

## Strategy for Implementing Village Head Supervision by the Village Consultative Body for Transparency

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### ABSTRACT

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The duties of the Village Consultative Body (BPD) are regulated in Law Number 6 of 2014 concerning Villages, which include discussing and approving draft village regulations with the Village Head, accommodating community aspirations, and supervising the performance of the Village Head. This study aims to identify the factors that hinder the implementation of the BPD's supervisory function toward the Village Head's performance and to formulate strategies to overcome these obstacles in order to achieve transparent village governance. This research employed an empirical legal research method conducted in Asrikaton Village, Pakis District, Malang Regency. Data were obtained through interviews with village government officials and members of the Village Consultative Body, supported by relevant legal documents and literature studies. The findings indicate that the main obstacles in implementing supervision include weak coordination and communication between the village government and the BPD, limited professionalism and human resources of BPD members, insufficient operational budgets, and inadequate supporting infrastructure. To address these challenges, several strategies are proposed, including strengthening coordination and communication, improving the capacity and professionalism of BPD members through education and training, and increasing budgetary and infrastructural support for the BPD. These efforts are expected to enhance transparency, accountability, and democratic governance at the village level.



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### Introduction

The Unitary State of the Republic of Indonesia's government system recognises and upholds customary villages, which are legal community units with territorial boundaries and the power to manage and control government affairs, local community interests based on community initiatives, and rights of origin. (Bender 2016).

Law Number 6 of 2014 concerning Villages (State Gazette of the Republic of Indonesia of 2014 Number 7, Supplement to the State Gazette of the Republic of Indonesia Number 5495) contains the Law on Villages in Article 18. Villages can carry out village administration, execute village development, support village community development, and empower village communities based on local initiatives, rights of origin, and customs.

Village autonomy, in the opinion of H. A. W. Widjaja, is genuine, unanimous, and completely independent; it is not a gift from the government. Instead, the government must respect the village's natural independence. The municipality has the authority to possess wealth property and conduct legal actions under both civil and public law since it is a legal community unit with a special privilege-based structure. Legal action may be taken against it (Sri Nurhayati n.d.).

Village autonomy is the right, authority, and responsibility to govern and manage their own government concerns and community interests based on the right of origin and the sociocultural values in the community to grow and develop alongside the village. The village has historically been granted

authority over issues that belong to the city or regency authorities. As a result, by emphasising the importance of villages to the Indonesian nation and state, the principles of responsibility to the Unitary State of the Republic of Indonesia must be upheld in the exercise of rights, authority, and freedom in implementing village autonomy.

Enforcing the rights, powers, and liberties of village autonomy requires a commitment to ensuring the welfare of the people while staying within the parameters of relevant laws and regulations, as well as a duty to preserve the nation's integrity, unity, and ties within the Unitary State of the Republic of Indonesia.

The Village Consultative Body is an organisation that carries out government functions and is known by several names. Based on regional representation, the villages' representatives are democratically elected to serve as its members. Since the Village Consultative Body's members are chosen democratically by the village's regional representatives, the body's function is identical to that of the village's people's representative organisation.

Article 55 of Law Number 6 of 2014 concerning Villages states that the Village Consultative Body's responsibilities include facilitating and guiding the Village community's goals, monitoring the Village Head's performance, and working with the Village Head to discuss and approve the draft Village Regulation (Bender 2016).

According to grammatical interpretation, the Village Consultative Body's duty and function as a democratic entity in the village is governed by Article 55 of Law Number 6 of 2014 Governing Villages, as was previously mentioned. Its responsibilities include evaluating the Village Court's performance, addressing the community's needs and preferences, and deliberating and reaching an agreement on the Draft Village Regulation with the Village Head. Consequently, it might be said that the village consultative council has the power to represent, oversee, and pass legislation.

The Village Consultative Body has the following rights: a) to monitor and investigate the Village Government's implementation; b) to express opinions on the Village Government's, Village Development's, Village Community Development, and Village Community Empowerment's implementation; and c) to secure operational expenses from the Village Revenue and Expenditure Budget in order to fulfil their duties. Members have the following rights: a) propose a draft village regulation; b) ask questions; c) contribute ideas and views; d) choose and be chosen; and e) receive budget allocations for village revenue and expenses. (Bender 2016).

These organisations have rights, obligations, authority, and functions as outlined in Minister of Home Affairs Regulation Number 110 of 2016 about Village Consultative Bodies. The Village Consultative Body's responsibilities include monitoring the Village Head's performance, addressing and directing the Village community's aspirations, and working with the Village Head to discuss and approve the draft Village Regulation (Zulaikha, 2016).

Regarding the Village Consultative Body for the Implementation of Performance Supervision of Village Heads, Article 46 of Minister of Home Affairs Regulation Number 110 of 2016 contains the following information: "Village Consultative Body. Supervise the performance of the Village Head. The implementation of supervision, as referred to, is carried out through a) planning the activities of the Village Government, b) implementation of activities, and c). reporting on the implementation of Village Government. Forms of supervision Village Consultative Body include monitoring and evaluation". (Zulaikha 2016)

The Village consultative body only sometimes smoothly supervises the Village head's performance. There are several possible causes for this. These include the sectoral ego of each component of the village government organiser, miscommunication between the Village Head and members of the Village Consultative Body, and disparity in vision and village growth.

Conflicts between the Village Consultative Body and the Village Head in their functions often occur. Among them are:

in Muara Enim Regency's Lebak District, Talang Nangka Village. Because the Village Consultative Body (BPD) in Talang Nangka Village, Lembak District, is not involved in development planning, one of the locals who wished to remain anonymous in this media stated that the BPD is currently not operating in terms of overseeing activities in the village. (News info Media Kota. Com. Date: July 4, 2024. <https://infomediakota.com/jadi-sorotan-pembangunan-di-desa-talang-nangka-muara-enim-diduga-kades-tak-libatkan-bpd-dalam-pembangun-desa/>).

in the West Kalimantan Province's Laman Raya Village, Sungai Tebelian District, Sintang Regency. Laman Raya Village Planning Board members suspected the Head of Laman Raya Village of using a forged certificate, so they denounced him to the police. (Media Buser 86. Date: May 14, 2024. <https://buser86.id/dugaan-kasus-ijazah-setara-paket-b-palsu-kades-laman-raya-terus-bergulir/> ...).

In Dempet District, Demak Regency, Kramat Village. Nur Hidayati, the leader of Kramat Village, disapproved of the Village Consultative Body's suggestion to carry out the State Administrative Court ruling. Regarding the revocation of the Decree on the appointment of the Head of Hamlet and Head of the Kramat Village Government, the Village Head steadfastly refused to implement the Surabaya State Administrative Court's (PTUN) ruling at the appeal level. It carried on the earlier Pilperades' phases. Koppiana, 28 March 2024. <https://www.kompasiana.com/kresnacybercell2725/6604fdc3de948f63bd3a6c96/rapat-terbatas-kades-nur-hidayati-tolak-arahan-bpd-kramat-untuk-menjalankan-putusan-ptun-dalam-perkara-pilperades>).

Supervision is a process or activity that observes, monitors, and controls an activity, condition, or behaviour per the rules or standards set. The purpose of supervision is to ensure that everything is running according to the desired purpose and to identify any irregularities or problems that need to be fixed.

Yemei Li, Yanfei Shan and Ying Chen mentioned that in China, the results show that low food yields and high opportunity costs are the main causes of agricultural land abandonment. Agricultural land neglect occurs due to low local and village government supervision. (Li et al., 2021).

Hanyang Xu, Yin Tang, Ming Liu, Youshi He, and Jia Xue. Mention how pressure from the public media greatly impacts the company's environmental performance. Positive news dominated the rise in public media coverage between 2017 and 2019. The notion that local governments and the public media will focus more on the effectiveness of the cooperative environment is reflected in the growing volume of news and information. The quality of a company's environmental information is also greatly impacted by the trend of public media coverage and the quantity of media. More precisely, the regression results show that corporations listed in China are greatly motivated to raise the quality of EID by negative media attention. (Xue et al., 2021).

According to Zhaopeng Chu, Chen Bian, and Jun Yang, local government oversight in China might include public participation or public inspection to enhance performance. When long-term goals regarding reputational repercussions and environmental tax reform are supported, public engagement improves a cooperative balance by lowering governance costs and boosting policy flexibility. (Chu et al., 2022).

Effective supervision from the government and the community can realise government transparency, which is one principle of good governance.

Government transparency is a principle or concept that encourages the government to operate openly and honestly, allowing the public to access information about policies, decision-making processes, budgets, and other activities. The purpose of this transparency is to create a government that is trustworthy, accountable, and more responsive to the community's needs. Government transparency also helps prevent corruption, collusion, and nepotism (KKN) practices by ensuring public officials are held accountable for their actions.

According to Jerónimo Torrealday, Carlos Scartascini, Jorge Streb, Bruno Cardinale Lagomarsino, and Martin Alessandro, government transparency could boost public trust in the government. The study's findings show that residents' perceptions of transparency are partly shaped by the information they get, and the content influences their opinions of the government. Compared to those who received treatment that demonstrated the government was performing poorly, those who received treatment that showed the government exceeded its promises had greater faith in the government. (Alessandro et al., 2021).

The findings of Marc Esteve, Mila Gasco-Hernandez, and Monica Reig's study in Barcelona. Despite initiatives to promote open government, transparency is typically seen as a problem for public organisations. Nonetheless, many jobs, including managing and delivering public services, are privatised or contracted out to public-private partnerships (PPPs). Therefore, transparency is more about how privatised public agencies may provide better services than it is about simply sharing data. (Reig & Gasco-hernandez, 2021).

Nuno F. da Cruz and Antonio F. Tavaresa. According to his study's findings, low transparency stems from the mayor's persistent tarsus during the implementation of local government; male mayors with more consecutive terms and greater margins of victory in regional elections also show lower levels

of transparency. (Tavares & Nuno, 2017).

According to Christian Boudreau's research, data digitisation is a component of government transparency. This study demonstrates that the advantages of open data about economic growth seem equivocal, based on examining community data usage habits and government policies. However, from the perspective of government openness, the data's advantages seem promising since it enables different civil society actors to keep an eye on the effectiveness and integrity of government operations. The state must be viewed as a platform that fosters innovation in the age of data and digital networks, as well as a rich area of research that is always being watched over by a wide range of actors motivated by social and political objectives. (Boudreau, 2020).

This study differs from earlier studies by Saiful Ichwan, Tesar Walean et al., and Zaenal Abidin AS et al. in that it looks at the methods and obstacles to the Village Consultative Body's implementation of the village head performance supervision function in Asrikaton Village, District, Malang Regency.

The findings of this study are crucial for the Village Consultative Body's efforts to improve village heads' performance and can be used in other communities. Effective and efficient oversight of village leaders' performance can enhance transparency and democracy in villages. Implementing openness and village democracy is also outstanding when the Village Consultative Body is well-supervised.

Law Number 6 of 2014 concerning Villages was implemented due to Saiful Ichwan's 2019 research on the Implementation of Village Government Administration. The village government still needs to be fully and appropriately implemented based on the village's power, responsibilities, rights, duties, and regulations. Development planning, data and information, rural budget and income, cooperation with related agencies, community foundations, direction, and control. (Ichwan 2019)

According to Tesar Walean et al. (2021), the preparation of the village revenue and expenditure budget (APBDes) in Sinisir Village, Modinding District, Tesar South Minahasa Regency, involved community involvement. The Village Income and Expenditure Budget, which is a plan for the village's income and expenses for the next year as outlined in village statutes and by the Regent-approved rules, is created by the Village Head and the BPD in accordance with the study's conclusions. The local Revenue and Expenditure Budget is regulated by Regency Regional Regulations as an expression of local autonomy, even if each village may have different goals. In order to potentially enhance local revenue and spending, this must be customised to the needs of the community and depends on the unique circumstances and potential of each village (Walean et al., 2021).

A 2022 study by Zaenal Abidin AS et al. is titled "Implementing Democratic Values in the Election of Village Heads in West Bandung Regency." Therefore, democratic standards may be successfully applied in West Bandung Regency during the simultaneous village head elections (Pilkades-Serentak). This is demonstrated by the peaceful settlement of conflicts resulting from concurrent village elections. The results of the researchers' field observations do reveal one thing. However, egocentrism (family) perpetuates the leadership legacy of the previous village head, and the process of nominating village heads in various locations selects candidates (balloons) from their families to split the current votes. This is not an issue from a democratic standpoint. But this must be researched and prevented (Abidin et al., 2022).

This article aims to identify: 1. What factors hinder the implementation of the Village Consultative Body's function in overseeing the performance of the Village Head? 2. What strategies can be implemented to carry out the Village Consultative Body's duties in overseeing the performance of the Village Head efficiently and effectively to achieve transparent village governance.

## Method

Empirical legal research or non-doctrinal legal research is the kind of study that scholars do. That is, to assess the law's efficacy or enforceability within the community. (Benuef, Mahmudah, and Priyono 2019). Both primary and secondary data were used in this investigation. The village head, village secretary, hamlet head, and leaders of the village consultative body are examples of primary data, which is direct information expressed by human speech and deeds. In contrast, secondary data—indirect data—takes the shape of legal documents. Legal materials might be classified as primary, secondary, or tertiary. In-depth interviews with pre-selected informants, observations, and recordings of the locations the researchers visited will all be used to gather primary data. The Village Head, Village Secretary, Hamlet/Regional Head, Chairman, and Secretary of the Village Consultative Body will all be interviewed. Secondary and tertiary data gathering, specifically through literature reviews in campus libraries, public libraries, and Asrikaton

Village's literature

Socio-juridical analysis ogis is used to analyse data. Specifically, data from research findings, including primary and secondary data, are gathered and subsequently categorised and classified according to the topic of the study. Legal interpretation is used to analyse secondary data, and three steps of descriptive and qualitative analysis are applied to the source data: data reduction, data presentation, and conclusion drawing. These tasks are consistently performed to create a cycle that enables conclusions that offer solutions to issues and enables the systematic interconnection of cyclical processes. (Dr. Muhaimin, SH., M.Hum, n.d.).

This study's sole goal is to examine and evaluate the legal implementation model of the Village Consultative Body's role in monitoring the Village Head's performance. This research was conducted in Asrikaton Village, District, Malang Regency, to identify the factors that hinder the legal implementation model of the Village Consultative Body's function of supervising the Village Head's performance and devising effective strategies to overcome these factors.

## Results and Discussion

### Factors that hinder the implementation of the Village Consultative Body's law function in supervising the Village Head's performance.

According to Article 55 of Law Number 6 of 2014 concerning Villages, the Village Consultative Body's duties include speaking with the Village Head and reaching an agreement on the draft Village Regulation, listening to and directing the village community's goals, and monitoring the Village Head's performance (Bender, 2016).

According to grammatical interpretation, Article 55 of Law Number 6 of 2014 concerning Villages, as previously mentioned, is a legal method that governs the role and function of the Village Consultative Body as a democratic institution in the village. Its duties include discussing and agreeing on the Draft Village Regulation with the Village Head, attending to the community's needs and desires, and monitoring the Village Court's performance. Therefore, it may be said that the village consultative council has the authority to represent, control, and enact laws.

Articles 61 – 62 of the Law. The village states that: "The Village Consultative Body has the right to a) supervise and Enquiry on the implementation of Village Government to Village Government; b) express an opinion for the implementation of Village Government, the implementation of Village Development, Village community development, and Village community empowerment; and c) obtain operational costs for the implementation of their duties and functions from the Village Revenue and Expenditure Budget. Members of the Village Consultative Body have the right: "a) to propose a draft Village Regulation; b) ask questions; c) submit proposals and opinions; d) select and be selected; and e) receive allowances from the Village Revenue and Expenditure Budget." (Bender, 2016)

Article 31 of the Regulation of the Minister of Home Affairs Number 110 of 2016 concerning Village Consultative Bodies states, "Village Consultative Bodies have functions, duties and authorities and rights. Functions of the Village Consultative Body: Discuss and agree on the draft Village Regulation with the Village Head; accommodate and channel the aspirations of the Village community; and supervise the performance of the Village Head" (Zulaikha, 2016).

According to Article 46 of Minister of Home Affairs Regulation Number 110 of 2016 about Village Consultative Bodies, the following are included in the execution of Village Head Performance Supervision: "Village Consultative Body supervises the performance of the Village Head. The implementation of supervision, as referred to, is carried out through a) planning the activities of the Village Government, b) implementation of activities, and c). reporting on the implementation of Village Government. Forms of supervision Village Consultative Body include monitoring and evaluation".(Zulaikha 2016)

In order to realise a democratic system of government, the village community, as well as the Village Consultative Body, have a responsibility to gather, accommodate, and follow up on information. The people must be involved in the formulation, approval, execution, and oversight of government policies in a democracy.

Soleh mentioned:

"Community participation in the formation of laws and regulations, including in the formation of village regulations, is the right and obligation of the community; therefore, in addition to the community must be actively involved in every government policy determination, the government must facilitate so that the rights and obligations of the community to participate in every government policy can be implemented smoothly and well, without elements of intimidation and coercion to the community."(Soleh 2020).

It is necessary, as well as the community's right and duty, to participate in the creation of laws and regulations, including village ordinances. As a result, the community needs to be actively involved in all government decisions. Soleh asserts that the government, including village administrations, must support the community's rights and responsibilities to engage in all government policies. This can be done effectively and without threatening or pressuring the community.

In the Regulation of the Minister of Home Affairs Number 110 of 2016 concerning Village Consultative Bodies, it is stated that the Village Consultative Body has the authority to evaluate the Village Government Implementation Information Report (Article 48): "The evaluation of the report as referred to in paragraph (1) is an evaluation of the performance of the Village Head for 1 (one) fiscal year. The implementation of the assessment, as referred to in paragraph (1), is carried out based on the principles of democracy, responsiveness, transparency, accountability, and objectivity. Evaluation of the implementation of the duties of the Village Head as referred to in paragraph (1) includes: a. Achievements of the

Implementation of Village RPJM, Village RKP, and APBDesa; b. Achievements of implementing assignments from the Government, Provincial Government, and Regency / City Government; c. Achievement of compliance with the implementation of duties under laws and regulations; and d. Village Head Achievements".

According to Article 52 of Minister of Home Affairs Regulation Number 110 of 2016 concerning Village Consultative Bodies, among other things, "Village Consultative Bodies supervise by monitoring and evaluating the implementation of the Village Head's duties." Monitoring and assessment of the planning, execution, and reporting of Village Government implementation, as mentioned in paragraph (1) (Zulaikha, 2016).

The ability to express one's opinions is guaranteed by Article 53 of Minister of Home Affairs Regulation Number 110 of 2016 regarding Village Consultative Bodies. "(1) Village Consultative Body has the authority to voice its opinion in response to a Village Consultative Body decision. (2) The outcome of a thorough and impartial evaluation of the Village Government's implementation will be the statement of opinion mentioned in paragraph (1). (3) To complete the assessment mentioned in paragraph (2), a Village Government implementation goal would be discussed and further developed throughout BPD debates. (4) The BPD decision mentioned in paragraph (1) was based on the outcomes of BPD discussions. (Zulaikha 2016)

Village Consultative Bodies have the power to extract community aspirations, according to Articles 33, 34, 35, and 36 of the Minister of Home Affairs Regulation Number 110 of 2016 concerning Village Consultative Bodies: "Extraction of aspirations as intended can be carried out directly to institutions and village communities, including poor groups, people with special needs, women, and marginalised groups."

The aspiration extraction is carried out based on the deliberative decision of the Village Consultative Body as outlined in the work agenda. Implementation of aspiration extraction involves using an activity guide that at least contains the purpose, objectives, time, and description of activities. The results of extracting the aspirations of the village community were conveyed in the deliberations of the Village Consultative Body. "

The Village Consultative Body Accommodates Community Aspirations: "The implementation of activities to accommodate community aspirations is carried out at the secretariat of the Village Consultative Body. The aspirations of the community as intended are administrated and conveyed in the deliberations of the Village Consultative Body". Management of Community Aspirations by the Village Consultative Body: Village through the administration and formulation of aspirations. Administering aspirations as intended, based on divisions covering government, development, community development, and village community

Empowerment. The formulation of aspirations, carried out by analysing and formulating the aspirations of the village community to be conveyed to the Village Head to realise good governance and

the welfare of the village community".

Village Consultative Body Channeling Community Aspirations by: "oral and or written. Distribution of community aspirations in oral form as intended, such as conveying community aspirations by Village Consultative Body in deliberation Village Consultative Body, which the Village Chief attended. Distribution of community aspirations in the form of writing, such as submission of aspirations through letters in the context of delivering input for the implementation of Village Government, requests for information to the Village Head, or submission of draft Village Regulations derived from proposals Village Consultative Body". (Zulaikha 2016)

According to Henry B. Mayo, democracy can only be declared if there are representative institutions, multi-party elections, elections free from outside pressure, and policies decided by the people's representatives. (Shahindra 2019)

Mukhammad Soleh, mentioned:(Soleh et al. 2020)

"Based on the teleological or sociological interpretation of the law, the purpose of the lawmakers is that the Village Draft Regulation on Village Revenue and Expenditure Budget be prepared by the Village Government before discussion with the Village Consultative Body must be consulted with the community to obtain opinions, suggestions, and responses, is a form of democratic law formation, because it involves the wider community to provide views, inputs, and recommendations".

That is, Mukhammad Soleh argues that a democratic government loses whichever loses. Before determining the policy, the government invites the public to provide input, feedback, and opinions on the policy plan.

Meuwissen distinguishes three types of enforceability, and they are all connected: 1. Factual or social enforceability (about the efficacy or *Wirksamkei* of legal procedures). This indicates that the legal procedure is followed or that sanctions are used to enforce adherence to it. This climate also includes punishments for non-compliance. 2) The enforceability of the law. A legal technique does not materially conflict with any other rules (far higher rules) and is established by the norms of procedure that apply to the competent body. Third, moral and normative enforceability. Legislation that is reasonable and rational in substance (such as human rights regulations) and whose content reflects the ethical will of the people. (Sidharta, 2013).

Given that the community sets the law because the legal method is created in accordance with the community's will—that is a logical legal method that the community desires—normative enforceability, also known as moral enforcement, is Meuwissen's definition of the perfect enforceability of the legal *kedah*.

According to Herbert. C. Kelman, A person obeys or obeys the law. There are three types, namely: "1). *Compliance*: A person obeys the law or the law, not because the law is following his heart's will but because he obeys the law for fear of unlawful sanctions. 2). *Identification*: A person obeys or obeys the law because he maintains good relations with everyone who is the object of the law. So, obeying the law is solely maintaining a harmonious relationship with fellow people who are the objects of the law.3). *Internalization*: a person obeys the law or the law because the law follows the values desired by the person, and the law is suitable for the needs of the person" (Herbert et al., 1959).

Herbert agreed with Muwissen. According to C. Kelman, the best way to obey the law of society is to follow the internalised law. It is important to remember that people respect the law because it aligns with their ideals and meets their needs.

Furthermore, Achmad Ali mentioned that the following factors influence a person's obedience to the law: "1). Economic factors. That is, economic factors significantly affect a person's obedience to the law, including a person's decisions related to "cost" or "sacrifice," as well as "profit" if he obeys the law. 2). Factors of his assumptions, perceptions, and other subjective aspects of the person. 3. The factors of the processes by which a person decides whether or not to obey a rule of law " (Soleh, 2020).

Achmad Ali posits that an individual's adherence to the law is influenced by various factors, including whether the law is arranged, how much it costs (economic or profit and loss considerations), and procedural aspects. When following the law, the question is how long a goal will take to accomplish and whether it will be performed more quickly if the law needs to be set up.

Soerjono Soekanto mentioned that three essential elements affect the mechanism of law working according to, among others: " 1). law enforcement institutions, supporting facilities, infrastructure, and

institutional work mechanisms; 2). work culture related to its apparatus, including regarding the welfare of its apparatus; and 3). regulatory instruments that support institutional performance and regulate legal material used as work standards, both material law and procedural law. 4). Facilities and Facilities: Without the support of certain facilities and facilities in enforcing a law, it will not be possible for efforts in law enforcement to take place properly and smoothly. The facilities and facilities in law enforcement efforts are educated and skilled human labour, good organisation, adequate equipment, sufficient finances, and so on. 5). Society The purpose of law enforcement itself is because of the existence of Society. The community also has an essential role in law enforcement itself. The more the community feels that following what has been regulated in the law is appropriate, the better the effort in law enforcement. The more aware the public is of the law, the better the enforceability of the law in Society "(Yusuf DM et al., 2023).

According to the expert opinion cited above, a person's or group's compliance with the law is influenced by several factors, including the law's content (justice), law enforcement (the way the law is enforced is not discriminatory), law enforcement infrastructure (both tools and budget), society (which supports the existence of the law), and legal culture (the law does contain values by the culture of the community). Additionally, there is ongoing socialisation of the law, which increases people's understanding of the law. Consequently, the example set by lawmakers and law enforcement must be equally dedicated to providing an excellent example.

Tarsin et al. mentioned that supervision is an assessment, a process of measuring and verifying a series of ongoing processes. At this dimension, a measure has been achieved, which forms the basis for the next step (Erga Yuhandra, 2018).

In management science, Manullang (1992) states that supervision is the last stage of the management function. From a managerial point of view, supervision also means "observation of the implementation of all activities of the inspected organisational unit to ensure that all work is being carried out following plans and regulations." or "an effort so that a work can be carried out following a predetermined plan, and with supervision can minimise the emergence of obstacles, while obstacles that have occurred can be immediately known which can then corrective measures are taken"(Bachtiar, 2020).

Siagian (1990: 107) defines supervision as observing the implementation of all organisational activities to ensure that all work runs according to a predetermined plan (Bachtiar, 2020).

Sondang P. Siagian said there are three dimensions and supervisory indicators, where these dimensions and indicators also affect performance, including: 1). Input Control, meaning the management of organisational resources that include material, financial, and human resources; 2). Behaviour control means all actions that regulate the activities of subordinates, and 3). Expenditure control is about setting subordinate targets to follow the manager (Sriwahyuni, Said, and Mustari, 2021).

Winardi's book *Leadership in Management* mentions the types of supervision, including Initial Supervision (Introduction). This supervision is done before employees work to prevent organisational problems or irregularities. Supervision during work is "concurrent control." The leader supervises his subordinates to carry out the work as they should. Feedback monitoring means reassessing the results of work carried out to improve future actions (Sriwahyuni, Said, and Mustari 2021).

Article 1, paragraph (4) of the Village Law states that " the Village Consultative Body, or what is referred to by another name, is an institution that carries out government functions whose members are representatives of villagers based on regional representation and democratically determined" (Bender, 2016).

Article 55 of the Village Law states that the Village Consultative Body has the following functions: "a. discuss and agree on the draft Village Regulation with the Village Head; b. accommodate and channel the aspirations of the village community, and c. supervise the performance of the Village Head " (Bender, 2016).

The Village Consultative Body (BPD) is a legislative body at the village level, and its role is to fight for the interests of the village community. The functions carried out include discussing and agreeing on draft village regulations with the village head, accommodating and channelling the aspirations of the village community, and supervising the performance of the village head. These three functions must be implemented optimally so that each village program becomes a goal that can be adequately realised. Based on this function, BPD can be said to be an institution obliged to fight for the benefit of the village in a better direction (Ady et al., 2022).

The placement of the Village Consultative Body (BPD) at the village level is a strategic step toward

achieving village democracy because it deserves to be called an institution for achieving village democracy (Ady et al., 2022).

In essence, democracy is a system of governance that places the community as a role holder in government policy-making. The more people are involved in setting government policies, the higher the degree of democracy. Soleh et al. said that the draft of the village regulation had democratic nuances. This means that there is community involvement in providing sports input to the planning of village-level rules that have been made. (Soleh et al. 2020) . Soleh also mentioned that forming regulations involving the community is a form of democracy. Based on the teleological or sociological interpretation of the law, the framer of the law intends that the draft Village Regulation on Village Revenue and Expenditure Budget prepared by the Village Government before being discussed with the Village Consultative Body must be consulted with the community to obtain Opinions, Suggestions, and Responses is one form of democratic law formation, because it involves the wider community to provide opinions, feedback, and suggestions (Soleh, 2020).

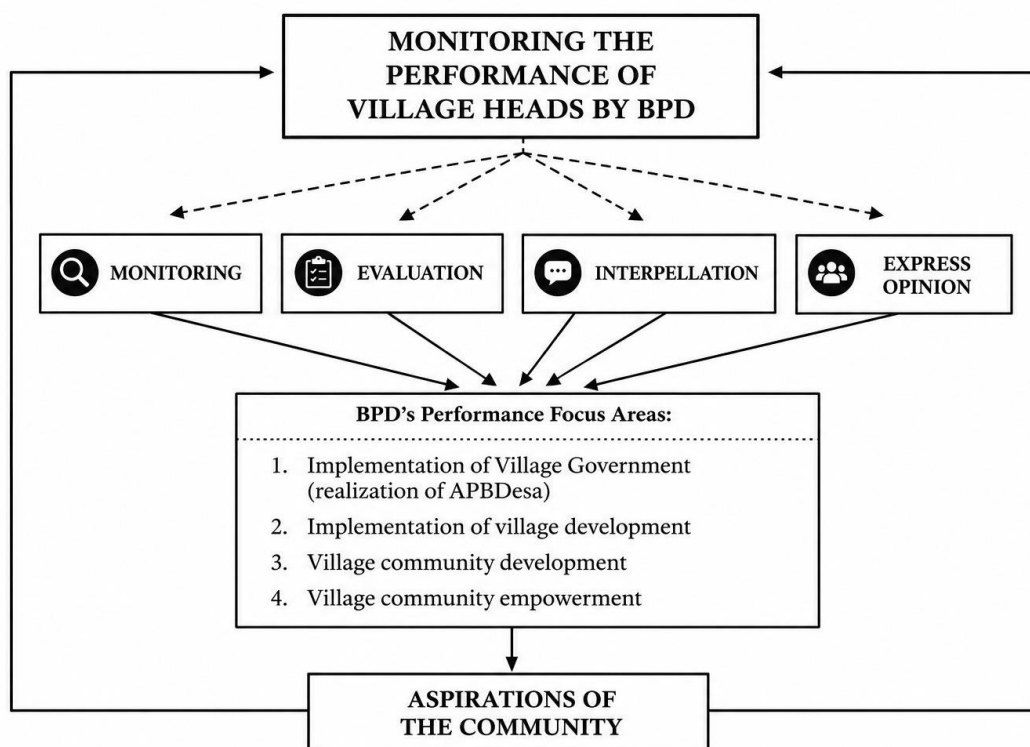
The village government comprises the Village Head and the Village Consultative Body (BPD). The BPD represents the community and has the following functions: discussing and agreeing on the Draft Village Regulation with the Village Head, accommodating and channelling the Village community's aspirations, and supervising the Village Head's performance (Setyaningrum & Wisnaeni, 2019).

Huda mentioned that based on democratic representation, the appointment of members of the Village Consultative Body can be processed through direct elections or representative deliberation. This is adjusted to the needs and agreements of the community in their respective villages. The membership period of the Village Consultative Body is for 6 (six) years starting from the date of taking the oath/promise. Members of the Village Consultative Body can be elected a maximum of 3 (three) times consecutively or not consecutively. (Setyaningrum and Wisnaeni 2019).

The Village Consultative Body is a milestone in the start of local democracy. At the same time, other opinions say that the village law is a way to build village independence and economic development for residents. Law Number 6 of 2014 concerning Villages provides a firmer and clearer relationship between villages and the central government, as well as between towns and local governments. With this arrangement, it is expected to overcome problems in the city, ranging from economic, social, and cultural. The village government is integral to implementing the Unitary State of the Republic of Indonesia (NKRI) (Setyaningrum & Wisnaeni, 2019).

Based on the results of an interview with the informant, Mr Supadi SE, as the Head of Asrikaton Village, Mr Moch. Khatib as Secretary of Asrikaton Village, Mr Sucipto as Chairman of the Village Consultative Body, Mr Sultoni, S.Pd. as Secretary of the Asrikaton Village Consultative Body, and Mr Suryawan as Head of Bunut Asrikaton Village, Supervision of Village Head Performance carried out by the Village Consultative Board of Asrikaton Village.

Carried out from the Village Head is inaugurated until the Village Head retires (for six years) and is carried out annually in reporting the performance of the Village Head to the Village Consultative Body as well as at the accountability forum for the implementation of the Village Revenue and Expenditure Budget (APBDesa) fibre When preparing the Asrikaton Village Government Work Plan (RKP) and specific times after complaints from the community/community groups at the discretion of the Village Head.



**Figure 1.** Village Head Performance Supervision Model by BPD & Aspiration Shelter

Tarsin et al. mentioned that supervision is an assessment, a process of measuring and verifying a series of ongoing processes. At this dimension, a measure has been achieved, which forms the basis for the next step (Erga Yuhandra, 2018).

In management science, Manullang (1992) states that supervision is the last stage of the management function. From a managerial point of view, supervision also means "observation of the implementation of all activities of the inspected organisational unit to ensure that all work is being carried out following plans and regulations." or "an effort so that a work can be carried out following a predetermined plan, and with supervision can minimise the emergence of obstacles, while obstacles that have occurred can be immediately known which can then corrective measures are taken"(Bachtiar, 2020).

Siagian (1990: 107) defines supervision as observing the implementation of all organisational activities to ensure that all work runs according to a predetermined plan (Bachtiar, 2020).

Sondang P. Siagian said three dimensions and supervisory indicators also affect performance:" 1) Input Control, which means managing organisational resources, including material, financial, and human resources. 2). Behavior control means all actions that regulate the activities of subordinates and

3). Expenditure control means setting subordinate targets to follow the manager" (Sriwahyuni, Said, and Mustari 2021).

This aligns with the opinions of Tarsin et al., Manullang, and Siagian and the results of interviews with informants, namely Mr. Supadi SE, the Head of Asrikaton Village, and Mr. Moch. Khatib, Secretary of Asrikaton Village, Mr.

Sucipto as Chairman of the Village Consultative Board, Mr. Sultoni, S.Pd. Secretary of the Asrikaton Village Consultative Body, and Mr. Suryawan as Head of Bunut Asrikaton Village. So, the factors that hinder the implementation of the Village Consultative Body's functions in supervising the Village Head's performance are: " 1). Coordination and communication between the Village Government and the Village Consultative Body is not smooth; there is a tendency for the ego of their group or group to feel that one group is more powerful than other groups. 2). Human Resources members of the Village Consultative Body are less professional, especially in supervising the implementation of the Village Revenue and Expenditure Budget and the supervision of the performance of the village head. 3). Members of the Village Consultative Body have their activities in their work, so implementing their functions, duties, and obligations as members of the Village Consultative Body in Asrikaton village are often technically

constrained. 4). Operational budget support and infrastructure provided by the Village Government for implementing the functions of the Village Consultative Body are inadequate”.

### **The strategy overcomes the inhibiting factors of the legal implementation model of the Village Consultative Body's function in supervising the Village Head's performance**

According to the findings of an interview with Mr Supadi SE, the village's head; Mr Moch Khatib, the village secretary; Mr Sucipto, the village's chairman; Mr Sultoni, S.Pd., the village's secretary; and Mr Suryawan, the village's head of Bunut Asrikaton. Thus, the method to get around the obstacles to the law's execution regarding the Village Consultative Body's (BPD) role in monitoring the Village Head's performance is: “ 1). Improved communication and coordination between the village government and the village consultative body are maintained continuously in discussion forums or informal deliberations. 2). Improved communication and coordination between members of the Village Consultative Body to equalise its vision and mission, especially related to its functions, duties, and authorities. 3). Improve the human resources (HR) of members of the Village Consultative Body through guidance and training on implementing functions, duties, and authorities of the Village Consultative Body. 4). Increase the budget and infrastructure of the Village Consultative Body provided in the Village Revenue and Expenditure Budget to carry out its functions, duties, and authorities”.

Article 55 of the Village Law states that the Village Consultative Body has the following functions: “ a. discuss and agree on the draft Village Regulation with the Village Head; b. accommodating and channelling the aspirations of the village community, and c. supervising the performance of the Village Head” (Bender, 2016).

Fighting for the interests of the village community is the responsibility of the Village Consultative Body (BPD), a legislative body at the village level. Discussing and approving draft village laws with the village head, addressing and directing the community's goals, and monitoring the village head's performance are among the tasks performed. For each village program to become a goal that can be sufficiently realised, these three functions must be carried out as best as possible. Based on this role, BPD might be considered an organisation obligated to fight for the village's betterment (Ady et al., 2022).

Siagian (1990: 107) defines supervision as monitoring the execution of all organisational operations to ensure that a preset plan completes all work (Bachtiar, 2020).

According to Sondang P. Siagian, performance is also impacted by three dimensions and supervisory indicators: 1) Input control, which refers to managing organisational resources, such as financial, human, and material resources. 2. Any activity that controls the actions of subordinates is referred to as behaviour control (3). Setting goals for subordinates to follow the management is the essence of expenditure control (Sriwahyuni, Said, and Mustari 2021).

Winardi, in his book *Leadership in Management*, mentions the types of supervision, including Initial Supervision (Introduction); this supervision is carried out before employees carry out their work, which aims to prevent problems or irregularities in an organisation. Supervision during work is "concurrent control." The leader supervises his subordinates to carry out the work as they should. Feedback monitoring means reassessing the results of work carried out to improve future actions (Sriwahyuni, Said, and Mustari 2021).

According to Rian Fitrizal (2017), implementing an accrual-based government accounting system is positively and significantly influenced by the quality of human resources. The findings of Roshanti's (2014) research further show that the variable quality of human resources has a positive and significant effect on the dependence and accuracy of local government financial reporting. Therefore, the human resources of government administrators will impact government administration standards. (Deva et al., 2017)

Sukriani et al. claim that this level impacts the calibre of BUMDes' financial statements, which cover information technology, training, work experience, and education. For leaders and Village Consultative Body members to carry out their responsibilities through education, training, and information technology, there will be a rise in human resources in 2018 (Sukriani et al., 2018).

Made Aristia Prayudi et al. found a positive correlation between BPD's performance as a supervisor of village financial management and its knowledge of its supervisory duties. Refers to the intellectual capacity of human resources, members, and leaders and the calibre of implementing their duties in the Village Consultative Body. The quality of implementing the Village Consultative Body functions increases with an understanding of these functions (Prayudi et al., 2019).

According to the findings of an interview with Mr Supadi SE, the Head of Asrikaton Village, Mr Moch. Khatib, the Secretary of Asrikaton Village; Mr. Sucipto, the Chairman of the Village Consultative Board; Mr. Sultoni, S.Pd., the Secretary of the Asrikaton Village Consultative Body; and Mr. Suryawan, the Head of Bunut Asrikaton Village, by Article 55 of the Village Law, as well as the opinions of Ady, Sing, and Winardi, as well as the views of Roshanti, Sukriani, et al., and Made Aristia Prayudi et al. Therefore, the approach to removing the obstacles to the legal implementation model of the Village Consultative Body's role in monitoring the Village Head's performance is: 1. Through informal discussions or discussion forums, the village consultative body and the village government consistently maintain improved coordination and communication. 2. Better coordination and communication among Village Consultative Body members to equalise its vision and mission, particularly its roles, responsibilities, and powers. 3. Enhancing training, education, and mentoring for Village Consultative Body members to increase their human resources 4. Members of Consultative Bodies about executing Village Consultative Bodies' responsibilities, powers, and functions. 5. The Village Revenue and Expenditure Budget includes additional funding and infrastructural facilities for the Village Consultative Body to fulfil its mandate.

### Conclusion

A lack of professional human resources, budget assistance, and infrastructural guidance are some of the factors that make it difficult for the Village Consultative Body to carry out its legal role of monitoring the Village Head's performance.

This technique overcomes the legal implementation model of the Village Consultative Body's role in monitoring the Village Head's performance. It involves improving communication and coordination between the Village Consultative Body and the Village Government and among its members, boosting the Human Resources of Village Consultative Body members by enhancing their education and training and expanding the organisation's infrastructure and financial support.

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