

THE FUNCTION OF THE VILLAGE CONSULTATIVE BODY (BPD) ACCORDING TO LAW NO. 6 OF 2014 AND ITS IMPLEMENTATION IN PURAKA I VILLAGE, LANGKAT DISTRICT. 6 OF 2014 AND ITS IMPLEMENTATION IN THE VILLAGE OF PURAKA I, LANGKAT REGENCY.

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ABSTRACT

The Village Consultative Body (BPD) is an institution that carries out the functions of village government whose members are representatives of the village population based on regional representation and are determined democratically. The Village Government plays a very important role in the development of the Village in this case the Village Head and his staff are given the authority to manage their territory. The formulation of the problem in this thesis is what the main tasks and functions of the village consultative body according to Act No. 6 Year 2014, how the implementation of the functions of BPD in the Village Puraka I District Sei Lapan Langkat Regency, and what are the inhibiting factors of the Village Consultative Body (BPD) in Implementing its Functions. The method used in writing this thesis is Yuridis Empiris or Legal Sociology. The data used is secondary data can consist of primary legal materials, secondary legal materials, and tertiary legal materials. The main tasks and functions of the Village Consultative Body according to Law No. 6 of 2014 are to accommodate and convey the aspirations of the community, design and form Village Regulations (Legislation), weak supervision of village regulations by BPD Puraka I. Supporting factors that influence the effectiveness of the Village Consultative Body are the community, community relations patterns, incentive income and the system of selecting BPD members. While the inhibiting factors are the community and BPD lack of understanding of the functions of BPD based on applicable regulations and the absence of sosi (socialization).

Keywords: Function, BPD, Village Government

INTRODUCTION

The village is the smallest government in the Republic of Indonesia which has the freedom to organize regulations and government systems in accordance with applicable laws and regulations. In running the village government, it is led by the Village Head and Village Apparatus. The Village Head is a Village Government Official who has the authority, duties and obligations to organize village households and carry out tasks from the Government and Regional Government. In line with the presence of the modern state, the independence of the village community's ability began to diminish. In Law Number 6 of 2014, the form of village government consists of the Village Government and the Village Representative Body where the Village Government consists of the Village Head and village officials (village secretary, village treasurer, section head and hamlet head) (Doni Damara, 2016).

Based on Law No. 6 of 2014 concerning Villages, Villages are no longer an administrative level, by no longer being Subordinate Regions but becoming Independent Regions, where Villages have origin rights and traditional rights in regulating and managing the interests of local communities. In the course of the state administration of the Republic of Indonesia, villages have developed in various forms so that they need to be protected and empowered to become strong, advanced, independent and democratic so that they can create a strong foundation in carrying out governance and development towards a just, prosperous and prosperous society. (Sugiman, 2018)

In relation to organizing the Village administration and mobilizing the community to participate in the physical development of the Village and the administration of the Village, every decision taken must be based on Village deliberations to reach a common decision.

The Village Government plays an important role in the development of the Village, in this case the Village Head and his staff are authorized to manage the area. In Government Regulation (PP) Number 43 of 2014 concerning the Implementation Regulations of Law Number 6 of 2014, it is explained that the Village has its own government organization, namely the Village Head and Village officials. The Village Head is the leader of the village government who is assisted by the Village apparatus as an auxiliary element of the Village Head. In Law No. 6/2014 Article 61, BPD is an institution that embodies democracy in the implementation of village governance whose function is to accommodate and channel the aspirations of the community, carry out the task of monitoring the performance of the Village Head, and together with the Village Head discuss and agree on the Draft Village Regulation (Perdes) (Mansyur Achmad, 2018).

LITERATURE REVIEW

According to Law Number 6 of 2014 concerning Villages, villages are villages and customary villages or what are called by 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 or traditional rights recognized and respected in the government system of the Unitary State of the Republic of Indonesia (NKRI). (Bambang Trisantono Soemantri, 2011)

Based on Government Regulation No. 72 of 2005 concerning Villages, the Village Consultative Body or what is called by another name, hereinafter abbreviated as BPD, is an institution that is the embodiment of democracy in overseeing the administration of government as an element of village government organizers. As in the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 111 of 2014 concerning Technical Guidelines for Village Regulations Article 1 point (4). (Kiki Endah, 2018)

The Village Consultative Body, hereinafter abbreviated as BPD, is a Consultative Body consisting of community leaders in the Village whose function is to make village regulations, accommodate and channel the aspirations of the village community, and supervise the implementation of the Village Government. (A.W. Widjaya, 1993)

METHODS

This research is centered on the Sociological Function of the Village Consultative Body (BPD) in Puraka I Village, Sei Lapan District based on the Juridical Function related to participation in autonomy related to the delegation of state authority. The author in this study uses the Empirical Juridical Research Type or Legal Sociology is an approach that looks at something legal reality in society. (Phillips Dillah Suratman, 2014) The Legal Sociology approach is an approach used to look at legal aspects in social interactions in society²² with the approach method through the effectiveness of the Legislation in terms of the underlying preparation and stipulation of Village Regulations by the Village Consultative Body (BPD) in the effort of Village Autonomy in Puraka I Village, Sei Lapan District and the participation of the Puraka I Village community in terms of the formation of Village sovereignty.

Starting from the type of research used is the type of Empirical Juridical research, the problem approach used is to use a qualitative approach. (Salim HS and Erlies Septiana Nurbaini, 2013) A qualitative approach is a research that basically uses a deductive-inductive approach. Qualitative research emphasizes more on processes and meanings that are not strictly studied or have not been measured, emphasizing the socially constructed nature of reality, the close relationship between the researched and the researcher, the pressure. situations that shape the investigation, value requirements, highlighting the way pe.

RESULTS AND DISCUSSION

A. IMPLEMENTATION OF BPD FUNCTIONS IN PURAKA I VILLAGE, SEI LEPAN SUB-DISTRICT, LANGKAT DISTRICT

To provide an overview of the implementation of the BPD (Village Consultative Body) function in Puraka I Village, Sei Lapan Subdistrict, Langkat Regency, as one of the elements of the Village Government organizers formed as a vehicle for the implementation of democracy

in the village has shown an important role in supporting the realization of good village governance. So far, the BPD in Puraka I Village has a clear paradigm that adheres to the constitution, and is independent in carrying out its duties and functions. Until now, the existence of the BPD in Puraka I Village, Sei Lapan Subdistrict, has begun to reveal its duties and functions between the Village Government and the people of Puraka I Village. The Village Government and BPD in Puraka I Village can play a role and function to discuss and agree on draft Village regulations, accommodate and channel the aspirations of the Village community, and supervise the performance of the Village Head, this is in accordance with the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 110 of 2016 concerning Village Consultative Bodies.

However, what is interesting from the results of interviews with the Head of Puraka I Village (Mr. Ibnu Sanjaya S.Kom) is that the presence of BPD has not been maximized, some of the BPD members are elderly. In addition, BPD officials also still do not properly understand their duties and functions as BPD, even though BPD should be able to place itself well in governance in Puraka I Village as mandated in the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 110 of 2016 concerning Village Consultative Bodies that what is meant by the Village Government is the Village Head and his staff who integrate with BPD as the Village organizing body in a Village.

From the results of interviews that took place with the Village Head (Ibnu Sanjaya S.Kom) interviewed at the Puraka I Village Office on October 20, 2022, it is known that there is a lack of socialization between the BPD and its members and to the community. this is in accordance with the expression of the Puraka I Village Head who said that:

"The BPD that was formed lacks understanding of its duties and functions as a BPD, so that in its implementation they are still confused, besides that ignorance of the duties and functions makes the existence of BPD which does not really participate in the implementation of the Village Government, especially to receive and channel the aspirations of the community which are then followed up by the Village Government and its staff".

In creating a more professional village government requires a harmonious relationship and cooperation between BPD and the village head, this is intended to create better government services. The pattern of relations between BPD and the Village Government is reciprocal where both need each other for the creation of better governance, the relationship between the Village Government and BPD will affect the capacity to accommodate the aspirations of the community as an object in the implementation of governance within the scope of the Village government. This is in line with Permendagri Number 110 of 2016 concerning the Village Consultative Body.

B. FACTORS AFFECTING THE EFFECTIVENESS OF VILLAGE CONSULTATIVE BODIES (BPD)

Based on the data obtained in the field, there are several factors that hinder the performance of BPD in carrying out its duties and functions, namely In carrying out its duties as BPD, it is necessary to have a place as a secretariat that is used in carrying out all activities related to BPD activities, starting from planning and administration. A container or place in the form of an office is needed by BDP for the sake of organizing all BPD activities, it is also intended to facilitate communication and coordination between other BPD members. (Wasistiono, 2017). In connection with this, Maria Yustina as Secretary of BPD, whom I interviewed at her residence, said:

"The lack of facilities such as a secretariat is needed as a forum by BPD in carrying out all activities related to planning and administration, and this can also facilitate the relationship of cooperation patterns in conveying aspirations between BPD members and the community".

In addition to containers or offices, for the smooth running of all BPD activities, operational vehicles are also needed which will be used in efforts to improve the performance of BPD, especially those in Langkat Regency. The two facilities above are needed by BPD in carrying out its duties as a supervisory body of the Village Government.

1. Communication Patterns

Communication patterns greatly affect the functioning of the Village Consultative Body (BPD) by seeing how the emotional relationship between the Chairman of the BPD and its members can be seen by the communication patterns that have been built so far.

2. Not Understanding the Function

One of the factors inhibiting the implementation of the functions of the Village Consultative Body (BPD) is that BPD members do not understand their own functions, the facts found in the field that it turns out that BPD members do not understand the functions according to those in the applicable laws and regulations.

3. The community does not understand the function of the BPD

Listening to the aspirations of the community is one of the most important functions of BPD, what the community needs must be conveyed to the Village Government, this is where the role of BPD is to listen to the aspirations of the community as well as the community is expected to convey their aspirations. According to Mr. Agamnudin as Chairman of BPD:

"In this case, community participation and cooperation are needed, the community should also need to understand the functions of BPD so that there can be synergy between the community and BPD members themselves so that the community can assist BPD members in carrying out their duties and functions".

In listening to the aspirations of the community, an important role is needed from BPD members as a channel to the Village Government, but what happens in the field is not only BPD members who do not understand their function but the community also does not understand at all what the function of BPD is, it can be seen from some of the results of interviews with respondents above that the lack of public interest in some village activities is also one of the obstacles, so that the implementation of functions in terms of hearing and channeling the aspirations of the community does not run as contained in the law. (Romli, 2017)

4. There is no socialization from the village government related to the functions of the BPD. Looking at the two factors inhibiting the implementation of the functions of the Village Consultative Body (BPD)

(BPD), namely BPD members do not understand their function as BPD members based on applicable local regulations and the community does not understand the function of the Village Consultative Body (BPD).

So it is necessary to socialize the function of the Village Consultative Body (BPD) from the Village Government and from the BPD members themselves, it is expected to understand the functions of each both the Village Government and BPD and the community itself, but what happens in the field of socialization intended this does not exist. (Abdul Haris, 2015)

This is very much needed in carrying out their respective duties and functions in accordance with applicable laws. Obstacles in the implementation of BPD functions in Puraka I Village, Sei Lapan District, Langkat Regency, can be grouped into two parts, namely internal barriers and external barriers. Internal barriers are obstacles that come from within the BPD organization, these obstacles can be in the form of personal barriers and financial barriers. Personal barriers, among others in the form of: 1) limited skills and knowledge of BPD members in the preparation of village regulations, 2) work as BPD is a "part-time" job.

CONCLUSION

Based on the results of the study, it shows that the function of making regulations is more implemented and realized, in contrast to the function of accommodating community aspirations and supervising the performance of the Village Head, which has not been maximized in its implementation due to the lack of understanding of BPD members of their duties and functions based on applicable regulations. Factors affecting the effectiveness of the Village Consultative Body are supporting factors that can influence the community, community relations patterns, incentive income and the system of selecting BPD members. While the inhibiting factors are the community and BPD lack of understanding of the functions of BPD based on

applicable regulations and the absence of socialization from the village government related to the functions of BPD.

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