Disadvantaged Villages, assistance with seeds and fertilizers for farmers, Farmers' Business Credit, Kukesra, Takesra, revolving assistance for cattle and cattle. so on. However, these various programs have failed to provide welfare for the people in the regions (villages).

Efforts to realize welfare through increasing community participation are carried out by involving NGOs, such as in the social safety net program and various poverty alleviation programs that have been implemented during the reform era. However, the results are still not being realized. community interaction is not only in the field of increasing welfare but also in governance.

The existence of the Village Consultative Body (BPD) in the village administration is evidence of this community. This is in line with the main order of the Village Consultative Body, abbreviated as BPD, which is the incarnation of all members of the community and is a high village institution. The BPD is also the holder and implementer of a form of village community sovereignty. This institution has an urgency that is not much different from the DPR. This is why autonomy in the village can be carried out proportionally.

From the above background, the purpose of this study is what is the role of the Village Consultative Body (BPD) in the Village Government and what factors hinder the role of the Village Consultative Body (BPD) in the Village Government in Karang Jaya Village.

RESEARCH METHOD

This research is a descriptive type of research, namely a study that describes the phenomena of a BPD cooperation management with the village head, thus the approach used is the normative approach. The location of this research is in Karang Jaya Village, Buru Regency. In this study the authors used legal materials, namely; (a) Primary source or authorities, namely in the form of the 1945 Constitution of the Republic of Indonesia, the Regional Autonomy Law, and other statutory regulations concerning Village Government and Village Consultative Bodies and (b) Legal materials secondary (Secondary source or Authorities), namely in the form of legal literature (scientific books) officially published, papers, journals, magazines, and newspapers as long as they are related to this object.

The technique of collecting data is by taking inventory of statutory regulations to be studied as a whole and through library research, internet browsing, scientific articles, scholarly studies, and document studies, including scientific papers and newspaper journals. The data collection method uses literature study, namely the technique of collecting data by reading and studying library books related to research material, then compiling as data presentations. The documentation method is one of the data collection methods used by the author by reviewing government and non-government documents related to this research. The instruments used are documentation forms, library forms, and other library tools.

After the secondary and primary legal materials obtained are processed and analyzed quantitatively to produce descriptive materials, in the form of materials relevant to the object of research. The approach used in this research is the normative legal approach.

RESULTS AND DISCUSSION

The Role of the Village Consultative Body (BPD) in Village Government

Political developments in Indonesia have continued to develop from the old order to the present. Political policies and the old order government emphasized the attitude of centralization, where all matters were left entirely to the center. Of course, there is no regional autonomy. Both at the village level to the provincial level. Each region is fully driven by the government. At the village level, for example, government policies through the village apparatus are the policies of their superiors from the sub-district head, district head, governor, to the center, so that village officials have not maximized the condition of the village they lead.

Along with the total reforms starting in 1998 in all fields that are now being carried out is derived from the intention and commitment of all the people's forces to continue to believe that the 1945 Constitution is the constitution. Apart from that, it also demands the ability of all state institutions, government institutions, and the people to implement the constitutional provisions appropriately and the willingness of all parties to implement them. The emergence of Law No. No. 9 of 2015 concerning Regional Government (autonomy), Government Regulation No. 6 of 2014 concerning the Village,

Minister of Home Affairs Regulation No. 110/2016 and Regional Regulation of South Buru Regency No. 24 of 2011 concerning the Village Consultative Body is seen as part of a major process of democratization.

Autonomy is not final, but a first step. Thus the content and the realization of the contents of autonomy are very important. Indonesia's transition to democracy from authoritarian rule became the most dramatic political event of the late 20th century. Though at times painful, the transition has returned Indonesia to freedoms that have not been seen in this country since the short-

lived democracy experiment in the 1950s. The birth of government policies, especially Law no. 9 of 2015 regarding Regional Government brings new hope for the journey of this nation to a better future.

This is very reasonable because the previous policy which *nota bene* gave birth to political reality, namely the existence of centralization in almost all fields has had such a big impact with multi crises as the end of a regime episode. The reality of the past tells us one thing but it has implications for a multiplier effect, namely the co-optation of the rulers who are so shackled both from the village, village to individual people in society. Therefore, Article 18 of The 1945 Constitution, among other things, states that the division of Indonesian regions into large and small regions, with the form and structure of government is stipulated by law.

Thus, the 1945 Constitution of the Republic of Indonesia mandates that regional governments have the authority to regulate and manage government affairs themselves according to the principles of autonomy and assistance tasks. The granting of broad autonomy to the regions is directed at accelerating the realization of community welfare by improving services, empowerment, and community participation. Besides, through broad autonomy, regions are expected to be able to increase competitiveness by taking into account the principles of democracy, equity, justice, privileges, and specificities as well as potential and regional diversity in the Unitary State System of the Republic of Indonesia.

The spirit of regional autonomy is actually to build regional independence itself as well as improve the quality of democracy at the local level. The performance of democracy can be measured by the extent to which the products of existing policies can foster community initiative and not dependence. It is important to realize that the regional autonomy policy, also contains a

fundamental aspect, namely regional autonomy which can be said to be the essence of regional autonomy.

The principle of regional autonomy uses the principle of the broadest possible autonomy in the sense that the region is given the authority to manage and regulate all government affairs outside those which are government affairs stipulated in the law. Regions have the authority to make regional policies to provide services, increase participation, initiative, and community empowerment aimed at improving people's welfare.

As a manifestation of democracy, a Village Consultative Body was formed in the village, which was formerly the Village Deliberative Council (LMD) which functions to establish village regulations with the village head, accommodating and channeling community aspirations. Members of the Village Consultative Body are representatives of the residents of the village concerned who are determined by way of deliberation and consensus.

Village Consultative Body Structure. The BPD is a partner of the Village Head in empowering village communities whose members consist of community leaders, RT, RW elected by the people. Village heads and village officials may not be members or chairmen of the BPD, so the village head does not have an important role to play even if the village head is supervised by the BPD. Meanwhile, the LMD as described in Law no. 6 of 2015 and Minister of Home Affairs Regulation No. 110 of 2016 which regulates the LMD where the LMD management consists of village officials, community leaders, and the chairperson is the village head so that it appears that the village head has an important role in the village or is autonomous.

However, whether the Village Consultative Body which was formed in its realization has been able to control the village government and vice versa whether the village government with this new

government system is also ready to be controlled by the people through this agency. This is where the people's participation through the Village Consultative Body will be seen because through this Village Consultative Body the community can participate in determining policies in the administration of their village government with their legislative and control functions.

Starting from these simple questions, let's try to see the results of the author's research related to the role of the Village Consultative Body (BPD) in Karang Jaya Village, Buru Regency. We all know that the main role of the BPD is together with the Village Head to make village regulations, accommodate and channel the aspirations of the community besides that the BPD also functions as a legislator and controls and monitors the performance of the Village Government.

However, the facts on the ground that the Village Consultative Body (BPD) in Karang Jaya Village are not carrying out their roles and functions properly, even the BPD seems to have collaborated with the village government in abusing authority. This was revealed in an interview conducted by the author with Mr. Hendrik Tasane as the Secretary of the Karang Jaya Village BPD, he said that the Karang Jaya Village Government in carrying out its duties and functions had no problems.

Yet according to the narrative of a community leader in Karang Jaya Village, Mr. Edison Nurlatu. through interviews with the author said that the BPD did not carry out its duties and functions properly, never held meetings and did not heed or channel the aspirations of the community, there was an impression as if there was a collaboration between the Karang Jaya Village Government and the BPD, the lack of functioning of the village office in supporting the daily government. By analyzing the problems mentioned above, the authors conclude that the Village Consultative Body (BPD) in Karang Jaya

Village, District has failed to carry out the mandate as a village legislator, especially in community empowerment programs through village development programs. If we interpret it well, BPD has a strategic position in terms of village development programs.

Inhibiting Factors for BPD Performance Effectiveness

The social conditions of the people who still do not believe in the existence of a BPD, the community still feels that the BPD has not carried out its duties according to the expectations of the community and the resources of BPD members are still relatively low, the limited amount of budget from the government, the Human Resources of Karang Jaya Village officials Buru is still low and some Village Officials and BPD members are not active in disseminating a Village regulation. Besides that, after the author conducted the research, several things were found, namely, the lack of functioning of the Village office, no BPD workspace, and a lack of Human Resources.

After the researcher conducts the research, the researchers include:

1. Improve the performance of the BPD in carrying out its duties and functions, especially those related to the control and supervisory functions of the Village Government following the wishes and aspirations of the community;
2. It is necessary to develop more intensively healthy communication, both horizontally and vertically and communication that puts the interests of the community above personal or group interests;
3. It needs input from other institutions such as Pemdes, LPMD Muspika which builds and improves BPD performance to achieve progress, welfare, and prosperity of the community;
4. It is necessary to maintain togetherness between BPD, Pemdes, LPMD, and the community in the program to respond to what the government expects and the

wishes of the community following the progress of the times;

5. The public must be more active and critical in responding to the various policies and legal products produced by the BPD, as well as in the policy-making process.

CLOSING

The Village Consultative Body in Karang Jaya Village, Namlea Subdistrict, Buru Regency has not been able to carry out its role optimally because the Human Resources of BPD members are still low, especially in the education sector so that in carrying out its role and function the BPD does not understand what to do concerning the control and supervisory functions which becomes the authority in controlling and supervising the performance of the Village Government / Village Head.

Factors that hinder the role of the Village Consultative Body in the administration of governance in Labuang village, among others: the role of the BPD is ineffective due to the minimal operational budget of the BPD, the facilities and infrastructure of the BPD are very inadequate and do not have their own office so that in carrying out their duties they only stay in Village office, BPD members who do not actively socialize a Village Regulation, Lack of Human Resources for BPD members.

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