Authority of The Village Consultational Board in The Village Government System in Indonesia (State Administrative Law Review)

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Article Info

Abstract

Comprehensive regional autonomy implementation has far-reaching effects on all levels of administration, from the Regency to the City to the Village. As the Village Head, the Village Government is legally entitled to govern the Village. In order to better the lives of its citizens, the Village Head establishes policies and the Village Consultative Body implements them through the creation of Village Regulations. In order to better understand the Village Government System in Indonesia, this research will examine how the State Administrative Law evaluates the power of the Village Consultative Body. This study is normative in nature and takes a statutory approach to a literature-based research methodology. The findings confirmed that the Village Consultative Body was established to aid the Village administration in realizing the hopes and dreams of the local populace through the implementation of a more democratic form of administration. The creation of the Village Consultative Body has had a profound effect on the evolution of the idea of village government by delegating three areas of responsibility to it: the compilation and adoption of Village Regulations; the preparation of the Village Revenue and Expenditure Budget and financial management; and the selection of village apparatus. This is important since the concept of regional autonomy in Indonesia is grounded in theories of decentralization, authority, and monitoring.

Keywords: *Village Consultative Body; Village; Autonomy.*

I. Introduction

To some extent, every state is bound by law and functions according to legal categories that are grounded in state theory. Some laws were written with a specific historical type of state in mind, and not all nations (Stolleis, 2004). Plato and Aristotle's ideas of ideal politics or government according to nature foreshadowed the natural law as developed by Stoic theory and ultimately embodied in private law Roman law.(Ginsburg, 2008, hlm. 202) At least insofar as the connection between citizens and government is concerned, the legal basis of the state is portrayed as the embodiment of the ideal state and good government, despite being regarded as limiting the power of the state or government.(Meierhenrich, 2018)

The 1945 Constitution of the Republic of Indonesia (UUD 1945), which is the highest source of law in the territory of the Unitary State of the Republic of Indonesia (NKRI) after Pancasila, which is the basis of all statutory regulations, vividly depicts the rule of law in Indonesia. Provinces, which are further divided into Regencies and Cities, each have the right to establish regional regulations or other regulations in the context of implementing autonomy and assistance tasks, as stated in Article 18 of the 1945 Constitution of the Republic of Indonesia. Indonesia's Regional Government is an integral part of the country's democratic structure, reflecting the values of popular sovereignty and decentralization at work across the Republic of Indonesia.(Wijayanto, 2014) In order to carry out their respective autonomy and aid responsibilities, Regional Governments in Indonesia, including villages, are granted the authority to create regional legislation. Therefore, as a representative entity of the village, the Village Consultative Body (BPD) plays a crucial role in determining the direction of the village and adopting policies for its growth and administration. This is consistent with the values of a democratic rule of law and the value placed on the expertise of different parts of the country. The BPD is an institution in Indonesia's village government system that can consult with the village head and other officials on matters such as the creation of village regulations, the oversight and control of village government, and the exploitation of the village's natural and economic resources.

Law Number 32 of 2004, which was replaced by Law Number 23 of 2014 concerning Regional Government, enacted a policy of regional autonomy that gives regional governments extensive authority to manage the interests and well-being of its constituents. Regions have fairly broad authority to manage their regions (Jumena, 2019). Public-interest focused regional development should be prioritized by regional governments. This legislation provides local and regional authorities with increased authority and duty to speed up regional development. (Simangunsong & Hutasoit, 2018)

In the system of the Republic of Indonesia, regional autonomy means that regions have the

right to regulate and manage their own government affairs in accordance with local characteristics and wisdom based on the aspirations of the people living in those regions. (Nugroho, 2013) Regency and City Regional Governments, as well as Village Governments, have undergone substantial changes as a result of the all-encompassing application of regional autonomy. It is hoped that the establishment of local political institutions will lend a more democratic, autonomous, and independent political hue to, and perhaps even a new perspective on, village development initiatives.(Masuara, 2014)

Village administrations now have more leeway to manage and regulate local interests autonomously and actively participate in regional development because to the regional autonomy policy enshrined in Law Number 23 of 2014. In accordance with local conditions and priorities, the village government is responsible for managing village finances and developing the Village Medium Term Development Plan (RPJMDes) and the Village Revenue and Expenditure Budget (APBDes). When given more power, local governments are better able to address the economic, social, political, and environmental demands of their communities. Other than that, In the framework of the Republic of Indonesia, the village is the lowest tier of governance. Law No. 6 of 2014, pertaining to Villages, officially recognizes it as a municipality within the state. Paragraph (1) of Article 1 defines a village as "a legal community unit with territorial boundaries that has the authority to regulate and manage government affairs, the interests of local communities based on community initiatives., rights of origin, and/or traditional rights that are recognized and respected in the government system of the Republic Indonesia."

Articles 18 and 19 of the 2014 Village Law further define the scope of the Village Government's jurisdiction. As stated in Article 18, "village authority includes authority in the field of administering village government, implementing village development, fostering village society, and empowering village communities based on community initiatives, rights of origin, and village customs." Meanwhile, Article 19 specifies that "village authority includes: authority based on original rights, village scale, assigned by the government, provincial regional government, or district/city government," as well as any other authorities assigned by the government, the province, or the district/city government. the rules laid up by law".

Further investigation reveals the village council's authority to effectively rule the community. If the provisions of Law No. 22 of 1999 pertaining to Regional Government are to be followed, villages will only be subservient to supra-village governments or sub-system areas of district regional governments. Subsidiarity, then, is the guiding principle of Law No. 6 of 2014 Regarding Villages, which mandates the decentralization of power and the autonomy of decision-making to the village level.(Hariri, 2020)

The Village Government has its own version of a parliament in the form of the Village Consultative Body (BPD), much like provincial and district/city governments have the Regional People's Representative Council (DPRD). The goal of this is to bring about greater democracy in the functioning of the Village Government. In the age of regional autonomy, BPD is a novel institution in village administration whose members are elected from among the citizens and whose tenure ends when the Village Head's does.

In general, BPD is crucial in putting the policies of the Village Head into effect through the creation of Village Regulations that aim to better the lives of the villagers as a whole. The BPD should also oversee policy implementation in the form of village programs.(Harimisa, 2016) However, the reality is often the opposite: the BPD appears to be merely a supplementary instrument for village government, and its members frequently make up the winning side in elections for village head. The lack of a functioning check and balance gives rise to the notion that BPD is merely a formality.

Ineffective roles and functions in the check and balance system and the restricted authority and resources possessed by BPD in carrying out its duties are two issues plaguing BPD in village administration. This relates to Article 88 of the Villages Law of 2014, which confirms BPD's obligation and authority to follow the wishes of the local head while drafting regulations for the village or developing plans for the community. Due to a lack of understanding and knowledge regarding the role and function of BPD, both the village administration and the local population often overlook BPD's contribution to the check and balance system.

This can be an obstacle to establishing the rule of law and good governance in rural communities. This issue arises from differences in interpretation and application of state administrative legislation concerning the BPD's responsibilities, authorities, and obligations within village administration. To better the role and function of the BPD in village government, it is crucial that the village government and BPD grasp the principles of good governance, such as openness, accountability, and community engagement in decision making. Formulation the problem are (1) What is the best way to formulate the idea of a village government system overview in Indonesia? and (2) How Review of State Administrative Law on the Authority of BPD in the Village Government System in Indonesia.

2. Research Method

In order to resolve the legal problems that have arisen, this study use normative legal research, which is the process of identifying applicable legal norms, principles, and

doctrines.(Marzuki, 2016) The literature for this study was culled from a wide range of sources, including books, scholarly journals, and other documents. The author collects, analyzes and processes data (Amanda et all, 2022). In Indonesia, the State Administrative Law concerning the Authority of the Village Consultative Body in the Village Government System is the subject of the statutory regulation approach (statute approcah), which involves a thorough examination of all relevant laws and regulations (Amirudin & Zainal Asikin, 2004).

3. Results and Discussion

Brief Introduction to the Indonesian Village Government

The word "village" can mean "homeland," "birthplace," or "country of origin," among other things. The term "village" is commonly used in Java, Bali, and Madura. Aceh speakers are familiar with gampong and meunasah, while Batak speakers refer to the area as kuta or huta. Malay speakers use the term dusundati. At first, the village was nothing more than a small community with its own government, boundaries, and set of traditions. We refer to such a group as a "self-governing community.".(Sutoro, 2008) It wasn't until the Dutch colonial period that villages gained recognition as legitimate community entities whose residents could form their own administration.

According to Breman, colonial administrators invented village governments. It was European bureaucracy that, in particular, established the Javanese "village"/village as a true municipality (inlandsche gemeente). Villages were essentially unorganized rural settlements prior to colonialism. As a tool of its agriculture program, the government incorporated it under the name cultuurstelsel. Under the direction of the regional chief (regent or mayor), the village chief is responsible for providing land and manpower for large-scale plantations. The colonial government and the peasantry communicated through village chiefs and regional governors.(Nurcholis dkk., 2019)

According to Furnivallhimself, the Village Law of 1906 was created for the sole purpose of modernizing and strengthening village community bonds, fostering social growth, and allowing local officials to carry out their principal duty: protecting communal welfare.(Sutiyo & Maharjan, 2017) According to Niel, a village administration is not a true representation of a local community, but rather a sociopolitical company established by a colonial power.(Gunson, 2005)

Ball explains that Raffles (the British Colonial Governor General) brought in a more "enlightened" European type of government to replace the semi-feudal Regent's outmoded and illegal practices. The village, in Raffles's view, is the smallest and most self-contained unit of Javanese society, and it is governed by the Regent (Mayor), who in turn is

responsible for the village's administration through the village head. government" (Ball, 1982).

Ball went on to say that in 1818 the Commissariat published a Government Regulation after the Dutch retook control of Indonesia. Residency (later renamed Province), District (later renamed Regency/City), Division (later renamed Subdistrict/City Subdistrict), and Village remained part of the Raffles administrative framework, which outlined the hierarchical division of structural areas of power of the Dutch government under the Governor General.(Haar, 1966)

Following independence in 1945, Article 18 of the Constitution of Indonesia established rules for rural areas. Each size of regional government is governed by this article. Article 18 of Law Number 22 of 1948 establishes villages as autonomous political communities. The first amendment to Law 22 of 1948 was passed in 1957 as Law 1. A village is the third tier of regional government under this statute. Law 18 of 1965 was enacted as a joint resolution with Law 19 of 1965 to modify Law 1. The law recognizes the autonomy of villages as units of regional governance grounded in custom.In 1979, Law No. 5 updated the provisions of Law No. 19 from 1965. Villages are incorporated as State-run social and political entities in accordance with this law.Amendments were made to Law No. 5 of 1979 by Law No. 22 of 1999.Amendments were made to Law No. 5 of 1979 by Law No. 22 of 1999.Amendments were made to Law No. 22 of 1999 by Law No. 32 of 2004.Both Law No. 23 of 2014 and Law No. 6 of 2014 made changes to Law No. 32 of 20041979.In accordance with UU 22 of 1999, Law 32 of 2004, and Law No.6 of 2014, a village is a sociopolitical company that functions similarly to a regional administration.

A village is defined as "a legal community unit that has jurisdictional boundaries, has the authority to regulate and manage the interests of local communities based on their origins and local customs that are recognized and respected in the Government system of the Unitary State of the Republic of Indonesia" (Law No. 32 of 2004, as amended by Law No. 23 of 2014 concerning Regional Government)." The tenets of diversity, inclusion, true autonomy, democratization, and community empowerment form the basis for the rules of the villages.

Law No. 6 of 2014 concerning Villages defines "Village Government" as the branch of government responsible for representing the needs and interests of villages within the NKRI polity. The Village Head is the Chief Executive Officer of the Village Government. According to Article 202 of Law No. 32 of 2004 regarding Regional Government, the Village Head serves as the Chief Executive Officer in charge of enforcing the provisions of the Village Government System with the help of the Secretary and other officials.

The Village Head has responsibilities and authority in the areas of governance, development, and society as outlined in Articles 14 and 15 of governance Regulation No. 72 of 2005 regulating villages. The Village Head is responsible for governing the village, organizing village growth in a democratic way, and overseeing communal affairs. The Village Head also has the authority to do these things. The Village Head is also responsible for ensuring the safety of the populace, preventing disorder, and instituting a KKN-free system of government.

The Village Head is responsible for managing the village's finances, is accountable for his actions, and must uphold the Republic of Indonesia's integrity as he carries out his duties and authority. In addition to reporting to the Regent/Mayor, the BPD, and the community, the Village Head is responsible for providing a report on the implementation of village government to the Regent/Mayor.

Understanding and properly discharging the Village Head's duties, authority, and obligations in accordance with applicable laws and regulations is crucial given the importance of the Village Head's role as a leader in the Village in ensuring the implementation of good and correct governance. Specifically, the role of state administrative law in regulating and guaranteeing the implementation of clean, effective, and efficient governance at the village level cannot be overstated.

Based on the Village Law, Indonesia's decentralized system of local governance gives villages more say over their daily operations. A village head serves as the village's executive leader, while the DPRD acts as the community's legislative body. Additionally, a Village Consultative Body (BPD) serves as a representative entity for the village community in every Indonesian village.(Wiguna dkk., 2017)

The BPD is an organization elected by locals to represent their interests and communicate their concerns to the village authority. When it comes to village government, the BPD's opinion and suggestions to the village head and DPRD are crucial. The BPD can also keep an eye on how the village chief and DPRD are doing in their respective roles. Despite BPD's critical function within the framework of village administration, research indicates that it faces a number of difficulties. Mukhlis (2019) found that a major issue is people in rural areas not realizing how important BPD is to their everyday lives. In addition, Rasyid's (2018) investigation of various rural communities reveals that nepotism is still a factor in the selection of BPD members.(Rasyid, 2018)

Efforts should be made to raise village community understanding and information about

the role and function of BPD in order to overcome the obstacles and problems faced by BPD. In addition, there must be openness and accountability in the selection of BPD members to prevent favoritism. The BPD is a representative body for the community and plays a significant role in the administration of the village as a whole. Accordingly, the BPD's position and function need to be strengthened so that it can more effectively represent the interests of rural areas.

From the Standpoint of State Administrative Law, the Legislative Authority of the Village Consultative Bod

Figure 1

The Five Main Tenets of Administrative Law in a State



The following is an explanation of the five main tenets of administrative law depicted in the image above:

1. To not delegate authority
   One of the five pillars for comprehending the nature and scope of state administration is the Doctrine of Nondelegation. Prof. Gary Lawson of Boston University Law School remarked in a 2001 law review article, "The Nondelegation Doctrine may be dead as a doctrine, but it is very much alive as a subject of academic study." The author argues that the doctrine of Nondelegation and the legal principle that states that legislative bodies cannot delegate their legislative powers to agencies executive or private agency violate the principle of separation of powers by allowing administrative agencies to issue regulations with the force and effect of law. To rephrase, legislators must not delegate the making of laws to others. It has been argued that legislation that vest absolute power in the executive or judicial branches are not delegations, and that the creation of administrative regulations is distinct from the legislative process.
2. Judicial respect
   When a court provides an agency's interpretation of a statute or regulation enacted by that agency, the court is expected to give the agency's interpretation deference as a matter of judicial review. If the agency's reading of a statute or rule is found to be reasonable, the court must uphold it, even if the court itself would prefer a different view.

3. The Executive Directs Agencies(Rasyid, 2018)
   The executive branch has ultimate say over government entities through its appointment and removal powers. The Indonesian government has complete discretion over who gets appointed to positions of power, including village chiefs. However, with the reform and regional autonomy implemented in 1998, this has altered.
4. Legal protections
   The primary points of contention regarding the role and limits of state administration often center on the concept of procedural rights. Legal procedure guarantees a forum for public discussion on the legislative process. Citizens' access agency rule is also part of the procedure-reasoning and settling-on-decision making.
5. Dynamic Agency
   When discussing the makeup and operation of administrative bodies, the term "agency dynamics" is often employed. Although the majority of federal agencies report to the executive branch, some operate independently or are housed in other parts of government. Institutional oversight and communication across different governmental agencies are both affected by these structural shifts. This component necessitates familiarity with the institution's rulemaking and judicial review procedures.

There are connections between the five main pillars of administrative law and the function of the Village Consultative Body (BPD) in Indonesia's decentralized system of village administration. The first pillar is the idea of nondelegation, which states that legislators may not delegate the power to legislate to anybody else. This means that the BPD, as a representative entity for village residents, need the approval of both the village head and the village DPRD before it can enact any rules or policies. The BPD is tasked with advocating for the rights of the villagers it serves and providing input to the DPRD and village chief.

The second pillar, judicial deference, refers to the idea that courts should give agencies the benefit of the doubt when it comes to interpreting the legislation or rules they've enacted. What this implies in practice is that the BPD can advise the village chief and DPRD on what to do, but the chief and DPRD have final say in all village-level matters.(Lawson, 2002). The ability to nominate and remove officials under executive authority is central to the third pillar, which deals with executive control of agencies. The Indonesian village chief has absolute power to appoint all other local officials. However, the BPD can keep an eye on the mayor’s behavior and make suggestions about how to improve village government.

Procedural rights in the lawmaking process are the focus of the fourth pillar. This has to do with the way villagers and the BPD work together to reach an agreement on important matters affecting their neighborhoods and communities.

The fifth pillar, agency dynamics, is concerned with the make-up and operation of governing bodies. This is connected to the role of the BPD in the village as a community representative institution with the power to advocate for the rights of villagers, participate in decision-making processes, and monitor the actions of the village chief and DPRD. Law number. 6 of 2014 respecting Villages establishes the role of the Village Consultative Body (BPD) under the Indonesian village governance system. According to Article 17 paragraph (1), "BPD is a village representative institution which is located under the village head and is responsible to the people in carrying out its functions and duties."

The BPD serves as a representative body for the villagers, advocating for their rights and giving them a voice in the decision-making processes of the village chief and the DPRD. Village Law Article 98 Paragraph 1 states that "BPD functions as a representative institution for village communities in implementing village authority." Moreover, the Village Law's Article 96 paragraph (1) reads, "village policies are determined based on deliberation to reach consensus carried out by the village head and BPD."

The BPD is 'lso responsible for monitoring the"actions of the village chief and DPRD. Specifically, the Village Law stipulates in Paragraph (2) of Article 97 that "BPD monitors the performance of the village head and village DPRD, and provides recommendations on village government policies and the actions of the village head." In addition, BPD can monitor the overall functioning of the village administration. In the words of Article 98 (2) of the Village Law, "BPD has the right to ask questions, provide suggestions, and supervise the implementation of development and public services in the village." The BPD is responsible for advocating for villager rights and providing input to the village chief and DPRD.

BPD must follow all laws and regulations when exercising its powers and performing its responsibilities. According to Article 101 of the Village Law, "BPD is responsible for carrying out its duties and functions in accordance with the provisions of applicable laws and regulations." As a result, BPD plays a crucial role in Indonesia's decentralized system of local administration. The BPD is a community representative entity with the capacity to advocate for the rights of village residents, participate in decision-making processes, and monitor the efficiency of the village chief and DPRD.

According to Article 105 of Law No. 23 of 2014 Regarding Regional Government, BPD is responsible for the following:

1. Help the Village Chief establish and oversee the execution of village government work plans;
2. Supporting and directing local hopes and dreams;
3. Supporting and directing the hopes of neighborhood organizations in rural areas;
4. Monitor the establishment of local government;
5. 5. Under the direction of the Sector Police or local Police, uphold security and law and order in rural neighborhoods.

In accordance with Article 105 of Law No. 23 of 2014, BPD serves multiple purposes. The BPD's primary function is to provide support to the Village Head in developing and supervising the village government's operational strategy. This event exemplifies BPD's part as the Village Head's strategic partner in administrative management and leadership. Furthermore, BPD helps to accommodate and channel communal goals, such as those of village community institutions. This action exemplifies the BPD's position as a conduit between the community and the village government, ensuring that local hopes and concerns are reflected in official village plans and initiatives.

Third, BPD is crucial in ensuring that village governance is effectively implemented. The primary goal of this oversight role is to guarantee that democratic norms are upheld in the administration of village affairs. The fourth function of the BPD is to assist the Sector Police or local Police in enforcing law and order in rural areas. This function illustrates how BPD plays a part in ensuring the safety of rural communities so that residents can go about their daily lives without fear. Law enforcement is needed in handling the problem (Jaya, 2020).

As a whole, BPD's responsibilities as outlined in Law no. 23 of 2014 demonstrate the agency's value as a village government institution charged with ensuring that village government is carried out in a way that is consistent with democratic principles and the best interests of local communities.

Article 63 of Minister of Home Affairs Regulation No. 110 of 2016 pertaining to the Village Consultative Body specifies the BPD's authority:

1. Have town hall style meetings to find out what the people of the village want and what problems they have with the current form of government;
2. Informing the municipal council of the village's hopes and dreams orally and in writing;
3. It has the authority to submit a draft of the village's regulations;

4. Perform regular checks and assessments of the Village Head's work;
5. Seek the Village Head's and his staff's consent on all matters pertaining to the Village Government, both now underway and previously completed;
6. Offering commentary on issues related to village administration, village development, village society development, and local community empowerment;
7. Seven. Keeping an eye on local hopes and dreams; preserving the legitimacy and stability of village government; establishing a new standard for good governance in village government;
8. Construct BPD Regulations;
9. Report findings from random inspections to the Regent/Mayor via the District Manager;
10. Propose an operating cost plan for the BPD to the Village Head in writing for inclusion in the RPBDes;
11. Costs of BPD operations must be managed;
12. Suggesting to the Village Head the creation of a meeting place for the various organizations in the village to talk to one another;
13. Visiting the neighborhood to check in on how things are doing with the village government."

The Minister of Home Affairs Regulation No. 110 of 2016 concerning Village Consultative Bodies, Article 63, lays out in detail the BPD's authority in a number of areas, such as convening community meetings, relaying community hopes to the village government, submitting draft village regulations, monitoring and evaluating the performance of the village head, inquiring into and providing feedback on the implementation of village government, and providing opinions on various matters.With these powers, BPD plays a crucial role in monitoring and ensuring that village government performance is smooth and founded on good governance, and in facilitating the effective expression of community aspirations. This can also be done through a complaint and dispute resolution mechanism (Fasyehhudin, 2022).

The entire governing body is chosen by the people of the area. A regional government is a sub-national government agency with the autonomy to formulate and enact policies that serve the interests of its constituents. The BPD changes the political status and role of the Village Head by entrusting them with legislative, controlling, and aspirational duties. The political struggle in the village will be profoundly affected.

Each type of power is typically referred to as "policy making" or "policy executing" in the field of public administration. Governance is the process of making rules that may be applied to a wide variety of specific cases (beschikking) or physical deeds (such as the

provision of services or the improvement of physical infrastructure). The need for decentralization led to the establishment of regional governments.

Despite these findings, research also shows that the BPD in villages is sometimes distorted by the subjective appointment of "special" citizens who are deemed close to the Village Head and hence more likely to support the Village Head's agenda. The BPD's ability to perform checks and balances has been weakened as a result of this action on the part of the local government.(Abrianto, 2011) The BPD has had a profound effect on altering the traditional notion of village administration in which the Village Head holds the ultimate authority. This transfer of power from the Village Head to the BPD mirrors the three (three) roles of legislative institutions played by the DPR and DPRD: legislation, budgeting, and controlling.

The Village Head's authority has been delegated to the BPD in three different areas: the creation of the Village Regulations, the creation of the Village Budget, and the management of the Village's finances, and the recruitment of Village officials. The BPD was formed, then, to aid the Village Government in realizing the people of the village's hopes and dreams through the implementation of a more democratic form of government. This has important implications for theories of decentralization, authority, and supervision.

State administrative law, as defined by Benny S. Tabalujan, is a subfield of public service and government administration law. Effective, efficient, transparent, accountable, and fair delivery of government and public services is essential, and this is where state administrative law comes in.(Abalujan, 2017) In this instance, the principles of fairness and accountability in local government might be linked to BPD-related legal difficulties. As was previously established, the BPD's ability to serve as a system of checks and balances can be weakened if the Village Head has too much discretion in the selection process for BPD members. This may affect the village's ability to make fair decisions and manage its finances.

State administrative law may be relevant to concerns raised by the Village Consultative Body's (BPD) change in the position and political role of the Village Head. The Village Head is a local government official with the power to establish laws and take action on behalf of his constituents. The political position and function of the Village Head in the village has changed due to the existence of the BPD which has legislative, control, and aspiration-raising functions.

This raises questions about the legitimacy of choices made by local governments in the

name of their constituents. However, the administration of democratic governance based on the principle of decentralization might also involve these legal concerns. Local governments, which are bound by the values of law, justice, and openness, must consider how this aspect of state administrative law affects their policies, actions, and decision making.

To address these issues, states can look to administrative law to bolster member selection regulations and oversight mechanisms for BPDs. To achieve this goal, the BPD and the community can work together to improve the rules and procedures for electing new BPD members so that they are more open and inclusive. The ability of BPD members to perform legislative and supervisory tasks over village government can be improved through training and coaching programs implemented by regional governments.

Some state administrative law-based legal strategies for resolving BPD-related issues are:

1. Using transparent processes, such as public meetings and wide-ranging voter turnout, to select BPD members in accordance with the idea of transparency. The village authority, for instance, might notify all people of the village about the selection criteria and requirements for potential BPD members through, say, community outreach events. All interested parties can have a voice in selecting BPD members because discussions can be made in public with input from villagers.
2. The BPD is involved in APBDes preparation and monitoring in order to apply the principle of responsibility to village financial management. To produce the APBDes and oversee village financial management, the village authority, for instance, may call a meeting of the BPD and village authorities. The BPD can attend this meeting to offer comments on budget distribution and promote openness in the village's fiscal administration.
3. Third, considering the interests of the community as a whole when making decisions, so that everyone in the village has a fair shot at success. When making choices about the growth and administration of the village, for instance, the governing body can speak with locals and take their wishes into account. In addition, the village council can organize community potential development initiatives to ensure that every resident of the village has an equal opportunity to contribute to the growth and management of the village.

Given this, the aforementioned legal fixes are highly pertinent to the state administrative law approach to addressing issues connected to the Village Head's new role and responsibilities as set forth by the Village Consultative Body (BPD). In addition, these recommendations make reference to the principles of state

administrative law, such as openness, accountability, and fairness in the operation of local government.

To guarantee a fair and democratic procedure, it is crucial that the principle of transparency be applied to the selection of BPD members. It is possible for the Village Head's subjective deliberations on BPD member selection to be distorted if the election process is not transparent and clear. In addition, the objectives of the community can be accurately reflected in the elected BPD member candidates if all villagers are actively involved in the election process.

Involving the BPD and applying the principle of accountability to village finance management is also crucial for achieving these goals of openness and responsibility. Financial management in the village can be overseen and guided by BPD to ensure it is done properly and does not affect the community. In order to make judgments that fairly represent the hopes and dreams of the community and give all village inhabitants equal opportunity to contribute to village growth and management, it is crucial to use the principle of justice in decision making. The resulting choices will be more representative of the people and more beneficial to the greater good.

By appealing to principles of state administrative law like transparency, accountability, and justice in the administration of village government, the aforementioned legal solutions can solve issues caused by the Village Head's political position and function being changed by the Village Consultative Body (BPD). It is envisaged that the village government would function more smoothly and efficiently with the implementation of these changes

4. Conclusion

State administrative law plays a significant role in guaranteeing government and public services are provided in a way that is efficient, transparent, accountable, and just. Legal issues with the Village Consultative Body (BPD) include a potential weakening of the BPD's checks and balances as a result of changes to the post and political role of the Village Head. Strengthening regulations and monitoring systems for the process of appointing BPD members, integrating BPD in managing village finances, and recognizing community objectives are all ways in which a state administrative law approach might be implemented. As a result, the village government may function more efficiently and effectively, and the community can reap the most possible benefits.

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