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The Dynamics of Institutional Relations between the Village Government and the Village Consultative Body in the Formation of Village Regulations

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Abstract: The formulation of Village Regulations is a crucial instrument for fostering democratic, participatory, and responsive village governance. However, in practice, the institutional relationship between the Village Government and the Village Consultative Body often encounters friction due to overlapping authorities, unequal legal comprehension, and local political dynamics. This situation reveals a significant gap between the normative ideals prescribed by legislation and the actual institutional practices at the village level. This study aims to analyze the institutional relationship between the Village Government and the Village Consultative Body in the formulation of Village Regulations under the prevailing legal framework, as well as to identify the key factors influencing the effectiveness of this relationship in governance practice. Employing a juridical-empirical approach, the study integrates legal analysis, literature review, and field data gathered through in-depth interviews. The findings indicate that the institutional relationship between the Village Government and the Village Consultative Body represents a co-governance model that ideally operates in synergy, yet is often constrained by limited human resource capacity, political asymmetry, and weak understanding of regulatory drafting procedures. These findings highlight the necessity of strengthening institutional capacity and improving collaborative mechanisms among village actors to realize the principles of good village governance effectively.

Keywords: Village Government, Village Consultative Body, Village Regulation

INTRODUCTION

The formation of Village Regulations constitutes a legal instrument that holds a strategic position within the Indonesian constitutional system, particularly within the framework of decentralization and village autonomy as stipulated in Law Number 6 of 2014 on Villages (Yasin, Widayati, dan Jufrin 2023). Perdes serves as a concrete mechanism for both the Village Government and the Village Consultative Body to exercise local authority in

a democratic and participatory manner. However, this regulatory framework simultaneously presents complex legal issues, especially concerning the institutional relationship between the two primary actors responsible for its formation: the Village Government and the Village Consultative Body.

Articles 55 and 69 of the Village Law stipulate that the Village Consultative Body has the function of discussing and agreeing upon draft Village Regulations together with the village head (Universitas Diponegoro dkk. 2020). In practice, however, this provision is subject to varying interpretations across different regions. In some cases, the Village Consultative Body is perceived merely as an advisory body, while in others, it is regarded as an equal partner possessing comparable initiative rights. This multiplicity of interpretations creates ambiguity in authority and institutional tension, which in turn affects the effectiveness of village regulation formation. The legal issue becomes increasingly significant due to the absence of jurisprudential guidance or authoritative legal interpretation from judicial institutions that could clarify the functional boundaries between these two bodies in the context of Perdes formation.

Empirically, the phenomenon of disharmonious institutional relations between the Village Government and the Village Consultative Body has emerged in various regions. Field observations and research findings indicate that the process of drafting Perdes often proceeds in a formalistic and non-participatory manner (Tohawi 2025). The Village Consultative Body is frequently involved only at the final stage to provide "administrative approval," rather than functioning as a deliberative partner in the legislative process at the village level. For instance, a study by Gunawan and Kamindang (2024) in Tirta Kencana Village, Toili District, Banggai Regency, found that the Village Consultative Body did not optimally perform its initiation and deliberation functions due to weak communication and limited human resource capacity.

Meanwhile, research conducted in Bukit Lingkar Village, Batang Cenaku District, revealed that many Village Consultative Body members lacked understanding of the legal mechanisms governing Perdes formation, resulting in the process being entirely dominated by the village head. Similar patterns have been identified in various regions across Java, Kalimantan, and Sulawesi, where institutional relations among village actors remain influenced by political patronage, the dominance of village heads, and weak traditions of legal deliberation at the local level. These conditions indicate that positive legal norms have not fully functioned as behavioral guidelines for institutions, but are often reduced by village socio-political dynamics.

From the perspective of constitutional and administrative law theory, this situation reflects a gap between *das sollen* (what ought to be) and *das sein* (what is). Normatively, the formation of Perdes should embody the principles of good village governance, including participation, transparency, accountability, and a balanced distribution of power between the Village Government and the Village Consultative Body(Lazar, Bapa Tokan, dan Separera Niron 2024). Their relationship should ideally reflect a co-governance model, in which each institution performs mutually controlling and complementary functions to ensure the production of legitimate and aspirational legal instruments. In reality, however, these functions do not operate as intended.

The Village Consultative Body is often positioned as a supplementary body lacking substantive bargaining power, while the village head assumes a dominant role in determining local policy substance. This imbalance not only reflects weak institutional capacity but also indicates that the principle of checks and balances at the village government level remains largely symbolic. Consequently, the formation of Perdes frequently lacks social legitimacy and fails to function as an effective instrument for resolving public issues at the local level.

This gap becomes more evident when examined through concrete cases. A study by Retanisa, Firmansyah, and Handayani (2023) in Tanjung Jaya Village revealed that the formation of Perdes was not aligned with the provisions of Law Number 15 of 2019 on the Formation of Laws and Regulations, nor with Minister of Home Affairs Regulation Number 111 of 2014 (Safi dan Ansori 2023). The Village Consultative Body was involved only after the draft regulation had been completed by the Village Government, without participation from the planning stage.

In Kambitin Raya Village, Tabalong Regency, a similar pattern was observed, where the dominance of the village head in the legislative process weakened the deliberative function of the Village Consultative Body (Dharmapala, Dewi, dan Iswahyudi 2022). These findings indicate a general pattern of subordinative institutional relations rather than the equal partnership mandated by regulation. From a constitutional law perspective, such conditions represent a deviation from the principle of equality of authority among village institutions as recognized by law, and raise fundamental questions regarding the effectiveness of village governance institutional design in realizing substantive local democracy.

The issues outlined above demonstrate the urgency of this research. The formation of Perdes is not merely an administrative matter, but a reflection of constitutionalism in practice at the village level. When institutional relations between the Village Government and the Village Consultative Body do not function effectively (Longa, Stefanus, dan Rema 2025), the principles of local democracy, public participation, and the rule of law are placed at risk. Therefore, it is essential to systematically examine how such institutional relationships are regulated within the legal framework, and to what extent these regulations are implemented in practice.

The research gap lies in the limited number of studies that integrate both normative juridical analysis and empirical analysis. Most previous studies remain confined to normative-descriptive approaches, assessing conformity between practice and positive law without examining the socio-political factors underlying such discrepancies. Conversely, existing empirical studies tend to focus on institutional phenomena without linking them to the normative legal structures that underpin the relationship between these institutions. This gap underscores the relevance and significance of the present study.

Several previous studies provide an important foundation for understanding this context. Research by Rizki Retanisa, Muhammad Firmansyah, and Rini Handayani (2023), entitled “The Role of the Village Head and the Village Consultative Body in the Formation of Village Regulations from the Perspective of Law Number 15 of 2019 on the Formation of Laws and Regulations,” published in *Jurnal Siyasah: Jurnal Hukum Tata Negara* at the State Islamic University Raden Intan Lampung, analyzed the formation of Perdes in Tanjung Jaya Village using a normative approach. The findings indicate inconsistencies between practice and legal norms due to weak inter-institutional coordination and limited understanding of legal procedures. However, the study adopts a purely normative juridical approach and does not examine the socio-political conditions underlying institutional ineffectiveness.

A second study by Gunawan and Kamindang (2024), titled “Optimizing the Function of the Village Consultative Body in the Formation of Village Regulations in Tirta Kencana Village, Toili District, Banggai Regency,” published in *Jurnal Cendekia: Jurnal Ilmu Sosial, Hukum, dan Humaniora* by Muhammadiyah University of Luwuk, empirically examines the implementation of Village Consultative Body functions at the village level(Wibawa, Widiati, dan Dewi 2021). The study finds that limited human resource capacity, weak communication, and political role imbalances are the primary factors hindering the effectiveness of the Village Consultative Body. While providing concrete empirical insights, this research does not systematically relate its findings to constitutional law frameworks or theories of institutional relations.

These two studies demonstrate that existing literature remains fragmented. The first focuses on normative aspects without addressing empirical contexts, while the second emphasizes empirical findings without integrating them into positive legal frameworks. There remains a lack of comprehensive research that holistically analyzes the dynamics of institutional relations between the Village Government and the Village Consultative Body using a complementary juridical-empirical approach that situates legal norms and socio-political dynamics within a unified theoretical framework (Adinda dkk. 2024).

This study seeks to fill that gap by conducting a comprehensive analysis of how legal norms governing institutional relations are implemented, deviated from, or reinterpreted in practice in the formation of Perdes at the village level. Accordingly, this research offers a novel contribution in the form of an analytical model that integrates positive law, institutional relations theory, and local socio-political realities, thereby providing a more accurate understanding of the effectiveness of co-governance at the village governance level.

Based on the foregoing discussion, this study aims to address two primary research questions. First, how are institutional relations between the Village Government and the Village Consultative Body regulated in the formation of Village Regulations under statutory provisions Second, what factors influence the effectiveness of these institutional relations in the practice of village governance, The objective of this research is to normatively examine the legal foundations of institutional relations between the Village Government and the Village Consultative Body in the formation of Perdes, while also analyzing the empirical factors affecting their implementation (Firda Afiana Maghfiroh, Sri Astutik, dan Noenik Soekorini 2025).

Theoretically, this study is expected to enrich the field of constitutional law by offering a new perspective on institutional dynamics at the local level. Practically, the findings are intended to provide recommendations for policymakers, regional government officials, and village institutions in strengthening democratic, participatory, and equitable village governance.

METHODS

This study employs a juridical-empirical approach (socio-legal research), a legal research method that not only examines written legal norms (*law in the books*), but also analyzes how such laws are implemented in practice (*law in action*). This approach is particularly relevant because the issue of institutional relations between the Village Government and the Village Consultative Body is not solely determined by normative provisions in Law Number 6 of 2014 on Villages and its implementing regulations, but is also influenced by social, political, and administrative factors that evolve at the local level (Nugraha, Suryawan, dan Arthanaya 2021).

More specifically, this research applies several legal approaches. First, the statute approach is used to examine positive legal provisions governing the formation of Village Regulations. Second, the conceptual approach is employed to understand theories of institutional relations, co-governance theory, and the principles of good village governance. Third, the case approach is utilized by examining practices of Village Regulation formation in several research locations, which reflect variations in institutional relations between the Village Government and the Village Consultative Body (Muklas dan Rosidin 2025).

The legal materials used in this study consist of primary, secondary, and tertiary sources. Primary legal materials include the 1945 Constitution of the Republic of Indonesia, Law Number 6 of 2014 on Villages, Law Number 15 of 2019 on the Formation of Laws and Regulations, Government Regulation Number 43 of 2014, and Minister of Home Affairs Regulation Number 111 of 2014 concerning Technical Guidelines for the Formation of Village Regulations (Salad dkk. 2024). Secondary legal materials include academic books,

scholarly journal articles, previous research findings, and official reports from governmental and non-governmental institutions. Tertiary legal materials are obtained from legal dictionaries, encyclopedias, and other relevant legal terminology sources (Javi dkk. 2025).

RESULTS AND DISCUSSION

1. The Institutional Relationship between the Village Government and the Village Consultative Body in the Formation of Village Regulations According to Statutory Provisions

The institutional relationship between the Village Government and the Village Consultative Body constitutes the core of the village governance system, as specifically regulated under Law Number 6 of 2014 on Villages. This law affirms that villages possess the authority to regulate and manage their community interests based on local initiatives, original rights, and customary traditions. In this context, the formation of Village Regulations serves as one of the principal legal instruments reflecting village autonomy. However, the exercise of this authority depends on the synergy between two main institutions at the village level, namely the Village Government (the Village Head and its apparatus) and the Village Consultative Body as a representative body that channels community aspirations and oversees the administration of village governance.

Normatively, the relationship between these two institutions is regulated in various legal instruments, including Articles 55 to 65 of Law Number 6 of 2014, Article 68 of Government Regulation Number 43 of 2014, and Minister of Home Affairs Regulation Number 111 of 2014 concerning Technical Guidelines for the Formation of Village Regulations(Fathurrahman dkk. 2023). These provisions place the Village Government and the Village Consultative Body within a partnership-based relationship characterized by co-governance, rather than a hierarchical structure. This means that the Village Consultative Body is not subordinate to the Village Government, but rather acts as an equal partner with legislative functions alongside the Village Head in forming Village Regulations.

Within the framework of positive law, the formation of Village Regulations adheres to the principles of proper law-making as stipulated in Law Number 15 of 2019. The Village Head has the authority to propose draft Village Regulations, while the Village Consultative Body holds the right to deliberate, approve, or reject such drafts (Makaruku dkk. 2024). Article 69 paragraph (1) of Government Regulation Number 43 of 2014 further emphasizes that draft Village Regulations may originate from either the Village Head or the Village Consultative Body. Following joint deliberation and mutual agreement, the draft is enacted by the Village Head. This procedure demonstrates that the legislative function at the village level operates as a bicameral partnership, in which both institutions play complementary roles in producing legal instruments at the local level.

However, in practice, such institutional relationships do not always function ideally as prescribed by legal norms. This is due to several factors related to asymmetries in authority and institutional capacity(Anshori 2025). From a constitutional law perspective, the division of functions between the Village Government and the Village Consultative Body should reflect the principle of checks and balances, which is a defining feature of democratic governance(Prabowo dan Handayani 2024). The Village Government is responsible for governance and development, while the Village Consultative Body performs oversight, channels public aspirations, and provides approval for strategic village policies. In reality, however, in a number of regions, this relationship tends to exhibit the dominance of the Village Head over the legislative process, resulting in the

Village Consultative Body often playing a passive role in the formation of Village Regulations.

From a normative standpoint, Article 55 letter (a) of the Village Law explicitly states that the Village Consultative Body has the function of discussing and agreeing upon draft Village Regulations together with the Village Head. This implies that the legislative process at the village level must not be conducted unilaterally by the Village Government. Nevertheless, there is no explicit provision regulating the mechanism for resolving deadlocks between the Village Head and the Village Consultative Body during deliberations. This regulatory gap frequently leads to conflicting interpretations and practices in the field. Some Village Heads interpret their authority to enact Village Regulations as an executive prerogative, while the Village Consultative Body considers itself an equal institution that must be substantively involved in every legislative process.

From the perspective of constitutional law theory, this relationship can be analyzed through the frameworks of separation of powers and the partnership principle. At the village governance level, the partnership principle is intended to maintain a balance between executive legitimacy (Village Government) and community representation. The relationship is not subordinative, but rather one of functional cooperation that requires equality in function and harmonious coordination. However, this theoretical model is often not realized due to the strong political influence of the Village Head within the village social structure, which makes it difficult for the Village Consultative Body to effectively perform its oversight function (Firmansyah dan Ahmad 2025).

Minister of Home Affairs Regulation Number 111 of 2014 provides relatively comprehensive technical guidelines for the stages of Village Regulation formation, including planning, drafting, deliberation, enactment, and promulgation. Normatively, this mechanism is designed to ensure Village Consultative Body participation at every stage. For example, during the planning stage, the Village Government and the Village Consultative Body are expected to formulate the Village Legislative Program (Prolegdes) as an annual reference for regulatory formation. However, in many villages, the Prolegdes mechanism does not function effectively due to limited administrative capacity and insufficient legal understanding among Village Consultative Body members. As a result, the formation of Village Regulations often becomes solely an agenda of the Village Government (Ermalinda dkk. 2025), without meaningful deliberative participation from the Village Consultative Body or the community.

Another normative weakness is found in Article 69 of Government Regulation Number 43 of 2014, which does not provide detailed procedures for joint deliberation between the Village Head and the Village Consultative Body. This provision remains open-ended and allows broad interpretative space. While theoretically such flexibility enables villages to adapt deliberation mechanisms to local contexts, in practice it often results in irregularities and power imbalances (Taorik, Kusmaedi, dan Fadil 2024). The Village Head, possessing greater administrative authority and resources, frequently dominates the legislative process, while the Village Consultative Body lacks strong legal mechanisms to balance this position.

From the perspective of the rule of law and good governance principles, such institutional relations indicate weak implementation of participation and accountability at the village level. Article 24 paragraph (1) of Law Number 6 of 2014 clearly establishes villages as autonomous governmental entities (Ruaida Lubis 2024), implying that the formation of Village Regulations must reflect the principles of a democratic self-governing community. When the Village Consultative Body fails to function optimally as

a representative institution, the process of forming Village Regulations loses its social legitimacy and risks becoming merely an instrument of the Village Head's authority.

Furthermore, from the perspective of administrative law doctrine, the formation of Village Regulations must adhere to general principles of good governance, such as transparency, proportionality, and accountability (Kusumaningsih 2025). Conceptually, these principles require the participation of the Village Consultative Body as a representation of the community in every normative decision at the village level. However, in practice, these principles are often neglected due to the lack of institutional support for the Village Consultative Body, both in terms of human resources and administrative facilities.

From a normative analysis of existing statutory regulations, it can be concluded that the institutional relationship between the Village Government and the Village Consultative Body in the formation of Village Regulations possesses three main characteristics (Ardiansyah, Marsidi, dan Supawanhar 2025). First, it is partnership-based, as both institutions jointly participate in policymaking. Second, it is functional rather than hierarchical, as each institution has distinct but complementary roles and responsibilities. Third, it is deliberative in nature, requiring consensus-based decision-making processes. However, these characteristics remain largely normative and have not been fully realized in practice across various regions.

In the context of modern constitutional law, this phenomenon may be categorized as a form of micro-level asymmetric decentralization. Although legal norms grant autonomy and functional equality, their implementation is influenced by varying social, political, and cultural structures across villages. Some villages successfully maintain effective partnerships between the Village Government and the Village Consultative Body, while in many others the relationship remains formalistic. This condition indicates that the effectiveness of law at the village level is determined not only by legal norms (Ahadi 2022), but also by legal culture and the legal awareness of institutional actors.

Thus, from a juridical perspective, it can be concluded that the institutional relationship between the Village Government and the Village Consultative Body in the formation of Village Regulations is a functional and equal partnership, as mandated by statutory provisions (S dan Kamindang 2024). However, from an implementation perspective, these norms still face challenges related to operational mechanisms, institutional capacity, and local political culture. Therefore, strengthening the institutional capacity of the Village Consultative Body is necessary through legal training, regulatory assistance, and the development of more detailed technical guidelines, so that such partnership relations can function in accordance with the principles of democratic and equitable village governance.

2. Factors Influencing the Effectiveness of the Relationship between the Village Government and the Village Consultative Body in the Practice of Forming Village Regulations

The effectiveness of the institutional relationship between the Village Government and the Village Consultative Body in the formation of Village Regulations is determined by the ability of both institutions to perform their functions and authorities in accordance with the partnership principle mandated by Law Number 6 of 2014 on Villages. However, in practice, this relationship is influenced not only by the normative framework but also by various internal and external factors that shape institutional behavior. These factors include institutional capacity, understanding of legal norms and regulations, local political dynamics, community participation, support from supra-village government, and the prevailing legal culture at the local level. The following analysis critically explains

how each of these factors affects the effectiveness of institutional relations in village legislative practices.

The first and most dominant factor influencing the effectiveness of the relationship between the Village Government and the Village Consultative Body is institutional capacity and human resources. Based on various empirical studies and observations, many Village Consultative Body still face limitations in terms of education, legal knowledge, and technical capacity to understand regulatory procedures(Ricky Riyadi 2025). Although Minister of Home Affairs Regulation Number 111 of 2014 provides technical guidelines for the stages of Village Regulation formation, its implementation requires a relatively high level of administrative and conceptual competence.

In contrast, village government officials particularly the Village Head and the Village Secretary generally have broader access to resources and training. This disparity creates asymmetry in information and power between the two institutions. Under such conditions, the formation of Village Regulations tends to be dominated by the Village Government, while the Village Consultative Body often merely approves draft regulations without substantive analysis. Theoretically, this reflects a weak implementation of deliberative governance principles, which require active and equal participation of both institutions in public decision-making processes (Irwansyah 2025). When the capacity of the Village Consultative Body is limited, meaningful deliberation fails to occur, resulting in weak legal legitimacy of the regulations produced(Jumalia Mannayong, Muh. Rizal S, Herling, dan Muhammad Faisal 2024). Therefore, strengthening institutional capacity is a fundamental prerequisite for building effective and democratic relations at the village level.

The second factor is the level of understanding of laws and regulations governing the formation of Village Regulations. As is well known, the formation of legislation, including at the village level, must adhere to formal principles and procedures as stipulated in Law Number 15 of 2019 on the Formation of Laws and Regulations (Taufik 2021). In practice, however, many Village Consultative Body members and village officials lack a proper understanding of fundamental principles such as clarity of objectives, consistency between the type and substance of regulation, and enforceability.

This limited legal understanding directly affects the quality of the resulting regulations. Many Village Regulations are formally enacted but substantively conflict with higher-level laws or fail to address community needs. Consequently, institutional relations that should be grounded in checks and balances become merely formalistic and administrative in nature. From the perspective of Soerjono Soekanto's theory of legal effectiveness, legal awareness is a crucial internal factor determining whether legal norms function properly within society. When institutional actors have low legal awareness, law ceases to function as a behavioral guideline and instead becomes merely an administrative instrument devoid of substantive meaning. Thus, the effectiveness of institutional relations is highly dependent on the legal literacy of the actors involved.

The third significant factor is local political dynamics and power relations between the Village Head and the Village Consultative Body(Ayuningtyas 2025). Within the village governance system, the Village Head is a political actor with direct legitimacy derived from electoral processes, while Village Consultative Body members are selected through territorial representation mechanisms that are often more social than political in nature (Manan, Perwira, dan Susanto 2021). This creates a fundamental difference in the basis of political legitimacy between the two institutions.

In many cases, the Village Head holds dominant power due to control over financial resources, administrative apparatus, and local political networks. Such dominance tends to create unequal relations in the process of forming Village Regulations. The Village

Consultative Body, which normatively functions as a supervisory and balancing institution, often loses its bargaining position due to dependence on the executive branch of village governance (Asteria dan Kaja 2022). This phenomenon aligns with the theory of local patrimonialism, where village authority remains rooted in traditional social structures that position the Village Head as a paternalistic figure. In such contexts, Village Regulations often serve merely as instruments legitimizing the Village Head's policies rather than products of collective deliberation. Consequently, institutional relations lose their partnership character and become subordinative and undemocratic.

The fourth factor is the level of community participation and public accountability mechanisms in the village legislative process. Normatively, the formation of Village Regulations must reflect participatory principles, as mandated by Article 68 paragraph (1) of the Village Law, which guarantees the community's right to express aspirations, suggestions, and opinions in governance processes. In practice, however, such participation is often formalistic rather than substantive (Irwansyah 2025).

The absence of institutionalized public consultation forums results in closed deliberation processes involving only the Village Government and the Village Consultative Body, without meaningful involvement of the community. Consequently, many Village Regulations fail to reflect actual community needs and may even generate resistance. Empirically, limited community participation also weakens social accountability toward village institutions. Without strong public pressure, the relationship between the Village Government and the Village Consultative Body tends to become pragmatic and oriented toward short-term interests.

From a good village governance perspective, participation and accountability are key pillars in determining the effectiveness of institutional relations (Lumban Gaol, Budi Santoso, dan Prasetyo 2024). The absence of meaningful participation indicates weak transparency, while low accountability undermines the Village Consultative Body oversight function. Therefore, strengthening community participation is a strategic factor in improving institutional dynamics at the village level.

The fifth factor is the support and supervision provided by supra-village government institutions (district, regency, and relevant ministries). The Village Law assigns regency/municipal governments the authority to guide and supervise village governance, including the formation of Village Regulations. However, such guidance is often suboptimal.

Many regencies lack systematic regulatory support mechanisms (Oktavianti dan Hadiyanto 2025), such as standardized templates for village regulations, technical training, or legal assistance. As a result, villages frequently operate without clear methodological guidance. This condition affects the quality of harmonization between Village Regulations and higher-level laws and weakens the partnership between the Village Government and the Village Consultative Body. The absence of effective supervision also leads to institutional fragmentation, where each village interprets its authority differently. From a constitutional law perspective, this creates legal uncertainty at the local level and reduces the overall effectiveness of the legal system. Therefore, consistent supra-village support is essential to ensure that institutional relations operate in accordance with positive law and principles of good governance (Nurfadilla dan Sahyana 2024).

The final and most fundamental factor is legal culture and the collective awareness of village communities regarding the importance of democratic governance. Lawrence M. Friedman explains that the effectiveness of a legal system depends on three elements: legal structure, legal substance, and legal culture. In the village context, the legal structure and substance are relatively well established through statutory regulations and

technical guidelines. However, legal culture remains a major challenge (Jawa, Malau, dan Ciptono 2024).

Village legal culture is often influenced by paternalistic values and patronage-based social relations. In such conditions, law is not perceived as an instrument of justice, but rather as a tool of authority (Azharie 2023). Consequently, the relationship between the Village Government and the Village Consultative Body is not based on legal equality, but on personal loyalty and proximity. This type of legal culture weakens the position of the Village Consultative Body as a representative institution and hinders the development of deliberative democracy at the local level (Rahmawati dkk. 2023).

To enhance the effectiveness of institutional relations, it is necessary to transform legal culture through political education, increased legal awareness among communities, and the strengthening of governance ethics(Hariansah dan Qhistina 2026). Only by fostering a critical and egalitarian legal culture can the relationship between the Village Government and the Village Consultative Body function substantively as a democratic co-governance mechanism (Wibowo dan Hariansah 2025).

CONCLUSION

The institutional relationship between the Village Government and the Village Consultative Body in the formation of Village Regulations is fundamentally designed by the national legal framework as a partnership-based, equal, and functional relationship rather than a subordinative one. Law Number 6 of 2014 on Villages, Government Regulation Number 43 of 2014, and Minister of Home Affairs Regulation Number 111 of 2014 affirm that both institutions share roles in the village legislative process: the Village Government acts as the proposer and implementer, while the Village Consultative Body functions as a representative body that deliberates, approves, and oversees normative policies at the village level. Normatively, this relationship reflects the principle of checks and balances within the local governance system and constitutes a manifestation of democratic principles and village autonomy within the framework of the Indonesian rule of law. However, in empirical reality, this partnership principle has not been fully realized due to imbalances in institutional capacity, the dominance of the village executive, and the weak implementation of deliberative regulatory procedures.

The effectiveness of this institutional relationship is determined by various interrelated factors. Institutional and human resource capacity constitutes the primary determinant, followed by the level of legal and regulatory understanding, local political dynamics, the degree of community participation, the extent of supervisory support from supra-village governments, and the legal culture of village communities. Imbalances in these aspects often result in a relationship between the Village Government and the Village Consultative Body that is formalistic rather than substantive. Consequently, the process of forming Village Regulations does not fully reflect the principles of participatory democracy and public accountability as mandated by positive law.

Based on the analysis, this study asserts that improving institutional relations between the Village Government and the BPD cannot rely solely on normative restructuring, but must also involve institutional strengthening, enhancement of legal capacity, and transformation of legal culture at the local level. Structural and cultural approaches must operate in tandem to ensure that village institutional partnerships function effectively, participatively, and equitably. Only under such conditions can the formation of Village Regulations truly reflect the sovereignty of village communities within the framework of a democratic rule of law.

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