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RESEARCH ARTICLE

LEGAL IMPLEMENTATION OF THE FUNCTIONS VILLAGE CONSULTANT BOARD IN THE FIELD OF LEGISLATION

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Abstract

Act Number 6 of 2014 about Villages, The Village Council has the following functions: a. discusses and agrees on the Village Regulation Draft with Headman; b. accommodates and distributes the aspirations of the Village community, and c. supervises the performance of the Headman. The objectives of this research are to: First: find a model for implementing the function of the Village Council in discussing and agreeing on the Village Regulation Draft, Second: Finding factors that hinder the legal implementation, Third: Finding a strategy to overcome the inhibiting factors of the legal implementation. The research method used is empirical legal research with a study in Asrikaton Village, Indonesia country. with the sources of informants being the Headman, Village Secretary, Chair and Secretary of the Village Council, and the headman. The legal implementation model of the function of the Village Council has not been maximized in carrying out the mandate of the legislation. The inhibiting factors are the lack of coordination and communication between the village government and the Villages Council. Strategies for overcoming the inhibiting factors are improving coordination and communication, improving the quality and professionalism of the members of the Village Council.

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Introduction:-

Traditional villages and villages or other names hereinafter referred to as villages, are legal community units that have territorial boundaries that are authorized to regulate and manage government affairs, the interests of the local community based on community initiatives, origin rights, and/or recognized traditional rights. and respected in the system of government of the Unitary State of the Republic of Indonesia.

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Article 18 of Act Number 6 of 2014 about Villages (State Gazette of the Republic of Indonesia of 2014 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 5495) which is referred to as the **Law on Villages**, the Village has authority in the field of Villages **Administration, implementation of Villages Development, fostering Villages community, and Villages community empowerment** based on community initiatives, origin rights, and Village customs.

H. A. W. Widjastated that village autonomy, is original, real, and autonomy complete and then isn't a gift from the government. On other hand, the government is obligated to respect the autonomy originals of the villages. As a unit legal community that has an original structure based on privilege, the village can do legalactions, both public law and civil law, have wealth, property and prosecuted and sued in court.

The Autonomy villages in the right, authority, and obligation to regulations and manage governmentaffairs and the interested of the community on their own based the rights of origin and sociocultural have values that exist in the community to grow and thrive following development of the village. Governmentaffairs based on the origin of the village, affairs that are the authority of the Regency or City governmentare handed over to the village. Therefore, in the implementation of rights, authorities, and freedoms in implementing village autonomy, it is necessary to uphold the values of responsibility towards the Unitary State of the Republic of Indonesia by emphasizing that the village is an inseparable part of the Indonesian nationand state

The implementations of rights, authority, and freedom of village, autonomy requires the responsibility to maintain the integrity, unity, and integrity of the nation within the bounds of the Unitary State of the Republic of Indonesia and the responsibility to realize the welfare of the people which is carried out within the corridors of the applicable laws and regulations.

The Villages Council is an institution that carries out government functions from members arerepresentatives of the Village populations based on regional representation and determined democratically. therefore, the positions of the VillageCouncil are identical to that of the people's representative institution at the village level, considering that the members of the Village Council are democratically elected from regional representatives in the village.

Article 55 of Act Number 6 of 2014 about that the Village Council has a function to; discuss and agreeon the Village Regulation draft with the Headman; accommodate and distribute the aspirations of the Village community; andsupervise the performance of Headman.

Based on the grammatical interpretation, Article55 of Act Number6 of 2014 about Villages above is a legal code that regulates the functions and roles of the Village Council as a democratic institution in the village, whose function is to discuss and agree on the Regulation Draft Village with Headman; accommodate and follow up on community aspirations and has the function of supervising the performance of Headmen. Thus, it can be concluded that the Village Council has the function of legislation, representation, and control.

The Village Council has the right to: a) supervise and **request information** on the administration of the Village Government to the Village Government; b) **express opinions** on the implementation of Village Government, implementation of Village Development, Village community development, and Village community empowerment; and c) obtain operational costs for the implementation of its duties and functions from the Village Revenue and Expenditure Budget.

Members of the Village Council have the right to a) propose a Village Regulation Draft; b). asking the question; c). submit proposals and/or opinions; d) choose and be elected, and e) receive allowances from theVillage Revenue and then Expenditure Budget.

Minister of Home Affairs Regulation Number 110 of 2016 about the Village Council, states that the village council has functions, duties, and authorities as well as rights. **Functions of the Village Council:** discuss and agree on the Village Regulation Draft with the Headman; accommodate and distribute the aspirations of theVillage community, and oversee the performance of the Headman.

The stages of discussions and agreement on the Village Regulation Draft to become a Village Regulation are as follows: **First**, the Village Council and the Headman discuss and agree on the Village Regulation Draft which was submitted by the Village Council and/or Headman. **Second**; The discussion on the Village Regulation Draft as referred to is held by the Village Council in the deliberation of the Village Council. **Third**; The Village Regulation Draft proposed by the Headman is discussed in advance in the Village Council's internal deliberation no later than 10 (ten) working days as of the receipt of the Village Council draft of the Village Regulation. **Fourth**; The implementation of the discussion on the Village Regulation Draft as referred to is carried out between the Village Council and the Headman for the first time carried out no at the latest 30 days after the implementation of the Village Council's internal deliberation. **Fifth**; every discussion of the Village Regulation Draft is carried out recording the process as outlined in the minutes of the deliberation.

The implementation of the legal function of the Village Council in Asrikaton is interesting to do research because Asrikaton Village is a village that is passed by the Malang Surabaya toll road access and there are village regulations regarding the disposal of village assets. Based on the above background, the purpose of this research is to find: a Model for the implementation of the function of the Village Council in discussing and agreeing on the Village Regulation Draft, accommodating and distributing the aspirations of the village community, and supervising the performance of the Headman. Finding factors that hinder the legal implementation model of the function of the Village Council in discussing and agreeing on the Village Regulation Draft are, accommodating and distributing the aspirations of the village community and supervising the performance of the Headman. Find a strategy to overcome the inhibiting factors of the legal implementation model of the Village Council function in discussing and agreeing on the Village Regulation Draft, accommodate and distribute the aspirations of the village community, and supervising the performance of the Headman.

Research Methods:-

The type of research which conducted by the researcher is empirical legal research or non-doctrinal legal research. That is examining the enactment or effectiveness of the law in the midst of society.

The data in this study are primary data and secondary data. Primary data is direct data in the form of words and human actions, in this case, the Headman, Village Secretary, Hamlet/Territory Head, and the leaders of the Village Council. While secondary data is indirect data in the form of legal materials. Both are primary legal materials, secondary legal materials, and tertiary legal materials. Primary data collection by conducting in-depth interviews with predetermined informants, observations/observations, and documentation on sites visited by researchers. Interviews will be conducted with the Headman, Village Secretary, Hamlet/Territory Head, Chairperson, and Secretary of the Village Council. Secondary and tertiary data collection, namely by studying literature in public libraries, as well as campus libraries and literature owned by the Asrikaton Village government along with other written documents.

Data analysis was carried out using sociological juridical analysis, by Data obtained from research results, both primary and secondary data were collected and then classification and category based on the main issues to be disclosed through research. Secondary data were analyzed using legal interpretation, while the primary data obtained were analyzed descriptively qualitatively through three stages, namely reducing data, presenting data, and drawing conclusions. These activities are continuously carried out so as to form a cycle that allows conclusions that provide answers to problems so that the cycle process can be systematically interconnected.

Discussion:-

Model Implementation of the function of the Village Council in discussing and agreeing on the Village Regulation Draft

Article 55 of Act Number 6 of 2014 about Villages states that the Village Council has a function; discuss and agree on the Village Regulation Draft with the Headman; accommodate and distribute the aspirations of the Village community and supervise the performance of the Headman.

Based on the grammatical interpretation, Article 55 of Act Number 6 of 2014 concerning Villages which mentioned above is a legal code that regulates the functions and roles of the Village Council as a democratic institution in the village, whose function is to discuss and agree on the Village Regulation Draft with Headman;

accommodate and follow up on community aspirations and has the function of supervising the performance of Headmen. Thus, it can be concluded that the Village Council has the functions of legislation, representation, and control.

Preparation of the Village Regulation Drafts is initiated by the Village Government. With the stages: The Village Regulation Drafts that have been prepared must be consulted with the village community and can be consulted with the sub-district head to get input. The input from the village community and the subdistrict head as intended is used by the Village Government to follow up the process of preparing the Village Regulation draft. The Village Regulation Draft that has been consulted as intended is submitted by the Headman to the Village Council to be discussed and mutually agreed upon.

The discussion of the Village Regulation Draft by the Village Council goes through the following stages: The Village Council invites the Headman to discuss and agree on the Village Regulation Draft. In the event that there is a Village Regulation Draft on the initiative of the Village Government and a proposal from the Village Council regarding the same matter to be discussed at the same time of discussion, the Village Regulation Draft proposed by the Village Council shall take precedence while the Village Regulation Draft proposed by the Headman is used as material for comparison.

The Village Regulation Draft that has been mutual agreement upon is submitted by the leadership of the Village Council to the Headman to be stipulated as a Village Regulation at the least seven days from the date of the agreement. The Village Regulation Draft that has been agreed upon must be stipulated by the Headman by affixing his signature at the least fifteen days from the receipt of the Village Regulation Draft from the leadership of the Village Council.

Stages of promulgation of Village Regulations: Village Regulation Drafts that have been signed by the Headman are submitted to the Village Secretary for promulgation. In the event that the Headman does not sign the Village Regulation Draft that has been determined, the Village Regulation Draft must be promulgated in the Village Gazette and legally become a Village Regulation. The Village Secretary promulgates village regulations in the village sheet. The Village Regulation is declared to be effective and has binding legal force since its promulgation.

Dissemination of plans for drafting village regulations is carried out by the Village Government and the Village Council since the establishment of plans for drafting Village Regulations, preparation of Village Regulation Drafts, discussion of Village Regulation Drafts, to the Promulgation of Village Regulations. Dissemination is carried out to provide information and/or obtain input from the community and stakeholders.

The Village Council has the right to: a) supervise and **request information** regarding the administration of the Village Government to the Village Government; b) **express opinions** on the implementation of Village Government, implementation of Village Development, Village community development, and Village community empowerment; and c) obtain operational costs for the implementation of its duties and functions from the Village Revenue and Expenditure Budget.

Members of the Village Council have the right to a) propose a Village Regulation Draft; b). asking the question; c). submit proposals and/or opinions; d) choose and be elected, and e) receive allowances from the Village Revenue and Expenditure Budget.

Minister of Home Affairs Regulation Number 110 of 2016 about the Village Council states that the Village Council has functions, duties, and authorities as well as rights. Functions of the Village Council: discuss and agree on the Village Regulation Draft with the Headman; accommodate and distribute the aspirations of the Village community, and supervise the performance of the Headman.

The stages of discussing and agreeing on the Village Regulation Draft to become a Village Regulation are as follows: First, the Village Council and the Headman discuss and agree on the Village Regulation Draft which is submitted by the Village Council and/or the Headman. **Second**; The discussion on the Village Regulation Draft as referred to is held by the Village Council in the deliberation of the Village Council. **Third**; The Village Regulation Draft proposed by the Headman is discussed in advance in the Village Council's internal deliberation no more than

10 working days as of the receipt of the Village Council draft of the Village Regulation . **Fourth;** The implementation of the discussion on the Village Regulation Draft as referred to is carried out between the Village Council and the Headman for the first time carried out no later than 30 days after the implementation of the Village Council's internal deliberation. **Fifth;** Every discussion of the Village Regulation Draft is carried out recording the process as outlined in the minutes of the deliberation.

Mr. Supadi, SE, as the Head of Asrikaton Village, said stated that the stages of drafting Village Regulations started from the results of hamlet meetings and village development planning meetings. and jointly determined as village regulations. The community has the opportunity to provide input on the planning of village regulations from the discussion at the hamlet meeting to the village meeting. The obstacle is the development of new laws and regulations, which continue to develop and cannot be implemented immediately because they are waiting for the results of the evaluation from the District. The strategy for discussing and determining the efficient and effective draft of village regulations is that all plans must be based on the aspirations of the community.

Mr. Moh. Khotib, as the Secretary of Asrikaton Village. said Mention the stages of discussion and determination of the draft village regulation starting with collecting community input through hamlet meetings, then the results of the hamlet deliberation are brought to the village development planning deliberation forum and the results of the village development planning meeting are discussed with the Village Consultative Council to determine Village Regulations on the Revenue and Expenditure Budget Village, henceforth the village head determines the village government work plan in one year. The obstacle to the discussion and stipulation of the Draft Village Regulation into a Village Regulation is the change in policy from the central government, so it must adjust to the policies of the central government. Strategy Discussion and determination of the Draft Village Regulation into an efficient and effective Village Regulation, namely by holding a village meeting before the village development planning meeting, at least two weeks before the village development planning meeting.

Mr. Sucipto, as Chairman of the Village Consultative Council, said that the stages of discussing and determining the draft village regulation into a village regulation proposed by the Village Head as well as the proposed initiative from the Village Consultative Council began at planning meetings. The community has the opportunity to provide input on the Draft of village rules, this can be done during village deliberations, during work visits, or at hearings. Barriers to the discussion and determination of the Draft Village Regulation to become a Village Regulation due to differences in understanding between the Village Government and the Village Consultative Council in terms of technical planning and discussion as well as the determination of the Draft Village Regulation to become a Village Regulation. The strategy is that communication and coordination are often carried out as well as a common understanding of their respective functions for the smooth running of development programs and improving community welfare, collecting community aspirations, starting from the planning stage, the preparation stage, the discussion stage, the determination stage, and the promulgation stage as well as the dissemination stage.

Mr. Sultoni, S.Pd. as secretary of the Village Consultative Body, said the mentioned the stages of discussion and determination of the Draft Village Regulation into a village regulation, referring to the Regulation of the Minister of Home Affairs Number 111 of 2014 concerning Technical Guidelines for Village Regulations. The community has the opportunity to provide input on the Draft Village Regulation when a village meeting is held by the Village Consultative Council or during a Work Deliberation between the Village Consultative Council and the Village Government. Barriers to the discussion and stipulation of Draft Village Regulations into Village Regulations that often occur are the lack of coordination between the Village Government and the Village Consultative Council, members of the Village Consultative Council who work side jobs whose coordination is often hampered both within the Village Consultative Body and between members of the Village Consultative Council and the Village Government.. The strategy is to activate coordination between the Village Government and the Village Consultative Council continuously and sustainably in the form of meetings at night to avoid misunderstandings or differences of opinion that lead to disharmony between the Village Government and the Village Consultative Council, a mechanism that has been regulated in laws and regulations. -Invitations are carried out seriously and consistently.

Mr. Suryawan, Head of Bunut Hamlet, Asrikaton Village, said that the stages of discussion and determination of the Draft Village Regulation into a Village Regulation began at planning meetings. The community has the opportunity to provide input on the Draft Village Regulation, this can be done during village meetings, during work visits, or at hearings. The obstacle to the discussion and determination of the Draft Village Regulation into a Village Regulation

is the difference in understanding between the Village government and the Village Consultative Council in terms of technical planning and discussion as well as the determination of the Draft Village Regulation to become a Village Regulation. The solution is frequent communication, consultation, dialogue and coordination as well as an equal understanding of their respective functions for the smooth running of development programs and improving community welfare.

Digging up information, accommodating, and following up on information is not only the obligation of the Village Council but also the obligation of the village community in realizing a democratic government system. In a democratic system of government, the public must be involved in planning government policies, setting government policies, implementing government policies, and even overseeing government policies.

Muhammad Soleh stated:

“community participation in the formation of laws and regulations, not least in the formation of village regulations is the community's rights and obligations, therefore besides the community must be active to be involved in every determination of government policy, then the government is obliged to facilitate so that the rights and obligations of the community to participate in any government policy can be carried out smoothly and well, without the elements of intimidation and coercion to the community”.

Community participation in the formation of laws and regulations, not least for the formation of village regulations is a necessity, is the right and obligation of the community, thereupon, the community must be active to be involved in every determination of government policy, as mentioned as Soleh, the government especially the village government are obliged to facilitate so that the rights and obligations of the community to participate in each of these government policies can be carried out smoothly and well, without any elements of intimidation and coercion on the community.

The Village Council has the authority to explore community aspirations: Excavation of aspirations as referred to can be carried out directly to institutions and Village communities including groups of the poor, people with special needs, women, and marginalized groups. The exploration of aspirations is carried out based on the decision of the Village Council deliberation as outlined in the work agenda of the Village Council. Implementation of aspiration excavation as using activity guidelines which are at least contain the aims, objectives, targets, time, and description of activities. The results of extracting the aspirations of the Village community are conveyed in the Village Council deliberation.

The Village Council **Accommodates Community Aspirations, in the following ways:** The implementation of activities to accommodate the aspirations of the community is carried out at the secretariat of the Village Council. The aspirations of the community as intended are administered and conveyed in the Village Council deliberation.

Management of Community Aspirations by the Village Council: Villages through administration and formulation of aspirations. The administration of aspirations as referred to in paragraph (1) shall be based on the fields of government, development, community development, and empowerment of the Village community. The formulation of aspirations is carried out by analyzing and formulating the aspirations of the Village community to be submitted to the Headman in the context of realized good governance and the welfare of the Village community.

Distributing Community Aspirations for Village Council by means of: orally and or writing. The distribution of aspirations in oral form is referred to as the submission of community aspirations by the Village Council in the Village Council consideration which is attended by the Headman. Distributing community aspirations in written form, such as submitting aspirations through letters in the context of submitted input for the administration of the Village Government, requesting information to the Headman, or submitting Village Regulation Drafts originating from the proposal of the Village Council.

Henry B. Mayo requires that democracy is said to be a democracy if: there is a representative institution, policies are taken based on the majority vote of the people's representatives, there are elections that are free from pressure, and there are multi parties.

MukhammadSoleh, stated :

Based on the teleological or sociological interpretation of the law, the purpose of the legislators is that the Village Regulation Draft of the Village Budget and Expenditure Budget prepared by the Village Government, before being discussed with the Village Consultative Body should be consulted with the community to get opinion, suggestions, and responses, is a form of democratic law formation, because it involves the public at large to provide an opinion, feedback, and suggestions.

This means, Soleh, believes that whichever democratic government is inferior, the government before establishing the policy invites the public to provide input or feedback and opinions on the policy plan that will be determined.

Meuwissen, Distinguishes three forms of behaviors that are interrelated.

1. **Social applicability or factual applicability** (with regard to the effectiveness or "*Wirksamkeit*" of legal rules. What is meant is that legal rules are actually complied with or, compliance with legal rules is enforced with the help of sanctions. Also, sanctions for non-compliance are included in this atmosphere).
2. **Juridical validity.** A legal rule is a format in accordance with the rules of procedural law in force by the competent authority and substantially doesn't conflict with other rules (especially for higher rules).
3. **Normative applicability / moral applicability.** A legal law whose contents are in accordance with the will of the people's heart, ethically the substance of the law makes sense / rational (for example the law that guarantees human rights).

Normative enforcement / moral enforcement in accordance with **Meuwissen**, is the perfect application of the rule of law, considering that the rule of law is governance by the community because the legal rules made are in accordance with the will of the people's hearts or in the other words are legal rules that are rational and desired by the community.

According to Herbert C. Kelman, There are three kinds of people who obey the law or obedience to the law, such as:

1. **Compliance:** someone obeys the law or obeys the law, not because the law is in accordance with the will of his heart, but someone obeys the law for fear of sanctions that violate the law.
2. **Identification:** a person obeys the law or obeys the law because he maintains good relations with others who are the object of the law. So obeying the law is merely maintaining a harmonious relationship with fellow people who are the object of the law.
3. **Internalization:** someone obeys the law or obeys the law because the law is in accordance with the values desired by the person and the law is in accordance with the person's needs.

About the law, someone obeys the law or obeys the law because the law is in accordance with the values desired by the person and the law is in accordance with the person's needs.

Furthermore, **Achmad Ali**, states that a person's obedience to the law is influenced by factors:

1. The economic factors. That is, greatly affects a person's obedience to the law, including a person's decisions related to the "cost" or "sacrifice" factor, as well as the "profit" if he obeys the law.
2. The assumptions, perceptions, and various other subjective factors of the person himself.
3. The factors of the processes by which a person decides whether he will obey a rule of law or not obey the law.

Achmad Ali opinion, that a person's compliance with the law is determined by the person's perceptions, among others, if obeying the law, the perception is how much it costs to be incurred (economic factors or profit and loss factors), as well as process factors. How long goals will be achieved and if it does not comply with the law whether the goal will be achieved sooner.

Soerjono Soekanto, stated that there are three important elements that influence the working mechanism of the law according to:

1. **law enforcement institutions** with various supporting facilities and infrastructures along with their institutional working mechanisms;
2. **a work culture which related to the apparatus**, including regarding the welfare of the apparatus; and
3. **the set of regulations** that support both the institutional performance and those that regulation the legal materials used as work standards, both the material and the procedural law.

In my opinion about why people obey in law, the obedience of a person or group of people to the law is determined by **the content of the law (justice), law enforcement (which is carried out by non-discriminatory officials), law enforcement infrastructure (both tools and budget), the community (supports the existence of the law), and legal culture (the law does contain values according to the culture of the community)**, as sustainable legal socialization, so that public understanding of the law continues to increase which in turn obeys the law. It is getting more and higher, and furthermore, **the example of lawmakers and law enforcers**, lawmakers and law enforcers must be equally highly committed to setting a good example for their behaviour that obeys the law, is consistent with law implementation and law enforcement (non-discriminatory and socially justice), the example of lawmakers and law enforcers, will create enthusiasm and good examples for public awareness to obey the law. This requires supervision and transparency on the performance of law enforcement and lawmakers.

Burns stated: "There are six functions of the House of Representatives, which include: (a) representation, (b) lawmaking, (c) consensus-building, (d) overseeing, (e) policy clarification, and (f) legitimizing. Representation, expressing diverse views of various regional, economic, social, racial, religious, and other interests that exist in a country. Lawmaking is making regulations to help solve substantive problems. Consensus building/consensus building is a negotiation process between the government and the people's representative institutions to adjust interests. Policy clarification/policy clarification is the disclosure of information on policies carried out by the government. Providing legitimizing/legitimizing is the acknowledgment and approval of policies set by the government.

Calvin Mackenzie stated that: The House of Representatives has three significant main functions: (a) legislation, (b) representation, and (c) administrative oversight. Negotiations are complex and often a lot, and political bargaining between very strong opponents. Most laws are the product of compromise between interested parties. Function representation / representation. That is the same as democracy, where democratic people surrender their personal freedom to the government. In a democratic government, participation occurs through a process of representation. Most people are represented by members of the people's representative institutions whose job is to articulate their concerns in other words accommodate and follow up on the wishes of the people they represent. The function of administrative oversight/administrative oversight. That is a process by which the legislature reviews and, if necessary, stops and changes the policies of the executive. Administrative supervision is a major component of the responsibilities of the people's representative institutions.

Based on the results of interviews conducted with the Asrikaton Headman, Asrikato Village Secretary, Head of the Village Council and Secretary of the Asrikaton Village Council, the functions of the Asrikaton Village Council are: **First** to discuss and agree on the Village Regulation Draft with the Headman; **Second**: accommodate and distribute the aspirations of the Village community, and **Third**; supervise the performance of the Headman. It has been carried out according to the stages regulated in the legislation, but it has not been maximized between the Village Government and the Village Council.

Stages of planning, discussing, and determining as well as promulgation of Village Regulation Drafts concerning the Village medium-term development plan, Village Regulation Drafts concerning Village Government work plans, Village Regulation Drafts concerning Village Budgets and Village Regulation Drafts concerning accountability reports on the realization of Village Budget implementation which are under the authority of the Headman.

In carrying out the function of the Village Council to discuss and agree on Village Regulation Drafts with the Headman, it begins with accommodating and absorbing the aspirations of the community, both individually to members of the Village Council or submitted in the hamlet deliberation forum, in the context of gathering community aspirations and also accommodating community aspirations.

The inputs of community aspirations in the hamlet deliberations are recorded and made materials in the village deliberations called village development planning deliberations. The results of the agreement in the village development planning deliberation are determined as the Village Regulation Draft on the Village Revenue and Expenditure Budget, the Village Regulation Draft that has been stipulated in the Village Development Planning Deliberation forum is called the Village Regulation Draft on the Village Revenue and Expenditure Budget or the Draft of village rules on the Village Budget. The Village Regulation Draft

concerning the Village Revenue and Expenditure Budget is discussed between the village government and the Village Council to be stipulated as a Village Regulation concerning the Asrikaton Village Revenue and Expenditure Budget.

With the existence of a forum to accommodate the aspirations of the community carried out by the Village Council, this shows that the function of the Village Council to accommodate and follow up on community aspirations has been running and the village government system democratically has also been running..

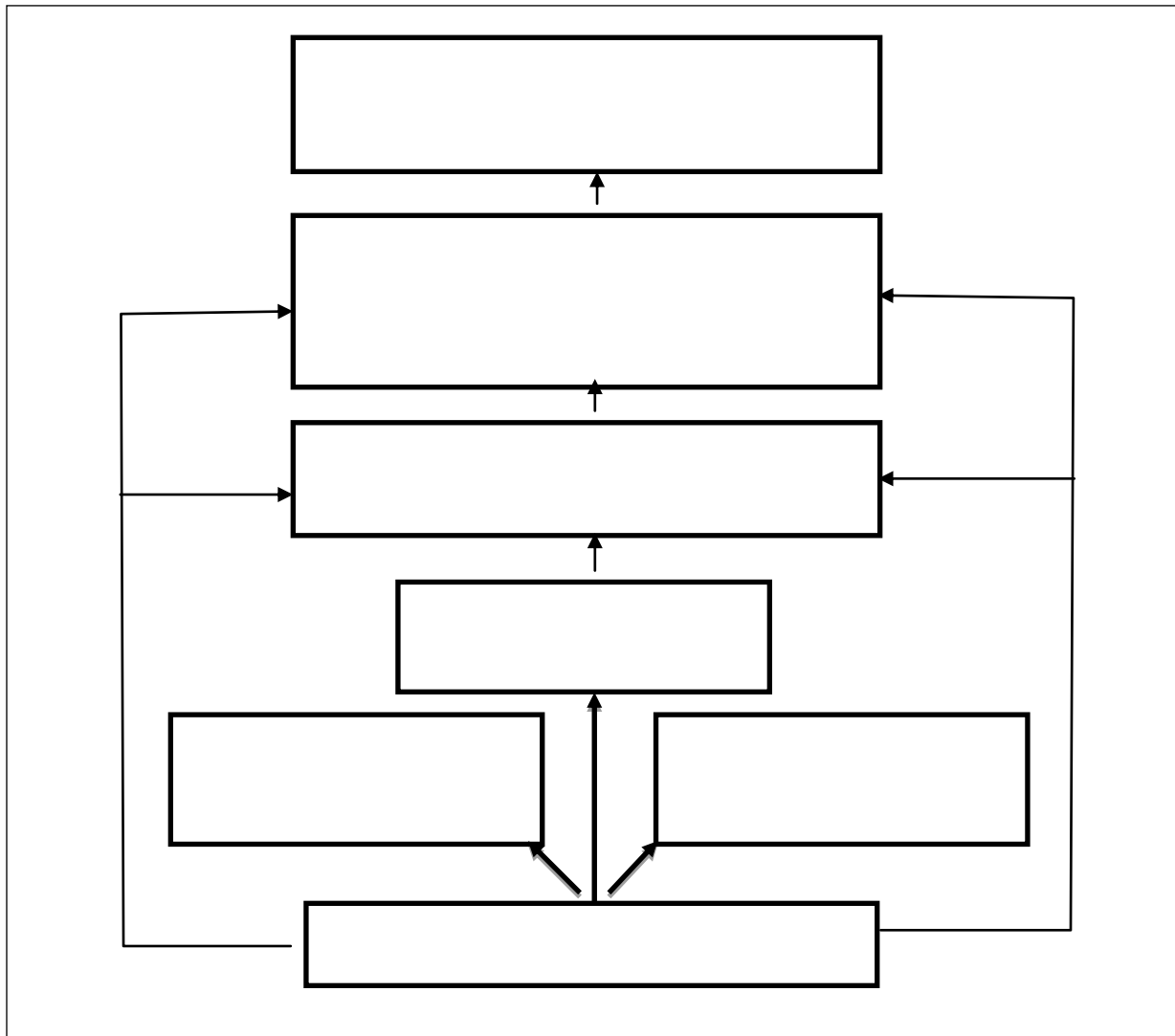


Figure 1:- Model discussion and agreement on the Draft Village Regulation regarding the medium-term development plan of the Village, the draft Village Regulation on the work plan of the Village Government, the draft Village Regulation on the Village Revenue and Expenditure Budget, and the draft Village Regulation concerning the accountability report on the realization of the Village Revenue and Expenditure Budget which is under the authority of the Head Village. As well as the process of accommodating and channeling Community Aspirations.

The stages of planning, discussing, and determining as well as promulgation of draft village regulations of a general nature.

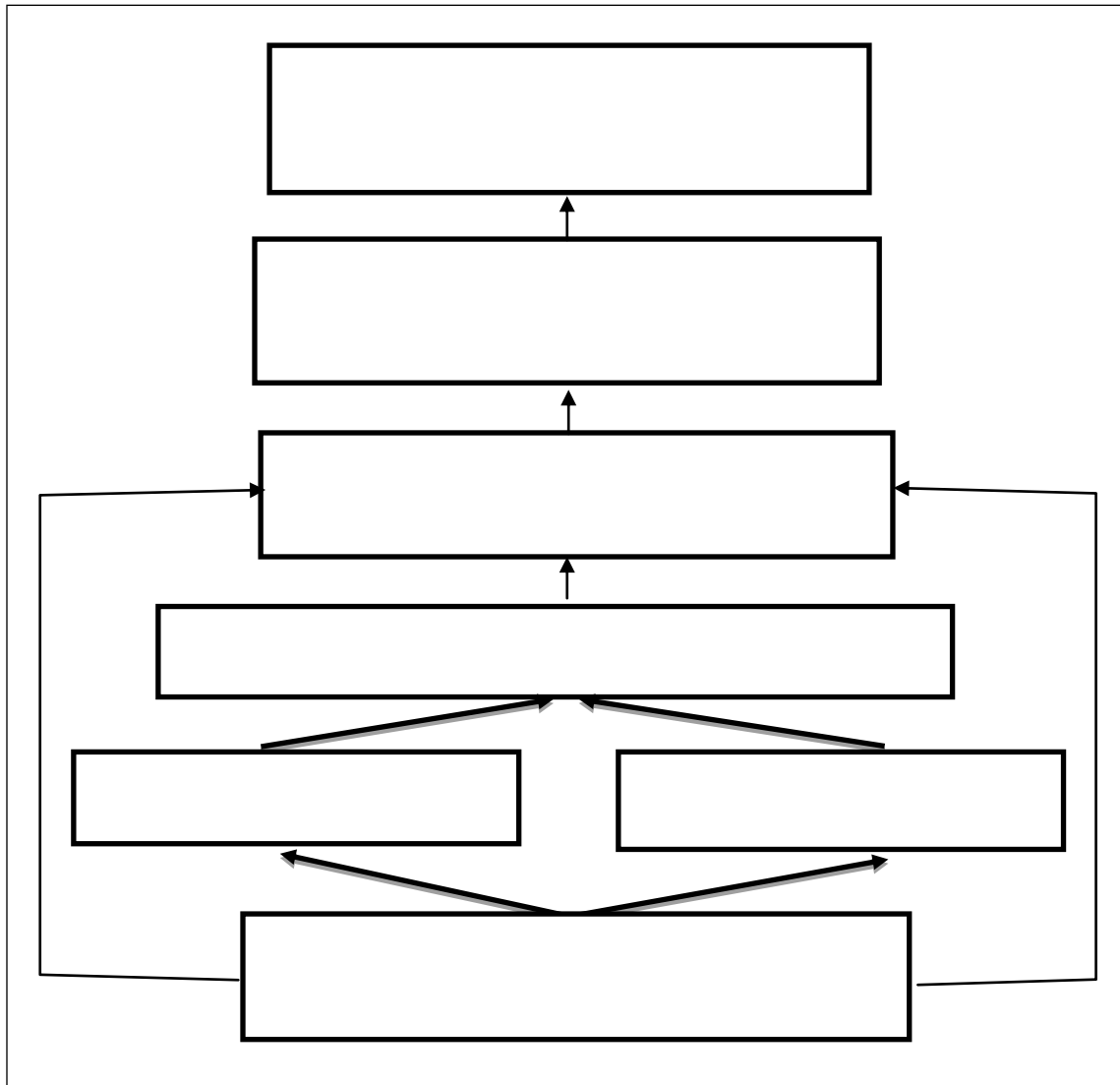


Figure 2:- Model Discussion and agree on the Draft Village Regulations which is general in nature & absorption and channeling of community aspirations.

Factors that hinder the legal implementation model for the function of the Village Council in discussing an agreeing on the Villages Regulation Draft,

Based on the results of an interview with Mr. Supadi SE as the Headman of Asrikaton Village, Mr. Moch. Khotib as Secretary of Asrikaton Village, Mr. Sucipto as Chairman of the Village Council, Mr. Sultoni, S.Pd. as the Secretary of the Asrikaton Village Council, and Mr. Suryawan as the Head of Bunut Village of Asrikaton Village. So the factors that hinder the legal implementation model of the Village Council function in discussing and agreement on the Village Regulation Draft, accommodating and distributing the aspirations of the village community, and monitoring the performance of the Headman are:

1. In Coordination and communication between the Village Government and the Village Council are not smooth have a problem, there is a tendency to ego groups or feel that one group is more powerful than the other.
2. Human Resources for members of the Village Council who are less professional, especially regarding the supervision for the implementation of the Village Revenue and Expenditure Budget. And Supervision of the Performance of the Headman.
3. Members of the Village Council have their own busy life in their work so as a member of the Village Council the implementation of their functions, duties, and obligations as a member of the Village Council in the village of Asrikaton is often technically constrained.

- Operational budget support and infrastructure facilities provided by the Village Government for the inadequate implementation of the functions of the Village Council.

Strategies to overcome the inhibiting factors of the model Implementation of the function in the village Council (BPD) in discussion and agreement on the Village Regulation Draft.

Based on the results of an interview with; Mr. Supadi SE as the Headman of Asrikaton Village, Mr. Moch. Khotib as Secretary of Asrikaton Village, Mr. Sucipto as Chairman of the Village Council, Mr. Sultoni, S.Pd. as the Secretary of the Asrikaton Village Council, and Mr. Suryawan as the Head of Bunut Village of Asrikaton Village. So the strategy to overcome the factors that hinder the model of implementing the function of the Village Council in discussing and agreeing on the Village Regulation Draft, accommodating and distributing the aspiration's of the village community, and monitoring the performance of the Headman, are :

- Improved communication and coordination between the Village Government and the Village Council continuously and sustainably in discussion forums or informal deliberation.
- Improved communication and coordination among members of the Village Council to harmonize their vision and mission, especially related to their functions, duties, and authorities.
- Increasing the Human Resources (HR) of the village Council members through coaching and training on the implementation of the functions, duties, and authorities of the Village Council.
- Additional budget and infrastructure for the Village Council are provided in the Village Revenue and Expenditure Budget in order to carry out its functions, duties, and authorities.

Conclusion:-

Model Implementation of the function of the Village Council in discussing and agreeing on the Village Regulation Draft, accommodating and distributing the aspirations of the village community, and supervising the performance of the Headman has been carried out in accordance with statutory regulations but has not been maximized because there are still differences of opinion between the Village Government with the Village Council. Factors that hinder the legal implementation model of the function of the village Council in discussing and agreeing on the Village Regulation Draft, accommodating and distributing the aspirations of the village community, and supervising the performance of the Headman. These are the lack of coordination and communication, the lack of the Village Council Human Resources, and the lack of budget support and infrastructure suggestions. Strategies to overcome the inhibiting factors of the legal implementation of the Village Council function in discussing and agreeing on the Village Regulation Draft, accommodating and distributing the aspirations of the village community, and supervising the performance of the Headman. Improved coordination and communication between the Village Council and the Village Government as well as between members of the Village Council, increasing Human Resources for the Village Council members and infrastructure and budgets.

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