

CHALLENGES IN THE IMPLEMENTATION OF THE VILLAGE CONSULTATIVE COUNCIL'S FUNCTIONS IN NENDALI VILLAGE, JAYAPURA REGENCY

Renida Jozelina Toroby
Universitas Cenderawasih
toroby1809@gmail.com

Brury J. J. Sarimole
Universitas Cenderawasih
jhojhonatomua@gmail.com

Evelin Agustina Marani
Universitas Cenderawasih
maranievelinagustina@gmail.com

Kelly Deish Ishak
Universitas Cenderawasih
Kellydeish.ishak97@gmail.com

Esthina Isabella Muabuay
Universitas Cenderawasih
esthinaisabella@gmail.com

Herlina Novelia Sihombing
Universitas Cenderawasih
novelherlin@gmail.com

Abstract

Under Papua's special autonomy regime, the Village Consultative Council (*Badan Musyawarah Kampung*, Bamuskam) serves as the legislative body of the *kampung*. It is responsible for deliberating on *kampung* regulations, channelling community aspirations, and overseeing the performance of the *kampung* head. In practice, however, its functions are often poorly implemented. This study aims to examine how the Bamuskam performs its functions in the governance of Kampung Nendali, East Sentani District, Jayapura Regency, to identify the problems it faces, and to propose measures to strengthen its effectiveness. The study employed a descriptive qualitative approach. Data were collected through observation, in-depth interviews with purposively selected informants, a joint forum with Bamuskam members, and document analysis. The data were analysed using the Miles and Huberman interactive model. The field findings were then interpreted against Law No. 21 of 2001, Law No. 6 of 2014, Minister of Home Affairs Regulation No. 110 of 2016, and the relevant literature. The results show that two interrelated problems constrain the Bamuskam's functions: limited human resource capacity, reflected in members' incomplete understanding of their duties and legal basis, and weak coordination with the *kampung* government. If left unaddressed, these problems risk leaving the legislative function dormant, weakening oversight of village funds, and eroding community participation. The study concludes that strengthening the Bamuskam requires three measures. The first is sustained, practice-oriented capacity development by the regency government in partnership with universities. The second is institutionalised coordination through regular joint meetings, genuinely deliberative *musyawarah kampung*, and consistent written reporting by the *kampung* head. The third is a dedicated operational

budget. Once these measures are in place, the Bamuskam can act as an effective partner and check on the *kampung* government, fostering participatory and accountable *kampung* governance.

Keywords: Village consultative council; kampung governance; special autonomy; Papua; human resource capacity

Introduction

Since the enactment of Law No. 21 of 2001 on Special Autonomy for the Province of Papua, the term *desa* (village) has been replaced in Papua by *kampung*. Article 1(l) of the Law defines a *kampung*, or an entity known by any other name, as a customary-law community unit vested with the authority to regulate and manage the interests of the local population on the basis of local origins and customs, recognised within the national system of government and located within a regency or municipality. This recognition of local nomenclature is consistent with Article 1(1) of Law No. 6 of 2014 on Villages, which defines a village as “a village or customary village, or an entity known by any other name.” Papua’s special autonomy is itself a form of asymmetric decentralisation, intended to grant the Papuan people broader authority over their own governance and development (Sumule, 2003; Pakasi, 2012).

The Special Autonomy Law also regulates deliberative institutions at the *kampung* level. Article 5(7) mandates the establishment of a *Badan Musyawarah Kampung* (Village Consultative Council, hereafter Bamuskam) and a *kampung* government in every *kampung*. Article 1(m) of Law No. 21 of 2001, read together with Article 1(15) of Law No. 2 of 2021, defines the Bamuskam as a body composed of various elements of the *kampung* community. Its members are elected and recognised by local residents to provide advice and recommendations to the *kampung* government. Accordingly, the special autonomy regime has renamed both the village (*desa*) as *kampung* and the Village Consultative Body (*Badan Permusyawaratan Desa*, BPD) as Bamuskam. Both sets of terms are used in this article in line with the prevailing legislation in Papua.

The *kampung* is the frontline unit of government and plays a strategic role in development (Widjaja, 2003; Nurcholis, 2011). Two principal actors share the task of *kampung* governance. The *kampung* head acts as the executive. The Bamuskam serves as the *kampung* legislature, as reflected in its functions under Article 55 of Law No. 6 of 2014 and Minister of Home Affairs Regulation No. 110 of 2016. These functions are to deliberate on and approve draft *kampung* regulations jointly with the *kampung* head, to receive and channel community aspirations, and to oversee the performance of the *kampung* head. Representative bodies at the village level are thus designed as a checks-and-balances mechanism that strengthens local democracy and the accountability of village government (Antlöv, 2003; Antlöv et al., 2016; Bovens, 2007).

In practice, however, the Bamuskam frequently struggles to perform these functions. The first problem is limited capacity, in terms of human resources, facilities, and members’ understanding of their own duties. In Merauke Regency, for instance, none of the 179 *kampung* had enacted a single regulation initiated by its Bamuskam. This has been attributed to members’ low educational attainment, insufficient training, and the council’s financial dependence on the *kampung* administration (Silambi et al., 2021). A study in Sorong Regency similarly reported inadequate operational facilities, insufficient allowances, and weak human resources as key constraints (Rahman & Karsiman, n.d.; see also Garuan, 2018). The second problem is that relations between the *kampung* head and the Bamuskam are often strained, which weakens the oversight function. The third is that community participation remains low, even though citizen engagement is a precondition for responsive village government (Arnstein, 1969; Antlöv et al.,

2016). Taken together, these conditions risk undermining good and participatory *kampung* governance. Theoretically, institutional effectiveness depends on several factors: the substance of the law, the capacity of those who implement it, supporting facilities, and the surrounding social culture (Soekanto, 2008; Grindle, 1997).

Against this background, this study has three objectives. First, it examines in depth how the Bamuskam performs its functions in the governance of Kampung Nendali, Jayapura Regency. Second, it identifies the problems the Bamuskam faces. Third, it proposes measures to strengthen the Bamuskam's effectiveness in *kampung* governance.

Research Methodology

This study employed a qualitative approach with a descriptive qualitative design. This approach was chosen to explore in depth the problems in the implementation of the functions of the Village Consultative Council (*Badan Musyawarah Kampung*, Bamuskam) in *kampung* governance (Creswell, 2014; Moleong, 2017). The research was conducted in Kampung Nendali, East Sentani District, Jayapura Regency, Papua Province. Data were obtained from two sources: research informants and written documents relating to the performance of the Bamuskam's functions. Informants were selected purposively, on the basis of their knowledge of and involvement in the issues under study (Patton, 2015; Sugiyono, 2019). They comprised the chair and members of the Bamuskam, the *kampung* head, the *kampung* secretary, heads of affairs and sections, neighbourhood and community unit leaders (RT and RW), and community leaders. Data were collected through observation, in-depth interviews, and document analysis. Data collection was repeated until the data were judged complete and valid. Data credibility was established through source and method triangulation (Moleong, 2017).

The data were analysed using the interactive model of Miles and Huberman (1992), which consists of three concurrent and continuous streams of activity. The first is data reduction, the process of selecting, focusing, simplifying, abstracting, and transforming the raw data in field notes. The second is data display, the organisation of information into narrative text, matrices, or charts that permit conclusions to be drawn. The third is conclusion drawing and verification, the formulation of meanings from the data, which are continually tested for their plausibility, sturdiness, and confirmability throughout the research (Miles et al., 2014).

Results and Discussion

Overview of Field Findings

Fieldwork was conducted in Kampung Nendali, East Sentani District, from 28 July to 4 August 2026. It comprised an initial meeting with the acting *kampung* head, interviews with the chair and members of the Bamuskam, and a joint forum at the *kampung* hall. Questions covered seven areas: the Bamuskam's legal basis, membership, prohibitions, institutional structure, duties and functions, performance reporting, and its role in *kampung* head elections. A key observation emerged early. The Bamuskam members did not answer these questions directly. Instead, they asked for time to discuss them internally before the joint forum. During the forum, several of their responses had to be clarified and supplemented by the research team with reference to Minister of Home Affairs Regulation No. 110 of 2016 on the Village Consultative Body. At the time of the study, the *kampung* was also led by an acting head (*Pelaksana Tugas*). These observations point to two interrelated problems that constrain the Bamuskam's functions: limited human resource

capacity and weak coordination. Because the empirical data are limited, the discussion below interprets these findings against the applicable legal framework and the relevant literature.

Human Resource Capacity

The legal framework assigns the Bamuskam a demanding role. Article 5(7) of Law No. 21 of 2001 mandates its establishment in every *kampung*. Article 55 of Law No. 6 of 2014 gives the village consultative body three functions: deliberating on and approving draft village regulations with the village head, receiving and channelling community aspirations, and overseeing the village head's performance. Regulation No. 110 of 2016 elaborates these functions into detailed duties, rights, and obligations. To perform them, members need working knowledge of legislative drafting, village budgeting, and oversight procedures. They must also understand the specific legal basis of the Bamuskam under Papua's special autonomy regime.

The Nendali findings suggest that this knowledge is not yet adequately held by Bamuskam members. Their need to consult one another on basic questions about their own duties, and the subsequent clarification required from the research team, indicate that the normative framework has not been fully internalised. This pattern mirrors findings elsewhere in Papua. In Merauke Regency, none of the 179 *kampung* had enacted a regulation initiated by its Bamuskam. The main causes were members' low educational attainment and insufficient training (Silambi et al., 2021). In Sorong Regency, weak human resources were the constraint most frequently cited by respondents, alongside a lack of training and inadequate facilities (Rahman & Karsiman, n.d.). Capacity, in this sense, covers more than individual skills. It also includes the organisational and institutional conditions that allow those skills to be used (Grindle, 1997; UNDP, 2009).

Soekanto's (2008) framework helps explain why this matters. The effectiveness of a legal norm depends on the law itself, on those who implement it, on supporting facilities, and on the community and its culture. In Nendali, the legal norm is clear. The weakness lies in the second factor, the implementers. A sound regulatory design therefore does not translate automatically into effective practice.

Coordination between the Bamuskam and the *Kampung* Government

The second problem concerns coordination. The law positions the Bamuskam and the *kampung* head as partners with distinct but interdependent roles. Article 54 of Law No. 6 of 2014 establishes the village deliberative forum (*musyawarah desa*), convened by the consultative body and attended by the village government and community representatives, as the arena for strategic decisions. Article 27 obliges the village head to submit a written report on the implementation of governance to the consultative body each year. Both provisions presuppose regular communication, shared information, and mutual trust.

Where coordination is weak, these mechanisms tend to become formalities. Studies of village consultative bodies across Indonesia show that the relationship with the village head often becomes subordinate rather than equal. The body then depends on the executive for information, funding, and agenda-setting (Silambi et al., 2021). In Merauke, for example, Bamuskam programmes were typically initiated by the *kampung* head and his apparatus, and the council's operational budget was managed by the *kampung* administration (Silambi et al., 2021). The acting leadership in Nendali at the time of the study may add to this difficulty. Interim leadership can make it harder to establish stable working routines between the two institutions. The literature on public sector coordination stresses that horizontal coordination does not occur spontaneously. It

requires deliberate structures, shared information, and agreed procedures (Peters, 1998). The broader literature on collaborative governance makes a similar point. Effective collaboration depends on trust, commitment, and a shared understanding of goals, built through repeated face-to-face dialogue (Ansell & Gash, 2008).

Consequences if the Problems Persist

If the capacity and coordination problems are not addressed, three consequences are likely. First, the legislative function will remain dormant. *Kampung* regulations will continue to be initiated mainly by the executive, or will be limited to routine budget regulations, as observed in Merauke (Silambi et al., 2021). Second, the oversight function will weaken. A consultative body that cannot interpret budget documents or performance reports cannot hold the *kampung* head accountable. This creates room for maladministration in the management of village funds and special autonomy funds. Accountability requires a forum able to question the actor and impose consequences (Bovens, 2007). A Bamuskam lacking capacity cannot serve as such a forum. Third, the representative function will erode. If community aspirations are not effectively channelled, residents are likely to lose trust in the Bamuskam and disengage from *kampung* affairs. Participation would then be reduced to what Arnstein (1969) calls tokenism. Together, these consequences would undermine the purpose of special autonomy: to strengthen local self-governance rooted in the aspirations of the Papuan people.

Strategies for Addressing the Problems

The legal framework already provides several entry points for addressing these problems (Table 1). Regulation No. 110 of 2016 recognises the right of consultative body members to capacity development through education and training, socialisation, technical guidance, and field visits. Articles 112–115 of Law No. 6 of 2014 assign responsibility for guiding and supervising village governance to the central, provincial, and regency governments.

Table 1. Problems, legal basis, and proposed strategies

Problem	Legal basis	Proposed strategy
Limited understanding of duties and functions	Law No. 6/2014, Art. 55; Regulation 110/2016	No. the regency government, in partnership with universities
Weak legislative capacity	Law No. 6/2014, Art. 55; Regulation 110/2016	No. Mentoring in regulation drafting; a <i>kampung</i> legislative programme
Weak coordination with the <i>kampung</i> government	Law No. 6/2014, Arts. 27 and 54	Scheduled joint meetings; regular <i>musyawarah kampung</i> ; written reporting and information sharing
Limited operational resources	Law No. 6/2014, Art. 61; Regulation 110/2016	No. A dedicated Bamuskam budget line in the <i>kampung</i> budget

Capacity development should be sustained and practice-oriented rather than one-off. The regency government, through the agency responsible for community and village empowerment, can work with universities to provide training and mentoring. Training in regulation drafting and budget oversight should be prioritised (Silambi et al., 2021; UNDP, 2009). The distribution of the

text of Regulation No. 110 of 2016 and the poster outlining the Bamuskam's duties during this study may serve as a modest starting point. Coordination can be strengthened by institutionalising regular meetings between the Bamuskam and the *kampung* government. The *musyawarah kampung* should be held as genuine deliberative forums, and the *kampung* head's obligation to report in writing should be enforced. Finally, a dedicated operational budget would reduce the Bamuskam's dependence on the executive and support its independence (Silambi et al., 2021; Rahman & Karsiman, n.d.).

Prospects for *Kampung* Governance

If these problems are resolved, the Bamuskam can perform the role envisaged by the legal framework. A capable Bamuskam would be able to initiate *kampung* regulations that reflect local needs and customs, in line with the recognition of origins and customary practices in Law No. 21 of 2001. Effective coordination would enable the Bamuskam and the *kampung* government to work as partners rather than rivals. Effective oversight would improve the accountability of village fund management. Antlöv et al. (2016) argue that Village Law reforms can make village governments more responsive when strong financial management, sound institutional arrangements, and empowered citizens operate together. A strengthened Bamuskam is the institution that links these elements at the *kampung* level. Kampung Nendali could thereby move towards governance that is participatory, accountable, and grounded in local values, consistent with the principles of good governance and the objectives of special autonomy in Papua (Antlöv, 2003; Nurcholis, 2011).

Conclusion

This study examined the problems in the implementation of the functions of the Village Consultative Council (Bamuskam) in the governance of Kampung Nendali, Jayapura Regency. The findings show that two interrelated problems constrain its legislative, representative, and oversight functions: limited human resource capacity and weak coordination with the *kampung* government. Law No. 21 of 2001, Law No. 6 of 2014, and Minister of Home Affairs Regulation No. 110 of 2016 clearly define the Bamuskam's role. However, members' understanding of this framework remains limited, and the working relationship between the Bamuskam and the *kampung* executive is not yet institutionalised. If left unaddressed, these problems risk leaving the legislative function dormant, weakening oversight of village funds, and eroding community trust and participation. This would undermine both good *kampung* governance and the broader objectives of special autonomy in Papua.

Addressing these problems requires sustained, practice-oriented capacity development, provided by the regency government in partnership with universities. It also requires stronger coordination through regular joint meetings, genuinely deliberative *musyawarah kampung*, and consistent written reporting by the *kampung* head. A dedicated operational budget would further support the Bamuskam's independence. Once strengthened, the Bamuskam can initiate regulations grounded in local needs and customs and act as an effective partner and check on the *kampung* government. This would foster participatory and accountable governance in Kampung Nendali. Because this study draws on limited field data from a single *kampung*, future research should use more extensive empirical evidence and comparative cases to examine the dynamics of coordination between the Bamuskam and the *kampung* government in greater depth.

References

- Ansell, C., & Gash, A. (2008). Collaborative governance in theory and practice. *Journal of Public Administration Research and Theory*, 18(4), 543–571. <https://doi.org/10.1093/jopart/mum032>
- Antlöv, H. (2003). Village government and rural development in Indonesia: The new democratic framework. *Bulletin of Indonesian Economic Studies*, 39(2), 193–214. <https://doi.org/10.1080/00074910302013>
- Antlöv, H., Wetterberg, A., & Dharmawan, L. (2016). Village governance, community life, and the 2014 village law in Indonesia. *Bulletin of Indonesian Economic Studies*, 52(2), 161–183. <https://doi.org/10.1080/00074918.2016.1129047>
- Arnstein, S. R. (1969). A ladder of citizen participation. *Journal of the American Institute of Planners*, 35(4), 216–224. <https://doi.org/10.1080/01944366908977225>
- Bovens, M. (2007). Analysing and assessing accountability: A conceptual framework. *European Law Journal*, 13(4), 447–468. <https://doi.org/10.1111/j.1468-0386.2007.00378.x>
- Creswell, J. W. (2014). *Research design: Qualitative, quantitative, and mixed methods approaches* (4th ed.). SAGE Publications.
- Garuan, I. H. (2018). Fungsi Badan Musyawarah Kampung (Bamuskam) terhadap penyelenggaraan pemerintah Kampung Waroi Distrik Yendidori Kabupaten Biak Numfor. *Gema Kampus IISIP YAPIS Biak*, 13(2), 26–32. <https://doi.org/10.52049/gemakampus.v13i2.66>
- Grindle, M. S. (Ed.). (1997). *Getting good government: Capacity building in the public sectors of developing countries*. Harvard Institute for International Development.
- Miles, M. B., & Huberman, A. M. (1992). *Analisis data kualitatif: Buku sumber tentang metode-metode baru* (T. R. Rohidi, Penerj.). Penerbit Universitas Indonesia.
- Miles, M. B., Huberman, A. M., & Saldaña, J. (2014). *Qualitative data analysis: A methods sourcebook* (3rd ed.). SAGE Publications.
- Moleong, L. J. (2017). *Metodologi penelitian kualitatif* (Edisi revisi). Remaja Rosdakarya.
- Nurcholis, H. (2011). *Pertumbuhan dan penyelenggaraan pemerintahan desa*. Erlangga.
- Pakasi, U. (2012). Local community empowerment in the special autonomy law in Papua Province. *Jurnal Studi Pemerintahan*. <https://doi.org/10.18196/jgp.2012.0019>
- Patton, M. Q. (2015). *Qualitative research & evaluation methods* (4th ed.). SAGE Publications.
- Peraturan Menteri Dalam Negeri Nomor 110 Tahun 2016 tentang Badan Permusyawaratan Desa.
- Peters, B. G. (1998). Managing horizontal government: The politics of co-ordination. *Public Administration*, 76(2), 295–311. <https://doi.org/10.1111/1467-9299.00102>
- Rahman, R. E., & Karsiman. (n.d.). Peran Badan Musyawarah Kampung dalam penyelenggaraan pemerintahan (Studi kasus di Distrik Salawati, Kabupaten Sorong). [*Jurnal FISIP Universitas Muhammadiyah Sorong*]. <https://ejournal.um-sorong.ac.id/index.php/gi/article/view/599>
- Silambi, E. D., Samderubun, F., Ruslan, A., & Halim, H. (2021). Optimalisasi fungsi legislasi Badan Musyawarah Kampung. *SASI*, 27(3), 314–322. <https://doi.org/10.47268/sasi.v27i3.403>
- Soekanto, S. (2008). *Faktor-faktor yang mempengaruhi penegakan hukum*. RajaGrafindo Persada.
- Sugiyono. (2019). *Metode penelitian kuantitatif, kualitatif, dan R&D*. Alfabeta.
- Undang-Undang Nomor 2 Tahun 2021 tentang Perubahan Kedua atas Undang-Undang Nomor 21 Tahun 2001 tentang Otonomi Khusus bagi Provinsi Papua (Lembaran Negara RI Tahun 2021 Nomor 155).
- Undang-Undang Nomor 21 Tahun 2001 tentang Otonomi Khusus bagi Provinsi Papua (Lembaran Negara RI Tahun 2001 Nomor 135).
- Undang-Undang Nomor 6 Tahun 2014 tentang Desa (Lembaran Negara RI Tahun 2014 Nomor 7).
- UNDP. (2009). *Capacity development: A UNDP primer*. United Nations Development Programme.