

The Role of Village Deliberational Institution in Growing Community Legal Awareness

(Study of Community Reality in Pojok Klitih Plandaan Jombang Village)

Agus Supriyadi, Samsul Wahidin and Tonny Suhartono

University of Merdeka Malang, Indonesia

Corresponding author: Tommy Hariyanto

ABSTRACT

This study aims to 1) Identify and analyze the role of the Village Deliberational Institution in fostering legal awareness of the people of Pojok Klitih Plandaan Jombang Village, 2) Identifying and analyzing what factors are behind the Village Deliberational Institution to foster legal awareness of the people of Pojok Klitih Plandaan Jombang Village. This research uses normative legal research methods in it combined with comparative methods, observations, and case studies. The research subject was the Civil servants of Pojok Klitih Village, Plandaan District, Jombang Regency. The data collection methods were observation, interview and documentation. The data analysis technique used is qualitative analysis with three stages, namely reducing data, presenting data and drawing conclusions. The results of the study found that 1) Village Deliberational Institution (BPD) process in the formation and stipulation of Village Regulations (PERDES) in Klitih Village, Plandaan District, Jombang Regency was not in accordance with UUD Number 12 of 2012, 2) The factors that became obstacles in the preparation and determination of PERDES were: a) Low of public awareness of village regulations, b) Poor quality of performance of Village civil servants and Village Deliberational Institution's (BPD), c) Lack of village budget in every legislative process, d) Low internal quality of Village Deliberational Institution (BPD).

Keywords: Legal Awareness, Society.

1 INTRODUCTION

Democracy in the village is not something new, but it is something that was already known in the village community before the proclamation of the Indonesian state. The term democracy in the village is communitarian democracy which in principle rests on three substances: political democracy (joint decision-making through deliberations in the village), social democracy (mutual solidarity through mutual cooperation) and economic democracy (communal land ownership). Village democracy is framed by three orders that result from the "social contract" of the local community: manners, morals and ordinances (rules of the game). Manners and morals are forms of democratic culture that teach tolerance, respect for others, politeness, togetherness, and others. Ordinance is a mechanism or rules of the game for managing government, law of inheritance, marriage, agriculture, irrigation, land distribution, and others. In the context of governance, ancient villages already had a Trias Politica style division of power: executive (village government), legislative (village consultation) and judicative (adat elders). Village deliberations consist of all heads of families in the village who politically hold the sovereignty of the village people (Kartohadikoesoemo, 1964) [1].

However, village democracy has experienced serious deficits after colonialization, negaranization, bureaucratization and development into the village. The place and practice of democracy have completely disappeared during the New Order era. However, efforts to restore the existence of village democracy with the recognition and respect of the state for regional government units that are special and special in the management and regulation of regional government are autonomous. The principle of regional autonomy uses the principle of autonomy as widely as possible, in the sense that the region is given the authority to manage and regulate all government affairs stipulated in law. Regions have the authority to make regional policies to provide services, increase participation, initiative, and empower the community.

Villages are synonymous with traditional communities, live simply, have various local wisdoms and are also the pioneers of autonomous democracy. Law Number 6 of 2014 concerning villages states that a village is a legal community unit that has territorial boundaries and is authorized to regulate and manage government affairs, the interests of local communities based on community initiatives, rights of origin of funds or traditional rights that are recognized and respected in the government system

The Unitary State of the Republic of Indonesia. A village is a legal community unit that has an original composition based on special rights of origin [2].

When viewed from the tasks carried out by the village government, of course it is quite complex and requires serious handling and requires good and harmonious cooperation between the village government and the community. Cooperation as a process is the main form of interaction and the main process is said so because all kinds of interactions can be returned to cooperation. Good cooperation can be created when the village government and the village community will have harmonious contact and communication. Contact and communication are common patterns that occur in humans that contribute to various activities carried out. If this is connected with efforts to run village governance, then contact and communication are the main prerequisites in building a cooperative relationship between the village government and the village community.

Constitutionally As the embodiment of democracy and as the principle of check and balance in the government system of the republic of Indonesia, a Village Agency was formed in the village which was formerly a Village Deliberative Council (LMD) as described in Law Number 5 of 1979 concerning regional government which changed its name to a Representative Body Village (BPD) as contained in Law no. 22 of 1999 concerning regional government and then refined again into a Village Consultative Body (BPD) as contained in Law No. 32 of 2004 concerning regional governance. which functions: to discuss and agree on the draft Village Regulation with the Village Head, to accommodate and channel the aspirations of the Village community. And supervise the performance of the Village Head. (Article 55 of Law No.6 of 2014 concerning Villages),

The Village Deliberational Institution (BPD) is an institution that embodies democracy in the implementation of village governance. The BPD can be considered the "parliament" of the village. BPD is a new institution in villages during the era of regional autonomy in Indonesia. BPD members are representatives of the residents of the village concerned based on regional representation which is determined by way of deliberation and consensus. BPD, as a manifestation of democracy, its membership is not based on classification. BPD is a Village Deliberational Institution which functions as a legislative body and supervises the implementation of Village Regulations. Village Income and Expenditure Budget.

Based on the fact that people's life is still like this, efforts are needed to increase the legal awareness of the community, on the other hand, the environmental conditions and values of the life of the Indonesian people are not only diverse but there is also uniformity. As for the value of the life of the Indonesian people, where almost all regions exist, namely an attitude oriented towards their superiors, even this attitude can be said to have become the culture of Indonesian society.

In relation to fostering legal awareness of the community, they are expected to be able to spread legal knowledge and provide examples in attitudes and behavior in accordance with the law in people's lives, so that achieving the ideals of a just and prosperous society based on Pancasila and the 1945 Constitution will quickly become a reality. Indonesian society, especially rural communities, is experiencing changes and development slower than urban communities, so that the level of legal awareness is necessary so that people do not see the law as a frightening witness to turn into another view, namely that law is a rule that is needed and provides protection and protection in the life of society, nation and state.

This study aims to identify and analyze the role of the Village Deliberational Institution in fostering legal awareness of the people of Pojok Klitih Plandaan Jombang Village and to identify and analyze what factors are behind the Village Deliberational Institution to foster legal awareness of the people of Pojok Klitih Plandaan Jombang Village.

2. LITERATURE REVIEW

2.1. Role

According to Biddle and Thomas (1966) a role is a series of formulas that limit the expected behaviors of a certain position holder. Meanwhile, in the Big Indonesian Dictionary the role is a set of behaviors that are expected to be owned by people who are domiciled in society [3]. Meanwhile, the meaning of roles described in status, position and role in society can be explained in several ways, namely the first historical explanation. According to historical explanations, role means the character carried by an actor in an appearance with a certain role. Second, understanding the role according to social science. Role in social science means a function that a person carries when he occupies a certain position, someone can play his function because of the position he occupies.

2.2. Definition of Village Deliberational Institution

The Village Deliberational Institution is a people's representative institution at the village level which has an equal position with and is a partner of the Village Head. In article 104 of Law number 22 of 1999, that the Village Deliberational Institution or referred to as BPD functions to protect customs, make village regulations, accommodate and channel village community aspirations, and supervise the implementation of village government is an organization structured within a government village. In the Siak Regency Regional Regulation Number 08 of 2006 concerning the Village Deliberational Institution explains the meaning

of the Village Deliberational Institution, hereinafter abbreviated as BPD, is an institution which is the embodiment of democracy in the implementation of village governance as an element of administering the Village Government.

The Village Deliberational Institution for each district is regulated based on regional regulations issued by the Regent as the regional head. Regency / city regional regulations are made by the Regency / City DPRD together with the Regent / Mayor. The Village Deliberational Institution, which functions to accommodate the aspirations of the community, and establishes village regulations with the Village Head must function properly, so that the village community feels protected by their representatives in the BPD. The performance of the village government in carrying out village governance is supervised by the BPD. According to Wahyu (2007: 209) the Village Deliberational Institution is an institution that embodies democracy in the implementation of village governance. in which the members of the BPD consist of heads of community units, customary leaders, professional groups, religious leaders and other community leaders or leaders [4]. The term of office for BPD members is six years and can be reappointed or proposed again with a further term. The leaders and members of the BPD are not allowed to hold concurrent positions as village heads and officials and members of the BPD have the function of establishing village regulations together with the village head, accommodating and channeling community aspirations.

2.3. Definition of Village Government

In Jombang Regency Regional Regulation number 8 of 2006, Village Government is the organizer of Government affairs by the Village Government and the Village Deliberational Institution in regulating and managing the interests of the local community based on local origins and customs which are recognized and respected in the Government system of the Unitary State of the Republic of Indonesia. In the village context, The Liang Gie (1982: 25) defines village governance as traditions and institutions that exercise power in a village administration (Village Administration and BPD), including the following [5]:

- a. Village government processes are selected, monitored, and replaced,
- b. The capacity of village government to formulate and implement policies effectively, and
- c. Recognition of the community and all stakeholders of the institutions that regulate the interactions between them.

2.4. Definition of Law

Everyone is obliged to act in such a way in society, so that the order in that society is maintained as well as possible. Thus the law includes various regulations that determine and regulate the relationship of one person to another, the law is a set of rules (commandments and prohibitions) that govern the order of a society that must be obeyed. While Amin (1989, 38) states the law is as follows: A collection of regulations consisting of norms and sanctions is called law and the purpose of the law is to maintain orderly order [6].

2.5. Definition of Legal Awareness

There are many legal experts who express opinions about the meaning of legal awareness, according to the large Indonesian dictionary, legal awareness is defined as:

- 1) The values contained in existing legal humans.
- 2) Knowledge that certain behavior is regulated by law (Depdikbud, 1990: 265) [7].

2.6. Definition of Society

The definition of society according to Ralph Linton in Soekamto (1990: 26) is: Society is any group of people who have lived and worked together for a long time, so that they can organize themselves as a social unit with clearly defined boundaries [8]. Meanwhile, Mac Iver and Page who also in Soekamto (1990, 26) stated that: Society is a system of freedom and procedures of authority from cooperation between various groups and classifications, from monitoring behavior and human freedom [8].

3. RESEARCH METHODS

3.1. Types of research

In this research, the object of study is the government The village, especially the Village Deliberational Institution (BPD), acts as a partner to the Village Head in establishing Village Regulations. Seeing the importance of empirical depth that must be reached with a number of juridical data, the author will use normative legal research methods there in will be combined with comparative methods, observations, and case studies. The approaches used in this research are normative approaches as well as empirical approaches, namely emphasizing legal sources regarding the role of the BPD in village governance and the implementation of laws by the Village Deliberational Institution in the process of forming Village Regulations. This approach is

intended to find out more about the performance of the BPD as the collector and channel of community aspirations in the formation of village regulations for the creation of an established village social, economic and cultural order.

3.2. Research focus

1) The Role of the Village Deliberational Institution (BPD)

- a. Legislation Function
- b. Oversight function
- c. Achievements of the Village Head.
- d. Function of channeling community aspirations

2) Backing factors

- a. With the perdes, it is still not smooth.
- b. The programs do not exist or are not yet structured.
- c. Legal submission is still being planned.

3) Internal factors

- a. The community has no clear information about the Village Deliberational Institution
- b. The community still does not understand what functions the Village Deliberational Institution has

4) External Factors

- a. Residents or communities whose houses are far from the hall des.
- b. It is difficult to convey the Village Deliberational Institution program regarding information from the BPD management.
- c. The number of residents who work outside the village and return home at night.

3.3. Data analysis technique

The collected data were analyzed qualitatively by describing the facts based on the research results, then interpreted systematically with the existing problems, especially those that exist. regulates law enforcement or implementation of local laws and regulations. The technique of analyzing and interpreting the data obtained presented qualitatively for further descriptive analysis and prescriptive with normative juridical. Because the data collected is qualitative data with an interactive model. The process goes through three stages, namely reduce data, present data and draw conclusions. These activities are continuously carried out so as to form a possible cycle adequate conclusions, so that the cycle processes can be mutually exclusive relate systematically (Moleong, 2000; 2) [9].

4 DISCUSSION

Efforts to develop public legal awareness will be oriented towards efforts to instill, socialize and institutionalize the values that underlie these legal regulations. The targets of this effort are the Village Deliberational Institution, Village Officials and Village Communities. For this reason, it is necessary to pay attention to the problem of legal communication, along with the dissemination of legislation so that it can be known by members of the public as the target of such legal arrangements and that legal communication efforts can be made through socialization and legal counseling.

The authority of the BPD to draft and submit a draft village regulation is based on the provisions of Article 62 of Law No. 6 of 2014, Members of the Village Deliberational Institution have the right: to propose a draft Village Regulation. The form of village regulations that may be made by the BPD consists of Village Regulations, joint Village Head regulations, and: Village Head regulations. Village Regulations are stipulated by the Village Head after having discussed and agreed upon with the Village Deliberational Institution. The Draft Village Regulation concerning the Village Revenue and Expenditure Budget, levies, spatial planning, and Village Government organizations must receive an evaluation from the Regent / Mayor before it becomes a Village Regulation. The Draft Village Regulation must be consulted with the Village community. The process of the emergence of law through the process of making regulations (law) and law enforcement.

The legislative function of the BPD in establishing joint regulations with the Village Head, seeking the manifestation of accommodating the aspirations of the community, besides that, the fact that BPD comes from the village community and

represents the village community is a form of representation (representatives of the village community). In carrying out its legislative role, the BPD must be able to accommodate all opinions (aspirations) of all village residents.

The Service for the Role of the Village Deliberational Institution (BPD) in strengthening Law Enforcement was held in Klitih Village, Plandaan District, Jombang Regency, carrying out three stages. This community service focuses on three things, firstly increasing legal awareness of the village community. The two BPD as village legislatures, have the right to initiate the formation of Village Regulations in order to exercise their right to exercise their rights to make village regulations related to increasing legal awareness of the community in Klitih village.

The first stage that has been carried out is: conducting intensive meetings with the BPD and the village head in understanding and conducting in-depth initial observations in an effort to identify and interpret correctly the problems and conditions experienced by the village community, the obstacles that the BPD and the Village Head experience.

The second stage that has been carried out is conducting legal counseling and socialization as well as in-depth legal explanation to the public. This socialization was carried out on August 6, 2019. In legal counseling and socialization of community legal awareness, the role of the BPD and the Village Head, the servant explains in full the legal rules governing the importance of legal awareness of all parties in environmental law enforcement, legal norms that govern, roles and responsibilities of the state, in this case the village government.

In this legal counseling, around 55 participants were invited from various backgrounds, including representatives of the hamlet heads, PKK women, community leaders and other communities who have an interest in this activity. In the Christian event, input was obtained that it was a little difficult to bring residents to the village head hall, this was motivated by the conditions in which the people of Bakaran Batu village lived close to the district government center so that it resulted in a rather difficult condition to be presented in the morning or afternoon with various reasons, busy at home, work and other activities. However, in this legal counseling, the participants who attended looked enthusiastic and gave positive responses and interactions. You can see the questions that arise from the discussion session.

1) Planning a Legal Awareness Raising Strategy

Law is a product of culture. Culture is a "blue print of behavior" which provides guidelines on what to do and what to do not. Thus, culture includes a system of goals and values. Law is a reflection or a reflection of the values contained in society. Embedding legal awareness means instilling cultural values. And cultural values can be achieved by education. Therefore, after knowing the possible causes for the decline in legal awareness, the main, effective and efficient effort to increase and develop is through education (Mertokusumo: 2008) [10].

2) Carrying out legal education program activities for community members, the following are several stages that must be considered, namely:

- a. Determination of Extension Targets As it is understood that each village consists of various layers of society who can become targets of legal counseling for the creation of a law-aware village or a law-aware village. The targets of the legal counseling are:
 - (1) Family
 - (2) School
 - (3) Government institutions (Office of government owned institutions)
 - (4) Private institutions (private offices, foundation companies and so on).
- b. Analysis of legal problems Furthermore, analysis and inventory of various problems that arise can be grouped as follows:
 - (1) Inventory of problems regarding legal issues that arise whether criminal, civil and so on (this is different for each village).
 - (2) Inventory of causes or motives for arising legal problems.
 - (3) Determination of the nature of the problem (classification of weight, medium, light, frequency of each problem, area and so on)

3) Preparation of Extension Activities

- a. determination and arrangement of modules
- b. determination of the subject of counseling presenters
- c. determination of outreach time

- d. Test before legal education (pretest)
 - e. Implementation of Extension Activities
 - f. Evaluation Phase
 - g. Test after legal education (posttest)
 - h. Preparation of plans for the future evaluation results
- 4) The conditions and benchmarks for a law-aware village that are expected The conditions for a law-conscious village that are expected as a result of the existence of various legal education programs for community members are as follows:
- a. Increasing public understanding that the law is a protector of human interests.
 - b. Increase community legal knowledge
 - c. Increasing the legal attitude of society
 - d. Increased legal obedience or behavior
 - e. Increased tolerance among the community
 - f. Decreased actions or actions that violate the law in general by all levels of society.
 - g. The creation of good and professional public services
 - h. The community is satisfied with government services
 - i. The public strongly believes in the legal structure
 - j. The creation of good governance and clean governance.

The benchmarks for the success of the expected law-aware village based on the expected conditions as mentioned above are as follows:

- a. The creation of national stability in general.
- b. The creation of legal objectives, namely legal certainty, justice, benefit and public order.
- c. Public trust in the government is very high
- d. Peaceful and peaceful community life.
- e. The economic level of society is increasing and evenly distributed.

The third stage, at this stage a more intensive meeting was held with BPD apparatus, Village heads and Village officials related to the formulation and formation of Village Regulations, in order to design and formulate a draft Village Regulation Draft on environmental law enforcement. The drafting of the Draft Village Regulation Draft has been carried out through several stages of meetings in the discussion of drafting the draft.

In order to regulate the affairs of the local community, the village can make village regulations in accordance with Law Number 32 of 2004 about local government. Village regulations are a form of regulation issued by the village government as the district makes regional regulations. Village regulations are established by the village head together with the BPD. Village regulations are formed in the context of implementing village governance which is a further elaboration of higher legislation by taking into account the socio-cultural conditions of local village communities.

In a democratic country, the formation of legislation has a very important element in its formation. In Formulating and stipulating village regulations, the BPD is guided by the Regulations Jombang Regency Region Number 2 of 2008 concerning Village Government. Where the Perda in its making was guided by the laws on it, namely Law no. 12 years old 2011 concerning the Formation of Legislative Regulations. The function of the BPD in the field of legislation is formulate and stipulate village regulations together with the government village. The function of this legislation appears to be implemented by BPD in several ways as follows:

- a. Formulate Village Regulations together with the village government. Process carried out by the BPD and the Village Head inside formulating village regulations, among others, as follows.

(1) The Village Government (Village Heads and Village Officials) invite members BPD to convey its intention to form a village regulation by conveying the main points of the proposed village regulation.

- (2) The BPD first submitted a draft village regulation, as did the village government which also submitted its village regulation draft.
- (3) BPD provides input or suggestions to complement or perfecting the village regulation draft.
- (4) The head of the BPD submitted the proposal to the village government for on the schedule.
- (5) The BPD holds a meeting with the village government approximately one to one twice to come to a mutual agreement.

b. Set Village Regulations together with the Village Government

After the BPD and the Village Head submit a draft Village Regulation then it is discussed together at the BPD meeting and after experiencing additions and changes, then the draft Village Regulation legalized and approved and stipulated as a Village Regulation.

In establishing village regulations, the BPD and the village head both have a very important role, including the following:

However, in the field implementation the compiler was careful from interviews with BPD members in Klitih Village that only the Chairperson The Village Deliberational Institution (BPD), which carries out its role, is to make visits to the community to accommodate those aspirations only face-to-face, it can be concluded that the collection of community aspirations is not comprehensive and mature so that the distribution of community aspirations which will be contained in village regulations does not fully represent the needs of the whole community. Whereas in article 9 paragraph (e) Jombang Regency regional regulation number 2 of 2008 concerning village administration explains that the Agency The Village Consultative Assembly (BPD) has the authority to explore, accommodate, collect, formulate and channel people's aspirations.

In the village government, the BPD is equal and becomes the working partner of the village government. The parallel understanding here is that the position of the BPD is not lower and not higher and is not part of the village government. From the results of research that compilers carried out in the function of the Village Deliberational Institution (BPD) in Klitih Village, from the data or results the interview above stated that, explaining the function of the BPD has not been positive about the position occupied or solution providers that can be implemented by a policy Village Deliberational Institution (BPD). Thus what was conveyed by the informants, it is clear at this time that BPD also functions, apart from position or a position with capacity can be a driving factor for a profit for the smooth running of a policy or decision taken by The Regional Government of Jombang Regency Number 2 of 2008 concerning Village Government, which explains that the BPD functions to establish village regulations with the Village Government.

As the compiler carefully in Klitih Village in carrying out its role in the legislative function, in the formation of village regulations concerning the Village Revenue and Expenditure Budget (APBDes) and the Village Medium Term Development Plan (RPJMDes) are part of the task of implementing the Village Government, in this case the Village Head and Board Members Village Consultation (BPD) in carrying out Village development. From the results of the interview that the compilers conducted with Mr. M. Qomarudin Zen as the secretary of Klitih Village said that it was related to BPD as a working partner of the village government, in carrying out their duties, the BPD and the village government are obliged to respect each other, help help, complement each other in order to achieve efficient, effective and efficient village government administration achieve village prosperity, although until now no village regulations have been made other than the Village Revenue and Expenditure Budget (APBDes) and Village Medium Term Development Plan (RPJMDes).

However, from the results of the interview, the author saw the awareness and insight of Village Officials in the implementation of Village Government duties. In the implementation of a year the position of the Village Head, Village Head and Village Deliberational Institution (BPD) must implement their roles as Village Legislation Body. As the author observes from the data and interviews that in the implementation of the 2019 government, which is carried out by the Head The village which in 2012 also served as the Village Head. In connection with the village regulations that have been made that the optimal role of the BPD as the function of controlling the performance of the Village Head and legislation has not provided a good performance because there are only 2 (two) village regulations that become the reference for the Village Head in carrying out the implementation of Village Administration in 2012 and the period thereafter, basically as described in article 123 Jombang Regency Regional Regulation Number 2 of 2008 concerning Governance The village that the village administration is headed by the village head who is carry out its duties and obligations responsibly to the Regent through Head of District and convey accountability statements to the BPD as well inform the public.

The author sees irregularities in the implementation of government Village by the Village Head is also the role of the Village Deliberational Institution (BPD) in the village Klitih is less than optimal in carrying out its function, namely not making the Village Head Accountability Decision and Development Work Plan (RKP-Village), thus the function of the Village Deliberational Institution (BPD) in Klitih Village in the formation of Village Regulations (PerDes) with the Village

Government does not refer to legislation in implementing Village Government. In the Village Regulation which should involve the village community in drafting village regulations as described in article 115 paragraph 1 of Jombang Regional Regulation Number 2 of 2008 concerning Village Government, it explains that the community has the right to provide input orally or in writing in the context of preparing or discussing a draft village regulation. In fact, it is fitting that the problems in the village be outlined in the formation of village regulations which will be discussed by the BPD with the Village Government to implement Good Governance in the lowest government in the Indonesian state administration, in this case Village Klitih.

Based on the results of research in Klitih Village, Plandaan District, Jombang Regency, West Java Province, the position of the BPD as a partner of the village government has been realized in the implementation of BPD's duties in carrying out the legislative function, namely formulating and stipulating Village Regulations together with the village government but have not yet achieved satisfactory stage as an institution channeling the aspirations of the community and protecting the community because the regulations that have been made are the Purchasing Budget and Village Expenditures (APBDes) and the Village Medium Term Development Plan (RPJMDes) does not reflect the needs of the community as a whole, namely order good social and comprehensive welfare. In accordance with article 114 of Jombang Regency Regional Regulation Number 2 of 2008 that village regulations are established by deliberation and consensus and must reflect the needs of the village community concerned and must not conflict with the Public Interest, regional regulations and other laws and regulations, the author analyzes that there is no village regulation, except for the APBDes and RPJMDes are a manifestation of the role of the Village Deliberational Institution which is less synergistic with the interests of the village community, the Village Deliberational Institution's ability to create Village Regulations has not been maximized to fight for problems that exist in the Village, in this case accommodate and channel the aspirations of the community which are then contained in Village Regulations.

According to Mr. Ishom Junaidi, S.Pd as the Head of the Klitih Village BPD stated that the BPD is always together with the village government in making and establishing Village Regulations. Although it cannot be denied that the results of the compilers' research indicated that the village regulations were not very good in their implementation which could not be separated from the role of the Village Deliberational Institution as the partner of the Village Head. Thus the author concludes that this has constraints faced by the Village Deliberational Institution (BPD) in Klitih Village in the process.

With supervision, the duties of the executor or village head can be lightened because the implementers cannot possibly see the possibilities of mistakes he made in his busy life daily. Monitoring is not to find mistakes but to correct mistakes, then clean and effective government will implemented in the implementation.

The Village Deliberational Institution (BPD) as a representative for community deliberation must carry out its duties and functions as a government partner in exercising village authority, both in carrying out government tasks, development, empowerment and community development. Village meetings held by the BPD are an instrument for democratic and participatory decision-making both in development planning and in matters of a strategic nature at the village level. So the BPD institution is also a democratic institution whose membership filling is directly elected by the village community or through representative deliberations by ensuring women's representation by elements of society who have voting rights. The number of members of the Village Deliberational Institution is determined by an odd number, at least 5 (five) people and at most 9 (nine) people, taking into account the area, women, population, and the capacity of Village Finance. The Head of the Village Deliberational Institution consists of 1 Chairperson, 1 Deputy Chairperson and 1 Secretary. The election of the leadership of the Village Consultative Council is directly elected from and by members of the Village Consultative Council directly in a specially held Village Consultative Council meeting.

The selection of BPD membership in Klitih village has problems, namely the limitations that become candidates because the community is not interested in the position as a BPD member and human resources are still very low so that the Village head himself appoints the candidate for BPD with this causing no collective election causing collusive and nepotistic actions by the Village head in determining BPD candidates, causing the relationship between the Village Head and the BPD to appear harmonious, thus allowing for acts of corruption because BPD is a tool of legitimacy for village policy decisions. The implication is that the village decision policy is not pro-poor or detrimental to the whole community, because it only favors a handful of village elites, village deliberations do not run democratically although the deliberation process is still carried out procedurally. The actions of the village head are legal but politically illegitimate and are considered as socialization by only informing the physical development program. Community members are less empowered and whenever there is a complaint from the community, they do not get a response from the BPD or the village government. The implication is that community members are passive and apathetic.

Perdes is an important arena for BPD, a legal instrument to govern in the form of rules of the game that has many functions as a barrier to what can and cannot be done by the village government and society, also confirms the patterns of relationships between institutions in the village, the formation of institutions, solving problems and regulating the management of village property. So village regulations must be based on the aspirations of the community, not just formulating the interests of the village elite and only carrying out instructions from the supra Village government, often even making other people.

Efforts to develop public legal awareness will be oriented towards efforts to instill, socialize and institutionalize the values that underlie these legal regulations. The targets of this effort are the Village Deliberational Institution, Village Officials and Village Communities. For this reason, it is necessary to pay attention to the problem of legal communication, along with the dissemination of legislation so that it can be known by members of the public as the target of such legal arrangements and that legal communication efforts can be made through socialization and legal counseling.

The authority of the BPD to draft and submit a draft village regulation is based on the provisions of Article 62 of Law No. 6 of 2014, Members of the Village Deliberational Institution have the right: to propose a draft Village Regulation. The form of village regulations that may be made by the BPD consists of Village Regulations, joint Village Head regulations, and: Village Head regulations. Village Regulations are stipulated by the Village Head after having discussed and agreed upon with the Village Deliberational Institution. The Draft Village Regulation concerning the Village Revenue and Expenditure Budget, levies, spatial planning, and Village Government organizations must receive an evaluation from the Regent / Mayor before it becomes a Village Regulation. The Draft Village Regulation must be consulted with the Village community. The process of the emergence of law through the process of making regulations (law) and law enforcement.

The legislative function that the BPD has in establishing joint regulations with the Village Head is a manifestation of accommodating the aspirations of the community, in addition to the fact that the BPD comes from the village community and represents the village community is a form of representation (representatives of the village community). In carrying out its legislative role, the BPD must be able to accommodate all opinions (aspirations) of all village residents.

The Service for the Role of the Village Deliberational Institution (BPD) in strengthening Law Enforcement was held in Klitih Village, Plandaan District, Jombang Regency, carrying out three stages. This community service focuses on three things, firstly increasing legal awareness of the village community. The two BPD as village legislatures, have the right to initiate the formation of Village Regulations in order to exercise their right to exercise their rights to make village regulations related to increasing legal awareness of the community in Klitih village.

The first stage that has been carried out is: conducting intensive meetings with the BPD and the village head in understanding and conducting in-depth initial observations in an effort to identify and interpret correctly the problems and conditions experienced by the village community, the obstacles that the BPD and the Village Head experience.

The second stage that has been carried out is conducting legal counseling and socialization as well as in-depth legal explanation to the public. This socialization was carried out on August 6, 2019. In legal counseling and socialization of community legal awareness, the role of the BPD and the Village Head, the servant explains in full the legal rules governing the importance of legal awareness of all parties in environmental law enforcement, legal norms that govern, roles and responsibilities of the state, in this case the village government.

In this legal counseling, around 55 participants were invited from various backgrounds, including representatives of the hamlet heads, PKK women, community leaders and other people who have an interest in this activity. In the Christian event, input was obtained that it was a little difficult to bring residents to the village head hall, this was motivated by the conditions in which the people of Bakaran Batu village lived close to the district government center so that it resulted in a rather difficult condition to be presented in the morning or afternoon various reasons, busy at home, work and other activities. However, in this legal counseling, the participants who attended looked enthusiastic and gave positive responses and interactions. Seen the questions that arise from the discussion session.

5) Findings

- a. The community still cannot be on time when invited to the Village Deliberational Institution meeting because they live in a remote village.
- b. Lack of understanding of legal issues awareness

6) Functions of BPD Members

- a. The community has tried to function the management of the Village Deliberational Institution but the community realizes that there is a lack of understanding of how the Village Deliberational Institution works.
- b. Not familiar with legal issues regarding disciplinary regulations such as paying development taxes, paying for electricity, and others.

7. Backing factors

a. Internal factors

- (1) From the local village community
- (2) From the Village Deliberational Institution management

b. External Factors

- (1) Lack of understanding of the BPD due to the lack of approach of BPD administrators with the community.
- (2) There has been no firm action regarding the existing law in the local village.

6 CONCLUSIONS AND SUGGESTIONS

6.1. Theoretical Implications

- 1) BPD is a Village Deliberational Institution referring to several theories about the Village Deliberational Institution, the Village Government regarding law, about legal awareness, theories about society, theories about law, implicit theory and oral communication about groups, finally fostering the spirit of the Village Deliberational Institution and about legal awareness is in the local village.
- 2) That the Village Deliberational Institution process in the formation of and The stipulation of Village Regulations in Klitih Village, Plandaan District, Jombang Regency is not in accordance with Law Number 12 of 2012 concerning the Formation of Laws and Regulations although some procedures were carried out in the process formation, based on article 1 paragraph (1) that the Establishment of Regulations Legislation is the process of making Legislation which basically starts from planning, preparation, technique preparation, formulation, discussion, ratification, promulgation, and dissemination. Whereas the process that BPD carries out in the preparation and formation of village regulations in Klitih Village is by holding meetings with the village government to draft village regulations without carrying out community visits, face to face both Individually or collectively with village officials for accommodate the aspirations given by the Klitih village community, in the development and implementation of a good village government. As for the function of the Village Deliberational Institution in Klitih Village is in accordance with the Regional Regulation of Jombang Regency Number 2 of 2008 concerning The village government which functions to establish village regulations together with the Village Head, accommodates and channels community aspirations, but the role of BPD Klitih not optimal enough as an extension of the hands of the village community because the village regulations that have been formed in the last two years do not reflect the needs of the community and the expectations of the community in building equitable welfare.
 - a. The making of Village Regulations carried out by the Village Representative Body together with the Village government shows that there is community continuity, and the contents of the Perdes are truly aspirations with the wishes of the community.
 - b. The socialization of Village Regulations by the BPD and the Village government shows that they have seen the BPD socialize the perdes that have been made.
 - c. The implementation of Village Regulations carried out by all components of society shows that they feel guaranteed peace in their daily life by implementing Perdes, and are one of the means to achieve community welfare.
 - d. Evaluation of the implementation of Perdes shows that the level of public awareness has increased by implementing the perdes that has been made.
 - e. The implementation of land and building tax payments shows that BPD has never been given knowledge, because taxpayers already know their obligations and have paid taxes on time.
 - f. Efforts were made to enforce the law, almost all members of the community agreed that if there were people who were reckless on the road and then alerted by the BPD, and had seen the community reported directly to the authorities because of cases of theft and robbery in order to create a safe and secure environment, then it was held environmental safety system and night patrols in each RT.
- 3) The constraints that affect the legislative function of the BPD are different factors The obstacles in the preparation and determination of perdes are:
 - a. Community awareness of village regulations
 - b. The quality of the performance of the Village apparatus and BPD is not good
 - c. Lack of village budgets in every legislative process

- d. The internal quality of the Village Deliberational Institution includes: First, the communication that exists between BPD members is not good. Second, adequate human resources in quantity but not in quality and capacity as a legislator. Third, commitment and professionalism of each member of the BPD in carrying out their role. Fourth, the structure of the BPD which has no reference in carrying out its duties.

6.2. Practical Implications

- 1) Statements in the community
- 2) Implementation of the entire work Village Deliberational Institution.
- 3) Law enforcers in society

6.3. Suggestion

As a researcher who has not much experience and is superficial in thinking, the development of researchers to provide suggestions for community perceptions of the role of the Village Representative Body in increasing community legal awareness in the future are as follows:

- 1) As a Village Deliberational Institution that becomes a community / people consultative institution at the Village level and is a partner of the Village Head who has the main duties and authorities, in carrying out its duties it must be truly accountable in accordance with the mandate of the people.
- 2) Public legal awareness in the era of globalization must be further enhanced, both through mass / printed and electronic media, in the future law enforcement must be strictly enforced. And the people believe in this, so don't let the crisis of trust in the law be sustainable.
- 3) Society should not only be used as legal objects, but empowered as legal subjects. So that the role of the Village Representative Body does not have to dominate permanently, but with their own awareness the community can choose between good and bad according to the applicable legal rules.

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