



## Legal Awareness of Village Communities Toward the Formulation of Village Regulations (Perdes) Based on Law No. 6 Of 2014

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Article	Abstract
<b>Keywords:</b> Awareness; Community; Village Regulations	<i>One of the villages in Sidoarjo Regency, namely Bendotretek Village, is considered by many local people to be that the village's development is still lagging behind compared to the surrounding villages and village officials (individuals) are considered not optimal in disseminating village regulations, as a result many people who do not know about local village regulations. According to Permendagri 111 of 2014 concerning Technical Guidelines for Village Regulations, article 26 which states "Joint Village Head Regulations are disseminated to the community of each Village." which means that the village community should already know and apply the village regulations that have been ratified and promulgated. The aim of this research is to measure the level of legal awareness of village communities regarding village regulations because village regulations have an important function, namely as a means of upholding justice for village communities. This type of research is an empirical legal research method or an empirical juridical research method, a form of study using subject study, which specifically examines current legal provisions and what the facts are in society. Based on research results, the level of awareness among the Bendotretek Village community is low at 27.5% because many village residents are not aware of the village regulations. Respondents who have legal awareness of Bendotretek village regulations are village officials and stakeholders. Meanwhile, those who do not understand village regulations are people who are indifferent to village regulations. Efforts used to increase the legal awareness of the Bendotretek village community are by increasing the dissemination of village regulations to the community and emphasizing to stakeholders not to forget to convey them to their community members.</i>

### INTRODUCTION

#### 1. Background

Indonesia is a unitary state in the form of a republic, in which the administration of government is structured by distributing authority from the central government down to regional governments and even to village governments. Article 18 paragraphs (1) and (2) of the 1945 Constitution stipulate that Indonesia is divided into provinces,

and each province is further divided into regencies (kabupaten) or cities (kota), each of which has a local government regulated by law. Each province, regency, or city has the authority to manage its own governmental affairs based on the principles of autonomy and co-administration. Village government is a component of state governance at the lowest level, with administrative functions specifically tailored to rural areas. It involves the active participation of the local community combined with governmental actions aimed at improving the welfare of the people.

The Government of Indonesia has enacted Law Number 6 of 2014 concerning Villages, which states that: *“A village, or referred to by another name, hereinafter referred to as a Village, is a legal community unit with territorial boundaries authorized to regulate and manage governmental affairs, the interests of the local community based on community initiatives, original rights, and/or traditional rights that are recognized and respected within the system of the Unitary State of the Republic of Indonesia.”*

Village regulations (Peraturan Desa or Perdes) are a more detailed elaboration of higher-level legislation, adjusted to the local social conditions of the village. Currently, villages are specifically regulated under Law Number 6 of 2014 concerning Villages. Article 1 point 7 of this law defines Village Regulations as “legislation established by the village head after being discussed and agreed upon with the Village Consultative Body (BPD).” Village regulations are legally binding insofar as they are mandated by higher laws or are formed based on legitimate authority (formally), as reinforced in Article 8 paragraph (2) of Law Number 12 of 2011. This affirms that village regulations are legal products. Consequently, village regulations must not contradict higher laws. In drafting village regulations, it is essential to consider the types and hierarchy of laws as outlined in Article 7 of Law No. 12 of 2011.

The formation of village regulations must involve community participation as a manifestation of democratic governance at the village level. Article 60 paragraph (1) of Law Number 6 of 2014 concerning Villages stipulates that village communities have the right to request and obtain information from the village government, supervise the implementation of village governance activities, development, community development, and community empowerment. Furthermore, Article 6 paragraph (2) of Minister of Home Affairs Regulation Number 111 of 2014 states: *“The draft of the Village Regulation that has been prepared must be consulted with the village community and may also be consulted with the subdistrict head (camat) to obtain input.”*

Village regulations (Perdes) serve a very important function, as they embody the values inherent within the community and reflect the character of the local village society. The function of Village Regulations as a legal instrument is essentially to uphold justice for the local village community and to contribute to the achievement of the goals of the state, as stated in the preamble to the 1945 Constitution of the Republic of Indonesia, namely: *“to protect all the people of Indonesia and the entire homeland of Indonesia,*

*to promote the general welfare, to educate the life of the nation, and to participate in the establishment of a world order based on freedom, lasting peace, and social justice.”*

As of 2023, Bendotretek Village has drafted and enacted several village regulations, namely:

1. Village Regulation No. 1 of 2023 concerning the Accountability Report on the Realization of the Village Revenue and Expenditure Budget for Fiscal Year 2023.
2. Village Regulation No. 3 of 2023 concerning the Village Government Work Plan (RKP) for the Year 2024.
3. Village Regulation No. 4 of 2023 concerning the Draft Amendment to the Village Revenue and Expenditure Budget for Fiscal Year 2023
4. Village Regulation No. 5 of 2023 concerning the Amendment to Village Regulation No. 11 of 2022 on the Village Revenue and Expenditure Budget for Fiscal Year 2023.

Subsequent village regulations are formulated based on specific situations, such as Village Head Decrees, Joint Village Head Regulations, and others. Source: Interview with the Head of Bendotretek Village and the Village Secretary.

The position of village regulations under Law Number 12 of 2011 concerning the Formation of Laws and Regulations, Article 7, states:

*“(1) Types and hierarchy of Laws and Regulations consist of:*

- a. The 1945 Constitution of the Republic of Indonesia;*
- b. Decrees of the People’s Consultative Assembly;*
- c. Laws/Government Regulations in Lieu of Laws;*
- d. Government Regulations;*
- e. Presidential Regulations;*
- f. Provincial Regulations; and*
- g. Regency/Municipal Regulations.”*

Article 8 states: “Types of laws and regulations other than those referred to in Article 7 paragraph (1) include regulations established by the People’s Consultative Assembly, the House of Representatives, the Regional Representative Council, the Supreme Court, the Constitutional Court, the Audit Board, the Judicial Commission, Bank Indonesia, Ministers, agencies, institutions, or commissions of equal standing established by law or by the government under the law’s mandate, Regional House of Representatives at the provincial level, Governors, Regional House of Representatives at the regency/city level, Regents/Mayors, **Village Heads or equivalents.**” This bolded phrase includes village regulations (Perdes) or regulations issued by village heads. Although village regulations are not explicitly included in the hierarchy of legislation in Article 7 of Law No. 12 of 2011, Article 8 clarifies their inclusion.

Thus, although not formally included in the legislative hierarchy, village regulations are legally recognized, and violations of these regulations are subject to

legal consequences, especially when they fall under higher legal authority based on formal legal competence.

At present, the level of legal awareness in Indonesia remains low. Many members of the public disregard regulations, whether trivial or substantial, written or unwritten. For instance, the people of Bendotretek Village demonstrate a lack of awareness toward legally established and valid village regulations. Many villagers are indifferent to village regulations, even though such regulations play an essential role in village development.

According to Soerjono Soekanto, there are four indicators used to measure the legal awareness of Bendotretek Village residents toward local village regulations:

1. Legal knowledge;
2. Legal understanding;
3. Legal attitude;
4. Legal behavior.

The low level of legal awareness, according to Bendotretek residents, stems from a lack of socialization and ineffective dissemination by the village government and stakeholders. Another contributing factor is the villagers' own attitude—many are indifferent to the village administration. This indifference leaves institutions vulnerable to legal violations and accountability issues. Legal values and awareness must be instilled from an early age. In this regard, education becomes a vital medium for embedding legal principles and fostering a culture of law compliance. Educational institutions play a key role in shaping human character.

Bendotretek Village in Sidoarjo Regency is often considered to lag behind neighboring villages in terms of development. According to local residents, village officials (in some cases) are not proactive in disseminating village regulations, resulting in a general lack of public awareness. However, based on observations at the Bendotretek Village Hall, the local government issues around four village regulations (Perdes) annually. In 2023, the village government passed and enacted several regulations, including those concerning the Village Budget (APBDes), Budget Amendments (PAK), Village-Owned Enterprises (BUMDes), the Village Government Work Plan (RKP), and other regulations drafted under special circumstances.

According to Minister of Home Affairs Regulation (Permendagri) No. 111 of 2014 concerning the Technical Guidelines for Village Regulations, Article 26 states: "Joint Regulations of the Village Head shall be disseminated to each respective village community." This provision means that village residents should already be aware of and comply with village regulations that have been enacted and promulgated. This situation prompted the writer to study the level of legal awareness among village residents regarding the formation of village regulations. In order to understand how well-informed the community is about the legislative process and the role of village regulations, which serve as a mechanism to uphold justice for rural communities.

Raising legal awareness is no easy task, and not everyone possesses it. As a social phenomenon, law represents the institutions and collective will of society. A crucial step in fostering a law-abiding society is educating and preparing citizens to respect high institutions or rules as tools for legal enforcement and abuse prevention. Public understanding of law is a core component of legality. It is often assumed that legal systems only concern general public law, but in fact, the legal system encompasses the judiciary, business organizations, parliament, and law enforcement agencies. The real problem is that those expected to uphold the law are sometimes the ones violating it, which emphasizes the need for government to act as a role model and address weak law enforcement.

Therefore, raising legal awareness is a vital part of achieving legal compliance. Low legal awareness leads to disobedience toward the law, and if such awareness is lacking among law enforcers and legislators themselves, the result could be severe, potentially undermining the very foundation of the legal system and governance structure.

Several factors that influence the lack of public legal awareness include:

1. Legal uncertainty;
2. Static regulations;
3. Inefficient mechanisms for upholding the law within society.

Conversely, the following points are emphasized in studies on legal awareness:

1. Emphasizing law as an authority closely tied to the context in which legal actions occur.
2. Recognizing that legal awareness studies need not treat law as the only source of authority or motivation.
3. Observing not just social problems and law's role in resolving them, but also examining what people actually do in practice.

## 2. Problem Formulation

1. How is the level of legal awareness among village communities regarding the formulation of village regulations?
2. How can legal awareness among village communities regarding the formulation of village regulations be improved?

## METHOD

This type of research employs an empirical legal research method, also known as a juridical-empirical legal research method, which is a form of sociological legal study. It is also referred to as a subject study, specifically examining the legal provisions in force and the actual conditions present in society.

Soerjono stated that in sociological or empirical legal research, the research begins with secondary data, followed by field research or community-based data collection.

Based on this understanding, the author has decided to use the juridical-empirical legal research method for writing and analyzing this thesis. The nature of this research

is descriptive, as cited from Nazir in the book "Buku Contoh Metode Penelitian", where descriptive methods are techniques used to study the status of a group of people, an object, a condition, a system of thought, or a class of events in the present time.

The objective of this descriptive research is to present a scientific, factual, and accurate depiction of the truths, characteristics, and relationships among the phenomena under investigation. The researcher aims to provide a structured and comprehensible representation of various matters relating to the legal awareness of the village community regarding the formation of village regulations in Bendotretek Village, Prambon District, Sidoarjo Regency.

In this study, the researcher will use primary data sources, which are obtained directly from respondents through field interviews conducted with selected informants. These include members of the village community and village officials related to legal awareness regarding the formation of village regulations, namely:

1. Anang Darmawan, S.E. (Head of Bendotretek Village)
2. Anita Cahyanti, S.Pi. (Secretary of Bendotretek Village)
3. Eight respondents from the village community who meet the specified criteria

The researcher will also use secondary data, namely legal materials that complement the primary legal sources. This secondary data is obtained through books, legal journals, newspapers, and other relevant materials. The legal materials are derived from several laws and regulations, including Law No. 6 of 2014 concerning Villages and Minister of Home Affairs Regulation No. 111 of 2014 concerning Technical Guidelines for Village Regulations.

This research is conducted at the Bendotretek Village Hall, located at Jl. Balai Desa, Bendotretek, Prambon District, Sidoarjo Regency, East Java Province. This location is selected because the research subjects are the village officials and residents of Bendotretek Village.

## RESULTS AND DISCUSSION

### A. The Level of Legal Awareness of the Bendotretek Village Community Regarding the Formation of Village Regulations

In this research, ten informants were interviewed to gather accurate factual information from various perspectives. The purpose of these interviews was to obtain findings related to the issues raised in the study, which include: understanding the level of legal awareness of the village community regarding village regulations, analyzing the extent of that legal awareness, examining the mechanism for the formation of village regulations, and analyzing the dissemination efforts made to improve the community's legal awareness.

To assess the level of legal awareness of the Bendotretek Village community regarding local village regulations, several indicators must be evaluated, namely: legal

knowledge, legal understanding, legal attitudes, and legal behavior, as stated by Soerjono Soekanto.

### 1. Legal Knowledge

Legal knowledge means that a person knows that certain legal behaviors are regulated by law. Below is a table showing the Bendotretek community respondents' knowledge of village regulations.

**Table 1. Respondents' Knowledge of Village Regulations**

Sources: with the of	No	Alternative Answers	Number	Percentage	Interview community
					Bendotretek Village
	1.	Know	4	40%	
	2.	Not know	6	60%	
		<b>Total</b>	10	100%	

Based on the table above, there are 6 respondents who do not know about the existence of village regulations in Bendotretek, and 4 respondents who do know about them. This is based on interviews conducted by researchers with the respondents. One of them stated: "*I didn't know there were such regulations in this village because there was never any sharing or socialization about them. If there had been socialization, I would have known.*"

According to the table, the percentage of people without legal knowledge is greater than those with legal knowledge. Based on the classification identified by the researcher, respondents who possess legal knowledge of Bendotretek Village Regulations are village officials and stakeholders. Meanwhile, those who do not know about the regulations are ordinary citizens who do not have any professional affiliation with the village government.

### 2. Legal Understanding

Based on the interviews conducted by the researcher, there were several respondents who were aware of the existence of the village regulation. However,

knowing about the law does not necessarily indicate legal awareness if the individual does not understand the content of the regulation. There are still further indicators, such as understanding the applicable law.

Through legal literacy, it is expected that the public can understand the purpose of legislation and its benefits for various parties affected by its implementation. The following is a table regarding the respondents' understanding of the Bendotretek Village Regulation.

**Tabel 2. Respondents' Understanding of the Bendotretek Village Regulation**

No	Alternative Answers	Number	Percentage
1.	Understand	3	30%
2.	Not understand	7	70%
<b>Total</b>		10	100%

Source: Interview with the community of Bendotretek Village

Based on the table above, there are 3 respondents who understand the Bendotretek Village Regulation, while the remaining 7 respondents do not understand the regulation at all. This is in line with the interviews conducted by the researcher, in which one respondent stated: *"I only know that there is a village regulation because I have attended several village meetings during the drafting process, but I don't understand the content of the regulation."*

From the table above, the percentage of people who lack legal understanding is greater than those who have it. According to the classification found by the researcher, respondents who do understand the Bendotretek Village Regulation are village officials and stakeholders, while those who do not understand are ordinary citizens who have no professional affiliation with the village administration and tend to be indifferent toward the existence of the regulation. Even though they are aware of it, they are unwilling to understand its content and implementation.

The meaning of "legal understanding" in this context refers to one's comprehension of the purpose and significance of a regulation, such as the Bendotretek Village Regulation and its benefits in their daily lives. However, what is not clearly expressed in this context is how the community perceives various issues in relation to the norms that exist within society.

### 3. Legal Attitude

The third legal awareness indicator is legal attitude. This refers to the respect or appreciation for the law as something beneficial or advantageous when obeyed, and it reflects the tendency of a community to accept the law. The following table illustrates respondents' attitudes toward the existence of village regulations in Bendotretek.

Tabel 3. Sikap Responden Terhadap Peraturan Desa

No	Alternative Answers	Number	Percentage
1.	Very necessary	2	20%
2.	Necessary	3	30%
3.	Not necessary	5	50%
Source: with the	<b>Total</b>	10	100%
			Interview community of Bendotretek Village

Based on the table above, 5 respondents believe that village regulations are unnecessary. One of them stated: "*In my opinion, they are not necessary for ordinary citizens; they are only needed by the village government. Whether they exist or not makes no difference because we still don't know anything, and there hasn't been any significant progress here.*"

Next, 2 respondents stated that village regulations are very necessary, as they are village officials who understand the intricacies and procedures of effective village governance. One of them said: "*Village regulations are very important. Without regulations, how can the village and its people develop? One of the purposes of village regulations is to promote village development and improve the welfare of its people.*"

The remaining 3 respondents said the regulations are necessary, explaining: "*In my opinion, they are necessary to manage development. For example, there was a bridge that collapsed recently. I want to see how the village government responds and takes concrete action.*"

Thus, the legal attitude of Bendotretek village residents is mixed: some support and feel the need for village regulations due to their importance for village welfare, while others are less receptive and feel such regulations are unnecessary, as they perceive no significant progress resulting from them.

#### 1. Legal Behavior

Legal behavior refers to the way in which a person acts and applies conduct in accordance with the applicable laws and regulations. The indicator of legal behavior is an important aspect, as it serves as a primary measure of legal awareness, assessed by whether a person complies with the law or not. Thus, it can be said that the true threshold of legal consciousness is reflected in legal compliance, as demonstrated by actual human behavior.

Once a regulation has been enacted, it becomes a key indicator of whether the law is effective (i.e., whether it has achieved its intended goals). A community is said to exhibit legal behavior when its members have implemented and followed the village regulations of Bendotretek.

**Table 4. respondents' Behavior in Implementing Village Regulations**

No	Alternative Answers	Number	Percentage
1.	Already	2	20%
2.	Not yet	8	80%
	<b>Total</b>	10	100%

Source: Interview with the community of Bendotretek Village

Based on the table above, it can be seen that eight respondents did not implement the village regulations, while only two respondents, namely from the village government itself (the Village Head and the Village Secretary), did implement them. This indicates that a greater percentage of the village community does not apply the village regulations.

Most respondents who did not apply the regulations stated that their lack of awareness was the main reason. Therefore, this highlights the crucial role of the village government and relevant stakeholders in disseminating information and promoting awareness. This is supported by interview results with one respondent, who said: "I don't follow these village regulations because I don't really know what the village regulations in Bendotretek are. Village regulations are indeed important, but unfortunately, many residents don't know about them. How can we implement them if we don't even know they exist?"

From the research findings, based on the four indicators of legal awareness, it can be concluded that the level of legal awareness among the people of Bendotretek is relatively low.

**Table 5. Average Percentage of Legal Awareness**

No	Indicator	Percentage
1.	Legal Knowledge	40%
2.	Legal Understanding	30%
3.	Legal Attitude	20%
4.	Legal Behavior	20%
<b>110%: 4 Indicator = 27,5 %</b>		

Source: Interview with the community of Bendotretek Village

From the research findings, based on the four indicators of legal awareness, it can be concluded that the level of legal awareness among the people of Bendotretek is relatively low.

## B. Efforts to Increase Legal Awareness of the Village Community Regarding the Formation of Village Regulations

The prosperity of a country can be seen from various aspects, one of which is the level of legal awareness among its people. Law serves to regulate the behavioral patterns of human life and prohibit actions that are deemed unacceptable by society in order to maintain social order. For individuals to obey the law, they must possess legal awareness.

At present, the level of legal awareness in Indonesia remains relatively low. Many members of society are indifferent to regulations—ranging from minor to major, written or unwritten laws. One example is the community of Bendotretek Village, which shows a lack of legal awareness regarding officially enacted and valid village regulations. Many residents are apathetic toward village regulations, even though such regulations play an important role in the development of the village.

There are many consequences if this lack of legal awareness is not addressed. These consequences can be even more severe if legal enforcers and lawmakers themselves lack legal awareness. These authorities should instead set an example for society.

Before taking steps to overcome the decline in legal awareness, it is important to understand the underlying causes of this issue among the Bendotretek Village community. Based on interviews conducted, the researcher found several factors contributing to the lack of legal awareness among villagers:

### 1. Internal Factors of the Community

Some individuals lack internal motivation or awareness of the law. They show indifference, perceiving village regulations as unimportant and irrelevant to their personal lives. Many judge the Indonesian legal system negatively, believing that it fails to provide tangible guarantees or benefits.

Society itself is a major factor in the effectiveness of legal enforcement. If people do not understand or obey the law, it cannot succeed. Justice is often understood as an abstract concept related to the desired relationship between peace and order.

Cultural values also influence whether a community views the law as a guide for social life and a means of resolving conflicts. However, building a legal culture in this country is still challenging. Therefore, even though some individuals may know about the law, it does not guarantee that they understand or follow it.

### 2. Lack of Effective Dissemination

In the current process of forming village regulations in Bendotretek, the village government faces challenges in properly disseminating information. Without effective communication tools and platforms, the village apparatus cannot reconcile community agreements in a meaningful way.

Interview results show that many villagers claim the regulations were not adequately shared or publicized, for example, not posted in community group chats, not displayed in public spaces such as security posts (poskamling), health posts

(posyandu), or during community events. As a result, the distribution of village regulations has not reached all layers of society.

This shows that efforts to increase legal awareness differ from merely understanding the law. Legal awareness also requires practical dissemination and public engagement. Compliance with the law refers to how legal norms are interpreted and accepted by society.

Public attitudes toward legal order can be seen in the correlation between law enforcement and its perceived consequences. People tend to obey laws when they see tangible effects. Human behavior is shaped by norms, and these norms give rise to laws, which in turn shape attitudes. When it comes to legal matters, the following approaches can be taken:

### 1) Educated Citizens Who Are Already Aware of the Law

Even among educated and modern citizens, many still show indifference toward the law. The researcher observed that individuals who understand legal theory often remain unaware of local regulations. This results in diminished morality, a lack of regret, and weak integrity. One solution is to enforce existing laws more strictly than relying solely on passive public awareness.

### 2) Citizens Who Are Legally Uninformed

Based on interviews, many residents of Bendotretek Village are still unaware of legal materials and village regulations, even those with formal education. This is largely due to a lack of information and legal education. Methods to increase legal knowledge include: (1) legal research; (2) legal education; (3) public legal information; (4) legal counselling.

Raising public legal awareness is one of the primary goals of legal education. Legal regulations are closely linked with morality, beliefs, and non-legal rules as social constructs. As L.A. Hart stated in *The Concept of Law*, morality is part of the law, and enforcing the law is essentially putting morality into action.

Institutional restructuring and reform of various regulatory instruments cannot be guaranteed to function effectively if the laws and their fundamental principles continue to be violated. Therefore, it is necessary to develop systematic and transparent policies and procedures regarding patterns of thinking, attitudes, and biases that arise in the daily lives of local communities. Law must still be nurtured and strengthened to become a habitual part of the lives of the Indonesian people.

A respectful attitude toward the law and a mindset oriented toward legal-based actions must be instilled. In the context of human rights, which have long focused on various methods of empowerment, there must also be attention given to the importance of understanding the duties and responsibilities related to human rights. The law must be flexible and dynamic, meaning that justice and legal systems should be grounded in the dynamic interplay between the rights and obligations of society, which cannot be ignored in favor of larger-scale public interests.

## CONCLUSION

### A. Conclusion

Based on the research and data collection presented in the previous discussion, the conclusions that can be drawn are as follows:

1. The level of legal awareness among the residents of Bendotretek Village is considered low, as many community members are unaware of the existence of village regulations. According to the people of Bendotretek, this lack of legal awareness is due to insufficient socialization and the ineffective dissemination of information by the village government or other relevant stakeholders. Another contributing factor is the attitude of individuals themselves, many of whom are indifferent toward the village authorities. Based on the classifications found by the author, those who are legally aware of the Bendotretek Village regulations are generally village officials and stakeholders, whereas those who are unaware tend to be ordinary citizens who are not employed by the village and show indifference toward the existence of village regulations.
2. Efforts to improve legal awareness among the residents of Bendotretek Village include increasing the dissemination of village regulations to the public and emphasizing to stakeholders the importance of sharing this information with community members. Further efforts that can be implemented include law enforcement and imposing stricter penalties for violations, especially compared to those committed by individuals who are legally illiterate. Additional methods to enhance legal awareness include legal education, leading by example, access to legal information, and legal literacy programs.

### B. Recommendations

Based on the conclusions above, this research provides the following recommendations:

1. For the Government of Bendotretek Village, it is advised to provide appropriate solutions to increase the legal awareness of the villagers, starting by maximizing the dissemination of village regulations to all layers of the community—not only to those who have a working relationship with the village administration.

For the residents of Bendotretek Village, it is important to develop greater concern and involvement with village governance and to abandon attitudes of indifference toward existing regulations. Many community members perceive village regulations as unnecessary or irrelevant to them personally, believing that the law in Indonesia offers no real guarantees. However, in reality, village regulations play a crucial role in improving the welfare of the local community.

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