

Implementation of the Legislative Function of the Village Consultative Body in Kaliki Village, Kurik District - Merauke Regency

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ABSTRACT

This research aims to analyze how the effectiveness of the implementation of the ruling of the Administrative Court of the State and what are the factors that influence the effectiveness of the Court ruling The country. The research was carried out on the courts of The State of Makassar, data collection techniques are carried out by means of interviews and read scientific books, magazines, newspapers and other readings related to research. Results of the study showed that the effectiveness of the implementation of the ruling of the Court of The Country has not been effective, because so far there are still many Administrative Bodies and Officials of countries that are unwilling to comply with the ruling of the Court of The country, then plus the lack of participation of the parties to the dispute has led to a court could not ascertain whether a State Administrative Court ruling that has a magnitude of law has been implemented or not. As for the factors that influence the Court ruling The Country, among which is the absence of a special eksekutorial institution or institution of sanctions in carrying out the Court ruling The country, The official low awareness Countries in obeying the Court ruling The Country, the absence of more detailed provisions governing sanctions if the verdict is not implemented. Advice from the research is that, should the Government contains provisions governing the institutions executorial institutions or special sanctions ruling of The judiciary of the State, so the State Administrative Court's verdict can be run and judicial administration can emerge again in the eyes of the community.

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1. INTRODUCTION

Legal reform in the 4.0 era requires that all government administration instruments, both at the center and at the village level, be able to carry out the provisions of the applicable laws and regulations by being given authority based on the provisions of the laws themselves.

In village governance, the village consultative body acts as a partner of the village head who has authority based on article 55 of law number 6 of 2014 concerning villages, namely discussing and agreeing on draft village regulations. Based on statutory regulations, the Bamuskam must be able to form draft village regulations originating from the Bamuskam initiative by exploring community aspirations such as recess, discussions with the community in the task area of each member of the Bamuskam.

In its implementation, the Bamuskam has not been able to discuss and agree on draft village regulations that are in accordance with their functions. The influencing factors are; first, the lack of adequate human resources, caused by the low quality of community education in the village. Second, the lack of outreach to the Bmuskam regarding the procedures for drafting a village regulation that is correct from experts. Third, the lack of communication between the village community empowerment service and village consultative bodies regarding guidelines for drafting village regulations.

Given the many problems related to the drafting of village regulations which resulted in the absence of village regulations originating from the Bamuskam initiative. Bearing in mind Article 55 letter a of Law Number 5 of 2014 concerning Villages which places the Bamuskam in order to be able to form draft village regulations, however, until now the Village Consultative Body has not been able to form draft village regulations originating from the Bamuskam initiative in Kaliki village, Kurik district, Merauke Regency. The government, in this case the Village Community Empowerment Service, has not been optimal in providing socialization and training to village apparatus so that they can carry out their functions in accordance with Article 55 letter a of Law Number 6 of 2014 concerning Villages.

Rural development is carried out based on three principles, (a) the principle of integral development, (b) the principle of self-power, and (c) the principle of mutual agreement, namely:¹

- a. The principle of integral development is balanced development from the point of view of the village community which includes the agricultural sector, housing health and so on, so as to ensure development that is harmonious, balanced and not one-sided.
- b. The principle of own strength is that every effort must be carried out on the strength or ability of the village itself, meaning not expecting too much help from the government.
- c. The principle of mutual agreement means that development efforts must be carried out in fields or sectors that are truly felt as a need for the village community concerned at that time which has included the idea of independence in rural development.

Participation of community members is the involvement of community members in development, including activities in planning and implementation (implementation) development programs/projects carried out in local communities.²

Participatory planning is necessary because it provides at least the following benefits:³

- a. Community members are able to critically assess their socio-economic environment and are able to identify areas/sectors that need improvement, so that their future direction is known.

¹ Rahardjo Adisasmita, 2018. *Pembangunan Perdesaan*, Pakar, Yogyakarta, p. 98

² *ibid*, p. 104

³ *ibid*, p. 110

- b. Community members can play a role in planning for the future of their community without the need for the help of experts or development planning installations.

The principles regarding the formation of laws and regulations based on Article 5 of Law Number 12 of 2011. These principles include:

- a. The principle of clarity of purpose is that each Formation of Legislation must have clear objectives to be achieved.
- b. The proper institutional principle or forming official is that each type of Legislation must be made by a state institution or authorized Legislature Forming official. These laws and regulations can be canceled or null and void if they are made by a state institution or an unauthorized official.
- c. The principle of conformity between types, hierarchies and content material is that in the Formation of Legislation, it is necessary to pay close attention to the appropriate content according to the type and hierarchy of Legislation.
- d. The principle that can be implemented is that each Formation of Legislation must take into account the effectiveness of said Legislation in society, both philosophically, sociologically, and juridically.
- e. The principle of usability and effectiveness is that every Legislation is made because it is really needed and useful in regulating the life of society, nation and state.
- f. The principle of clarity of formulation" is that each Legislation must meet the technical requirements for the preparation of Legislation, systematics, choice of words or terms, as well as legal language that is clear and easy to understand so as not to give rise to various kinds of interpretation in its implementation.
- g. The principle of openness is that in the Formation of Legislation starting from planning, drafting, discussing, validating or stipulating, and enactment, it is transparent and open. Thus, all layers of society have the widest possible opportunity to provide input in the Formation of Legislation.

The theory of legal effectiveness according to Soerjono Soekanto is that whether a law is effective or not is determined by 5 (five) factors, namely:

- a. The legal factor itself (law).
- b. Law enforcement factors, namely the parties that form and apply the law.
- c. Facility factors or facilities that support law enforcement.
- d. Community factors, namely the environment in which the law applies or is applied.
- e. Cultural factors, namely as a result of work, creativity and taste based on human initiative in social life.

Steers (1985:8) mentions four factors that influence effectiveness, namely⁴:

- a. Organizational Characteristics is a relationship that is relatively fixed in nature such as the composition of human resources contained in the organization. In the structure, humans are placed as part of a relatively fixed relationship that will determine the pattern of interaction and task-oriented behavior.
- b. Characteristics of workers is the most influential factor on effectiveness. Each individual has many differences, but individual awareness of these differences is very important in achieving organizational goals. So if an organization wants success, the organization must be able to integrate individual goals with organizational goals.

⁴ Steers, Richard M. (1985). *Organizational Effectiveness*. Jakarta: Erlangga.

- c. Environmental characteristics include two aspects, namely: (1) External Environment, namely the environment that is outside the boundaries of the organization and is very influential on the organization, especially related to decision making and taking action. (2) Internal Environment, namely the overall environment within the organization known as organizational climate.
- d. Characteristics of Management are strategies and work mechanisms designed to condition all things within the organization to achieve effectiveness. Management policies and practices are tools for leaders to direct every activity in order to achieve organizational goals. In carrying out management policies and practices, it must pay attention to humans, not only concerned with strategies and working mechanisms. This mechanism includes setting strategic goals, finding and utilizing resources, creating an achievement environment, communication processes, leadership and decision-making, as well as adaptation to changes in the organization's innovation environment.

According to Bagir Manan, who quoted P.J.P's opinion regarding wet in materiele zin, it describes the meaning of legislation in a material sense, the essence of which includes the following:⁵

- a. Laws and regulations in the form of written decisions. Because it is a written decision, statutory regulations are the rules of written law (geschrevenrecht, written law).
- b. Laws and regulations are formed by officials or positions (bodies, organs) who have the authority to make "regulations" that apply or bind the general public (algemeen).
- c. Legislation is generally binding, not meant to always be binding on everyone. General binding only indicates that the Laws and Regulations do not apply to concrete events or certain individuals.

Maria Farida Indrati Soeprapto stated that the term Legislation (legislation, wetgeving, or gesetzgebung) has two meanings:⁶

- a. Legislation is the process of forming or forming state regulations, both at the central and regional levels.
- b. Legislation is all state regulations, which are the result of the formation of regulations, both at the central and regional levels.

Soehino gives the definition of the term Legislation as follows:⁷

- a. The first means the process or procedure for the formation of state legislation, from the highest type and level, namely the law to the lowest, which is produced by attribution or delegation of statutory powers.
- b. The second means the entire product of these laws and regulations.

The basis for the authority to form legislation includes two foundations of authority, namely:⁸

⁵ Mahendra Kurniawan dkk. 2008 Pedoman Naska Akademik PERDA Partisipatif. Kreasi Total Media. Yogyakarta. Cet. Ke 1 p. 5

⁶ Maria Farida Indrati Soeprapto, Ilmu Perundang-undangan, Yogyakarta: kanisius, 2007, p.3

⁷ Mahendra Kurniawan, op. cit

⁸ Achmad Ruslan. 2013. Teori dan Panduan Praktik Pembentukan Peraturan Undangan Undangan di Indonesia. Pendidikan Rangkang. Yogyakarta. p. 67

- a. The Foundation of Formal Authority The foundation of this formal authority is that the formation of statutory regulations must be based on provisions that give authority to the authorized institution or official to form said statutory regulations.
- b. The basis of material authority The basis of this material authority is that the formation of laws and regulations must be based on the provisions of laws and regulations that are higher or equivalent which give authority to form such laws and regulations from the point of view of the material content.

2. METHOD

This research is a Socio-Legal research⁹. This research is also known as non-doctrinal research. Non-doctrinal research places observations on social realities not to be placed as general propositions. Nondoctrinal research looks for patterns of constancy or patterns of relationship (correlation or causal) between various phenomena that manifest the presence of laws in the natural world. This study uses a descriptive analytical approach, namely the procedure or problem solving research is carried out by describing the object under investigation as it is based on actual facts at the moment not limited to data collection but includes analysis and interpretation of the meaning of the data.

This research was conducted in Kaliki Village, Kurik District, Merauke Regency, namely the Office of the Head of Kaliki Village, Kurik District, Merauke Regency, as well as the Office of the Village Consultative Body. The research location was chosen based on the authoritative approach and the level of involvement of the agency.

Data collection begins with secondary data collection through library research. The secondary data that has been analyzed will be used as a guide for making a list of questions. The list of questions is used later as an instrument for collecting primary data through in-depth interviews with informants and respondents. Data from respondents was carried out using the accidental sampling method. Based on this method, the selected respondents are the chairman of the Village Consultative Body and its members. The process of data analysis is carried out continuously starting with reviewing all available data from various sources. Data analysis was carried out qualitatively on the information obtained from interviews and literature studies. Data analysis was carried out after the data collection stage. Study of the implementation of the Legislative Function of the Village Consultative Body in Kaliki Village, Kurik District, Merauke Regency.

3. RESULTS AND DISCUSSION

3.1. Legislative Functions of the Kaliki Village Consultative Body

3.1 Planning

The systems, processes, and procedures applied in the bureaucracy in Papua are still legally oriented with a hierarchical approach.¹⁰ Policy is a human

⁹ Julianto Jover Jotam Kalalo, 2018. *Politik Hukum Perlindungan Hak Ulayat Masyarakat Hukum Adat di Daerah Perbatasan*. Makassar: Fakultas Hukum Universitas Hasanuddin

¹⁰ Bauw, L. (2022). Affirmation Policy Formulation in the Field of Staffing in Meeting the Need to Create Quality Employees. *Musamus Law Review*, 5(1), 18-26.
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understanding of activities related to problems.¹¹ In the planning stage what should be done by Bamuskam is exploring community aspirations. Based on Article 5 Paragraph (2) of the Minister of Home Affairs Regulation concerning Technical Guidelines for Village Regulations, namely "Social institutions, customary institutions and other village institutions in villages can provide input to the Village Government and/or BPD for plans to draft Village Regulations." can participate in providing input into plans for drafting village regulations including indigenous peoples' groups, women's groups, plantation groups, agricultural groups, hunting groups, as well as representatives from RT areas. 19 from each of these groups provided input and the input was accommodated into a collection of ideas and ideas.

Which is then processed by filtering aspirations and the results of extracting aspirations are conveyed in the Bamuskam deliberations to be managed through administration and formulation of aspirations. The Head of Kaliki Village stated that "Bamuskam does not carry out activities to explore community aspirations in areas and community groups. What has been done is that they have gathered community groups from each hamlet but no aspirations have been explored from the community.

Furthermore, related to the understanding of the function of legislation, it can be seen that they do not understand the planning procedures in forming village regulations due to limited knowledge. the implementation of the legislative function by the Bamuskam in Kaliki village has not proceeded according to good procedures. it was found that there was a manipulation of people's aspirations which was made as a formality, without prior exploration of aspirations. This shows that at the planning stage the Bamuskam has not explored the aspirations of the people, as a result, the will of the people, which should be the main target of governance, has not been achieved.

Whereas the highest political power and sovereignty are in the hands of the people. The custom of the Bamuskam in Merauke district is that all programs and activities of the Bamuskam are always initiated by the village head and his apparatus. Bamuskam has not been able to carry out its duties and functions independently. Independence is an achievement in which the Bamuskam has been able to carry out its own duties and functions and propose draft village regulations based on initiative and innovation.

There are several aspects that can show the independence of the Bamuskam, namely:

a. Responsibilities, namely the ability of Bamuskam in completing its duties and functions. Based on the research results, the Bamuskam has not been able to form village regulations based on the Bamuskam's initiative.

b. Autonomy, i.e. the ability of the Bamuskam to carry out its functions, one of which is the legislative function, namely forming village regulations in accordance with the mechanism for forming regulations for the formation of statutory regulations. Based on the research results, Bamuskam has not been able to form village regulations due to a lack of knowledge and understanding of the mechanisms for forming statutory regulations.

¹¹ Julianto Jover Jotam Kalalo, Thimon Febby. (2022). Local Government Policy Model in Utilization of Rice Harvested by the Merauke Community. *Musamus Law Review*, 4(2), 105-117. <https://doi.org/10.35724/mularev.v4i2.4733>

c. Initiative, based on the legislative function, the Bamuskam has the right of initiative to propose draft village regulations. In practice, the Bamuskam has not been able to propose village regulations originating from the Bamuskam initiative. One of the factors that influence the independence of the Bamuskam is because the management and operational costs of the Bamuskam are managed by the village apparatus, even though the Bamuskam has the right to propose and obtain operational costs to finance the programs and activities of the Bamuskam. This shows a weak point in the implementation of the functions of the Bamuskam, that the Bamuskam has not been able to regulate and manage members of the Bamuskam to act independently. The Bamuskam is given the authority to be involved in administering village governance, so the role of the Bamuskam is crucial to the success of village governance because of its position as a partner of the village head.

For that Bamuskam must be independent in the implementation of programs and activities. To increase the independence of the Bamuskam in carrying out its legislative functions. The independence in question is the initiative of the Bamuskam in proposing draft village regulations based on the ideas and proposals of the Bamuskam. So what is needed by the Bamuskam to increase its independence, namely;

- a. Improving the responsibility of the Bamuskam in completing its duties and functions, especially in forming village regulations. The Bamuskam needs to improve its skills and knowledge by participating in training on forming village regulations.
- b. Improving the ability of Bamuskam to be able to form village regulations that are in accordance with the mechanism for forming village regulations.
- c. Enhance Bamuskam initiatives to propose innovative draft village regulations.

In addition, community participation is a benchmark in the planning stage, because the Bamuskam is a representative of the community, according to Sherry R. Arnstein, the ideal level of community participation that must be achieved by the Bamuskam is at the Citizen Control level, namely the condition of the people who have mastered public policy starting from formulation, implementation to evaluation and control.

Based on the observations of researchers, the characteristics that arise from the condition of the Bamuskam in Kampung Kaliki show that it is still at the Manipulation stage, namely the lowest stage which indicates that there is no efficient communication between the village government and the Bamuskam. The weakness of the legislative function lies with the members of the BAM, who are appointed only as a formality and do not come from representing community groups.

3.2 Preparation

In the drafting stage of village regulations, the Bamuskam has the right to draw up village regulations that do not conflict with Article 7 paragraph (2) of Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 111 of 2014 concerning Technical Guidelines for Village Regulations, namely "Draft Village Regulations as referred to in paragraph (1) except for draft Village Regulations regarding Village medium-term development plans, draft Village Regulations regarding Village Government work plans, draft Village Regulations concerning Village APBs and draft Village Regulations concerning accountability reports on the implementation of Village APBs."

Because it is the authority of the village head and his apparatus, in addition to what is stated in article 7 above, the Bamuskam has the right to determine according to the aspirations of the community. Based on the results of an interview on September 18, 2021 in the village of Kaliki, according to Mr. Damianus Ndiken, a member of the Bamuskam, he stated that "in the village of Kaliki, the implementation of the legislative function by the Bamuskam is less effective, due to a lack of contribution in the formation of village regulations.

in Kaliki village, the implementation of the legislative function has not been effective because there have been no proposals and draft village regulations proposed by the Bamuskam. besides that in Kaliki village the implementation of the legislative function has not been effective because at the drafting stage the Bamuskam did not understand the mechanism for drafting village regulations due to limited human resources." In addition, there is a lack of communication between the Bamuskam and the village apparatus.

One of the benchmarks for drafting village regulations is by measuring the quality of members of the Bamuskam. based on the results of the study showed that the low quality of the Bamuskam was caused by low qualifications in the field of education, especially in the field of law. This condition indicates that the low level of education of Bamuskam members reduces the quality of Bamuskam members in carrying out their functions, one of which is the function of legislation.

Based on the hierarchy of legislation, village regulations are included in other types of laws and regulations, so the formation of village regulations must be in accordance with the mechanism for forming statutory regulations. When compared between village regulations and higher regulations, the scope of village regulations is quite narrow, but research and exploration of community aspirations are needed so that the village regulations made can be effective and on target.

because the lack of human resources in the field of law resulted in the weakness of the Bamuskam in drafting village regulations. Bagir Manan states that laws and regulations are formed by officials or the environment (bodies, organs) who have the authority to make "regulations" that apply or bind the general public (algemeen).

Legally and theoretically, the Bamuskam has the authority to form village regulations, but qualitatively, the Bamuskam does not have sufficient competence, especially in the field of law. So in practice, the Bamuskam in Merauke Regency often uses legal consultants such as academics, practitioners and community social institutions to help draft village regulations systematically in accordance with village regulations guidelines.

This method does not only exist at the village community level, but at the regional, provincial and central levels. This was done because of the incompetence and educational background of the Bamuskam which was not competent to draft village regulations. Conducting research requires ability and knowledge in the field of law and other fields. Based on the principle of clarity, the formula "that every Legislation and similar regulations must meet the technical requirements for the preparation of Legislation, systematics, choice of words or terms, and legal language. clear and easy to understand so as not to cause various kinds of interpretations in its implementation.

Apart from that, the government, in this case the Village Community Empowerment Service and the village government, lack training related to the technical formation of village regulations. As a result, the legislative function of the

Bamuskam does not run effectively. So to optimize the performance of the Bamuskam in carrying out its legislative functions, it is necessary to improve the quality of the members of the Bamuskam. To improve the quality of the Bamuskam, what needs to be improved is; 1) Bamuskam needs to understand the mechanism for forming village regulations by optimizing training for forming village regulations by academics and legal practitioners. The aim is to increase the understanding of Bamuskam in forming village regulations. 2) Bamuskam can cooperate with academics and practitioners to provide assistance due to limited human resources in the village. The assistance in question is coaching, training, research that can support the implementation of the formation of village regulations

3.2. Discussion about Legislative Functions of the Kaliki Village Consultative Body

At the discussion stage of the village regulation draft based on Article 8 Paragraph (1) of the Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 111 of 2014 concerning Technical Guidelines for Village Regulations, namely "The BPD invites the Village Head to discuss and agree on the draft Village Regulation." In the case of inviting village heads, the implementation takes place during village meetings. Based on the results of an interview on September 25, 2021 in Kaliki village, according to Mr. Timotius Balagaize, "in the 28 village meetings, there has been no discussion about the draft village regulations proposed by the Bamuskam".

Based on the results of an interview with Mr. Rudolf Mahuse as chairman of the Bamuskam, "There has never been a discussion on the draft village regulation". Based on the results of an interview with Mr. Dance Kaize as deputy chairman of the Bamuskam, "I have never participated in discussion activities regarding the draft village regulations". Based on the results of an interview with Mr. Yusepus Gebze as secretary of the Bamuskam, "I have never been invited to a discussion on the draft village regulations."

Based on the results of an interview with Mr. Damianus Ndiken as chairman of the Bamuskam, "in Kaliki village there has not been any discussion of the village regulation draft because there have been no proposals and village regulation drafts proposed by the Bamuskam."

Based on the results of an interview with Mrs. Antoneta Gebze as a member of the Bamuskam, "in the Kaliki village there has been no discussion of the village regulation draft because as a member of the Bamuskam there has never been a proposal for a village regulation draft." The custom of the Bamuskam in Merauke district is that all programs and activities of the Bamuskam are always initiated by the village head and his apparatus. Bamuskam has not been able to carry out its duties and functions independently. According to the Kaliki village head, there were no village regulations in that village because so far we have often looked for 29 sources to help us in preparing parchments. Several times they held joint meetings to make parkam together, but due to the lack of understanding held by village officials and the village consultative body and the level of education that only graduated from elementary school, so far the parkam has not been made. Based on the results of the research, the implementation of discussions on draft village regulations by the Bamuskam in Merauke Regency has not been carried out effectively. According to the effectiveness theory, there are factors that affect the effectiveness or not of a legal system, namely the legal factor itself. Based on Article 55 letter a Law Number 6 of 2014 concerning Villages that the function of the Bamuskam is to discuss and agree on a draft village

regulation, the implementation is that the Bamuskam is able to compile a draft village regulation in accordance with the mechanism for forming statutory regulations. In practice, the Bamuskam in Kaliki district has not been able to compile a village regulation product. Because to form village regulations, it is necessary to specify capabilities in the field of law, while the majority of education levels for the chairman and members of the Bamuskam in Merauke district are junior high and high school. In addition, there is a lack of training related to the mechanism for forming village regulations. The implementation of discussions on village regulation drafts by the Bamuskam was not carried out effectively due to the low quality of the 30 Bamuskam in terms of ability and knowledge regarding the formation of village regulations, the Bamuskam has not been able to produce proposals and draft village regulations originating from the Bamuskam initiative.

- a. There are 4 characteristics to measure the effectiveness of Bamuskam members, namely: Organizational characteristics One of the factors that influence the effectiveness of the implementation of the discussion on draft village regulations by the Bamuskam is the organizational structure of the Bamuskam which has not been properly regulated in accordance with its duties and authorities. The Bamuskam in Merauke Regency should be able to create a structure that can support and accelerate the performance of the Bamuskam by dividing it into fields, task areas. So that each member can be responsible for the fields and areas of assigned tasks. What has happened is that there has not been a clear division of fields and areas of tasks for each member of the Bamuskam so that the implementation of the legislative function becomes ineffective.
- b. Characteristics of members of the Bamuskam Qualifications are the factors that most influence on the effectiveness of implementing village regulation draft discussions. The education level of Bamuskam is a benchmark to determine the ability of Bamuskam members. Forming village regulations requires expertise in law and other fields. Meanwhile, the educational level of the dominant members of the National Security Investigation Committee is at the elementary and junior high school levels, which of course has limited abilities. In addition, Bamuskam also received less training to improve their skills. So that the contribution of the Bamuskam in carrying out the discussion of the village regulation draft becomes less.
- c. Environmental characteristics Environmental factors also affect the effectiveness of the implementation of the legislative function, there are 2 environmental aspects, namely the external environment and the internal environment.
 - 1) The external environment is outside the boundaries of the organization, besides serving as a member of the Bamuskam there are other professions that are carried out by the Bamuskam. namely as a farmer, fisherman, sand miner and other professions to meet the needs of everyday life. When compared with representative institutions at a higher order, namely in the regions, provinces and the center with representative institutions in the village. The level of welfare is higher than the representative institutions in the village. This is one of the factors in the ineffective implementation of the legislative function, because the concentration of the Bamuskam is influenced by other work. Likewise

with Disaster is a series of events that can disrupt and threaten the life of a community, usually caused by human, natural and non-natural factors.

- 2) The internal environment that comes from within the organization, as a result of not properly structuring the organizational structure, the implementation of the duties and functions of the Bamuskam becomes disorganized. This is what causes members who are not actively involved because they do not have a task area and fields to carry out.
- d. Management Characteristics One of the factors that influence the performance of the Bamuskam in carrying out its legislative function is the management factor which includes strategy and planning for the formation of village regulations. because the contributions of Bamuskam members are passive, especially in channeling aspirations and supervision not through good planning so that the results are not in accordance with the objectives to be achieved. To optimize the effectiveness of Bamuskam in carrying out its legislative functions, what needs to be improved is:
 - 1) Improve the qualifications of the Bamuskam in terms of education in order to produce competent Bamuskam members.
 - 2) Increase the awareness of Bamuskam to explore and manage people's aspirations.
 - 3) Arrange the structure of the Bamuskam and improve the welfare of Bamuskam members
 - 4) Forming a village legislation program so that the formation of village regulations can be planned, systematic, directed.

4. CONCLUSION

The performance of the Bamuskam in carrying out the legislative function in the village has limited human resources, is not optimal in the planning, drafting and discussion stages so that the legal drafting mechanism cannot be realized and there is a lack of training and assistance from the authorities. then the solution is to optimize the performance of the Bamuskam by increasing the representative planning stage, increasing the systematic preparation stage, increasing the discussion stage by forming a village legislation program to organize the aspirations of the village community.

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