

## The Impact of Local Government Intervention on The Independence of Village Government Based on the Principle of Subsidiarity in North Bolaang Mongondow Regency

Abdul Safar Van Gobel<sup>1</sup>, Darmawati<sup>2</sup>, Kingdom Makkulawuzar<sup>3</sup>  
Ichsan Gorontalo University

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### Article Info

#### Article history:

Accepted: 14 February 2026

Published: 1 March 2026

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#### Keywords:

Local Government Intervention;

Village Independence;

Subsidiarity Principle.

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### Abstract

Local Government intervention in village independence is a crucial problem in the implementation of the principle of subsidiarity in Indonesia. Although Law Number 6 of 2014 concerning Villages recognizes the attributive authority of villages and mandates respect for village autonomy, in practice there are still excessive interventions that hinder the independence of village government. In North Bolaang Mongondow Regency, especially Kaidipang District, local government intervention in villages includes various aspects ranging from development planning, financial management, to setting program priorities that tend to follow district directions. The type of research used is empirical legal research (socio-legal research) with a juridical-sociological approach that is descriptive and analytical. Data sources include primary data obtained through in-depth interviews, participatory observations, and documentation, as well as secondary data in the form of primary, secondary, and tertiary legal materials. The results of the study show that the intervention of the Regional Government of North Bolaang Mongondow Regency has an ambivalent impact, with a more dominant negative impact in the form of reduced community participation in development planning, decreased village flexibility due to strict bureaucratic procedures, inhibition of innovation in the development of local potential, and weakening of participatory democracy. The interventions carried out are not in line with the principle of subsidiarity because there is a reduction in the attributive authority of the village through the restriction of the right of origin and the narrowing of local authority at the village scale. Evaluation based on the four main principles of the principle of subsidiarity shows that the intervention does not meet the presumption in favor of the lower level, adequacy test, necessity test, and proportionality test because the intensity of the intervention exceeds the necessary limit and is disproportionate.

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### Corresponding Author:

Abdul Safar Van Gobel

Ichsan Gorontalo University

E-mail: [Tsafarvangobel@gmail.com](mailto:Tsafarvangobel@gmail.com)

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## 1. INTRODUCTION

Villages as the smallest government unit in Indonesia have a strategic role in the country's government system. The existence of the village is not only as an administrative entity, but also as a development base that is in direct contact with the needs of the community. The existence of villages has been constitutionally recognized in the 1945

Constitution of the Republic of Indonesia (1945 Constitution), especially in Article 18B paragraph (2) which recognizes and respects the unity of customary law communities and their traditional rights.

The regulation of villages has undergone a transformation, through Law Number 6 of 2014 concerning Villages as amended by Law Number 6 of 2023 concerning the Stipulation of Government Regulations in Lieu of Law Number 2 of 2022 concerning Job Creation into Law (Job Creation Law). This change in regulations has implications for the authority and position of villages in the Indonesian government system. The Village Law provides recognition and authority for villages to manage and meet the needs of the community in accordance with the rights of origin and local customs. Furthermore, Government Regulation Number 43 of 2014 concerning Implementation Regulations of Law Number 6 of 2014 concerning Villages as amended several times, most recently with Government Regulation Number 11 of 2019, regulates in detail village governance.

Law Number 6 of 2014 concerning Villages, there was a change in the position of the village. Villages are no longer just objects of development or complements the administration of local government, but rather subjects who have autonomous authority to regulate and take care of the interests of their communities. This change is in line with the spirit of decentralization and regional autonomy as mandated in Law Number 23 of 2014 concerning Regional Government as amended several times, most recently by Law Number 9 of 2015.

The principle of subsidiarity emphasizes that the most effective administration of government affairs is carried out at the level of government closest to the community. This principle underlines that a higher unit of government should not take over tasks that could be performed more effectively by a lower unit of government, unless there is a strong and proportionate reason. In the context of the relationship between local government and village, the principle of subsidiarity ensures that villages have sufficient authority to regulate and manage the interests of their communities independently, without excessive pressure or domination from local governments.

In practice, local government intervention in villages often leads to a reduction in village space in decision-making. Some of the most common forms of intervention include village financial management, development planning, and the appointment and dismissal of village officials. This intervention is not only administrative but can also affect the policy aspects that should be the authority of the village.

In the management of village funds, local governments often provide too strict directives or impose complex requirements, so that villages lose flexibility in allocating budgets according to the needs of the community.<sup>5</sup> Regulation of the Minister of Finance Number 50/PMK.07/2020 concerning the Management of Village Funds as amended by the Regulation of the Minister of Finance Number 116/PMK.07/2023 gives authority to villages to manage village funds in accordance with the priorities set forth in accordance with the priorities of the Minister of Finance stipulated in the Village Medium-Term Development Plan (RPJMDesa) and the Village Government Work Plan (RKPDesa).

In addition, in development planning, local governments often determine priorities that are not always in line with the aspirations of the village community. This can hinder village innovation and creativity in formulating policies that are in accordance with community conditions. Village development planning has become more oriented to the interests of the local government than to the needs of the village community. As a result, programs run in villages are less effective and do not always provide optimal benefits for villagers.

Excessive local government intervention can also have implications for village dependence on assistance from local governments. This dependence can weaken the

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initiative and capacity of villages to develop village resources and find innovative solutions to the problems faced by their communities. If the village is too dependent on the local government in terms of funding and policies, then the village will lose its spirit of independence and become less proactive in creating solutions based on the potential of the community.

The phenomenon of village dependence on local governments can be seen concretely in the practice of government administration in various regions in Indonesia. North Bolaang Mongondow Regency as one of the regions in North Sulawesi Province that implements a decentralization policy provides an empirical example of how local government intervention can affect village independence.

This condition shows that there is a gap between the ideals of village independence mandated in the law and the empirical reality on the ground. The tendency of villages to follow the direction of the district government indicates that the principle of subsidiarity has not been fully implemented, so that the village has not been able to exercise its authority optimally in accordance with local needs and characteristics.

## 2. RESEARCH METHODS

This type of research is empirical research, which is research with field data as the main source of data, such as interviews and observations. Empirical research is used to analyze the law which is seen as a patterned community behavior in the lives of people who are always interacting and related in social aspects. Empirical legal research is legal research on the enactment or implementation of normative legal provisions in action on every specific legal event that occurs in society.

## 3. RESULTS OF RESEARCH AND DISCUSSION

### a. The Impact of Local Government Intervention on the Effectiveness of Village Government Implementation in North Bolaang Mongondow Regency

Local government intervention in the implementation of village government is a complex and multidimensional phenomenon. These interventions can have a variety of impacts on the effectiveness of village government administration, both positive and negative impacts, depending on the form, intensity, and manner of the intervention. In the context of North Bolaang Mongondow Regency, especially in Kaidipang District, this study found various forms of local government intervention that have implications for the independence and effectiveness of village government.

The effectiveness of the implementation of village government can be understood as the level of success of the village government in achieving the goals that have been set in the context of the implementation of government affairs, the implementation of development, community development, and the empowerment of village communities. According to Hayat and Daris Zunaida, effectiveness is the use of resources, facilities and infrastructure in a certain amount that is consciously predetermined in advance to produce a number of goods for the services of the activities carried out. In the context of village government, effectiveness can be measured from the ability of the village government to provide services to the community, carry out development according to the needs of the community, and create good village governance.

Based on the results of field research through in-depth interviews, participatory observations, and documentation studies on six sample villages in Kaidipang District, namely Boroko Village, South Bigo Village, North Kuala Kuala Village, it was found that the intervention of the Regional Government of North Bolaang Mongondow Regency had an impact on the effectiveness of village government implementation.

These impacts can be grouped into five main dimensions, namely: First, the impact on village development planning; Second, the impact on village financial management; Third, the impact on decision-making; Fourth, the impact on village innovation and creativity; and Fifth, the impact on village resource management.

Village development planning is the initial stage in the development cycle that determines the direction and priorities of village development. Law Number 6 of 2014 concerning Villages mandates that village development planning must be carried out in a participatory manner through the mechanism of Village Deliberation (Musdes) and Village Development Planning Deliberation (Musrenbangdes) involving all elements of the village community.

The results of the study show that there is an intervention from the Regional Government of North Bolaang Mongondow Regency in the village development planning process in Kaidipang District. This intervention mainly occurs through the determination of priorities of programs and activities that must be carried out by the village as a condition for the disbursement of Village Funds and Village Fund Allocation (ADD).

This finding is the intervention of the local government in the form of determining the priorities of programs that must be implemented by the village. Although the village has carried out a participatory planning process, the results of the planning must be adjusted to the priorities and directions of the local government as a prerequisite for obtaining approval and disbursement of funds.

From the perspective of the principle of subsidiarity, this kind of intervention can be considered as a violation of the principle of presumption in favor of the lower level, which means that there should be a presumption that the village better understands the needs and priorities of the development of its own community. As Nicholas Aroney argues, the principle of subsidiarity requires that lower levels of government be given the trust to determine the policies that best suit local conditions, as long as they do not conflict with the broader interests.

From the results of the analysis of the RPJMDes and RKPDes documents from the three sample villages, it was found that more than 60% of the activities planned in the RKPDes were uniform activities with other villages and in accordance with the direction of the local government, while only about 40% of the activities really reflected the specific needs of each village based on the aspirations of the community.

From the perspective of subsidiarity theory, local government intervention in village development planning can only be justified if it meets the necessity test and the proportionality test. This means that intervention must be absolutely necessary because villages are not able to plan their development effectively, and the form of intervention must be proportionate, not beyond what is needed to achieve the goals of program coordination and synergy. In the case of Kaidipang District, the results of the study show that the villages actually have the capacity to prepare development plans in a participatory and quality manner. This is evidenced by the existence of the RPJMDes and RKPDes documents which were prepared through a deliberation process involving the wider community. Therefore, intervention in the form of determining program priorities in detail can be considered not to meet the necessity test, because villages are able to determine their own priorities based on the aspirations of the community.

#### **b. Intervention Local Governments Affect the Independence of Village Government Based on the Principle of Subsidiarity**

The independence of village government is a manifestation of the state's recognition of the existence of villages as a legal community unit that has the authority

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to regulate and take care of the interests of its own community. Within the framework of the Indonesian government system, village independence cannot be separated from the concept of the principle of subsidiarity that regulates the division of authority between various levels of government. The principle of subsidiarity, emphasizes that the administration of government affairs should be carried out by the level of government closest to the community, with the higher government only providing assistance when the lower level of government is unable to carry it out.

In the context of the relationship between the local government and the village government in North Bolaang Mongondow Regency, especially in Kaidipang District, the implementation of the principle of subsidiarity is a parameter to assess whether the intervention carried out by the local government is in line with the principle of respect for village independence or has actually exceeded the limits of the authority of guidance and supervision regulated in laws and regulations.

#### 1. Analysis of Village Authority and Limits of Local Government Intervention

To understand how local government intervention affects the independence of village government, it is first necessary to analyze the authority possessed by the village and the limits of intervention that can be carried out by the local government based on the theory of authority. The theory of authority in state administrative law distinguishes between authority derived from attribution, delegation, and mandate. In the context of village government. In the context of village government, village authority as stipulated in Article 19 of Law Number 6 of 2014 can be categorized as follows:

##### A. Village Attributive Authority

Authority based on the right of origin is attributive authority given directly by law to the village. This authority is original and permanent, irrevocable or transferred to another level of government. According to Gunawan Sumodiningrat, in attribution authority, government organs that obtain authority can create new authority or expand existing authority with responsibility and responsibility lying to the organ itself.

This statement shows that there is local government intervention that has the potential to reduce the attributive authority of the village in regulating affairs based on the right of origin. From the perspective of authority theory, this intervention can be categorized as a form of abuse of authority (*détournement de pouvoir*) by local governments, because it uses the authority of coaching and supervision for purposes that go beyond the limits, namely taking over or limiting the authority that has been legally attributed to the village.

##### B. Village-Scale Local Authority

Village-scale local authority is the authority to regulate and take care of the interests of the village community that has been run by the village or is able and effectively run by the village or that arises due to village development and village community initiatives. This authority is dynamic and can develop according to the needs and capacity of the village.

From the perspective of the principle of subsidiarity, restrictions on village-scale local authority carried out by local governments do not meet the necessity test, because the village actually has the capacity and legitimacy to regulate these affairs. Local government intervention in the form of prohibitions or restrictions can only be justified if there are strong and objective reasons, for example if the arrangements to be made by the village are contrary to higher laws and regulations or have the potential to harm the broader public interest.

### C. Assigned Authority

The assigned authority is the authority that comes from the central government, provincial local government, or district/city local government which is handed over to the village to be implemented. In authority theory, this can be categorized as delegating authority, where responsibility and liability shift to the recipient of the delegate.

However, the results of the study show that in practice, the assignment of authority to the village is not always accompanied by a full delegation of responsibility. The local government still intervenes intensively in the implementation of the assigned authority, so that the village only functions as a technical implementer without having the flexibility to adjust the implementation to local conditions.

This condition shows that the delegation of authority carried out by the local government to the village does not fully fulfill the principle of delegation as stated by Philipus M. Hadjon, where in a true delegation, the recipient of the delegation should have the freedom to determine the way to exercise the authority as long as it is within the corridor of the goal that has been set.<sup>92</sup> The pattern that occurs in Kaidipang District is closer to the concept of mandate, where the mandated recipient only acts on behalf of the mandator without having freedom in execution.

## 2. The Effect of Intervention on Village Independence in the Authority Dimension

Based on the analysis of the implementation of village authority above, it can be identified that local government intervention has affected the independence of village government in several dimensions of authority as follows:

### a. Reduction of Attributive Authority

Local government intervention that limits the space for the exercise of authority based on the right of origin has led to a reduction in the attributive authority of the village. Ridwan HR emphasized that attributive authority is original and cannot be reduced or revoked by other government organs, except through changes in the laws and regulations that provide such attribution.<sup>93</sup> However, in practice, through various derivative regulations and administrative policies, local governments have placed restrictions on the implementation of village attributive authority.

### b. Narrowing of Village-Scale Local Authority

The narrow interpretation of village-scale local authority carried out by the local government has caused villages to lose space to regulate and manage affairs that are actually within the scope of their authority. Baqir Manan argued that in an autonomous system, the authority possessed by autonomous regions (including villages) must be interpreted broadly to provide sufficient space for the development of local initiatives and creativity. A narrow interpretation will only hinder the development and independence of the village.

### c. Deviation from the Principle of Delegation

The exercise of authority assigned to the village does not fully follow the principle of true delegation, where the village should have the freedom to determine the way of implementation that is most in accordance with local conditions. What happens is delegation accompanied by excessive intervention,

so that the village does not have enough discretion to adjust the exercise of authority to the needs of the community.

#### 4. CONCLUSION

The intervention of the Regional Government of North Bolaang Mongondow Regency on the implementation of village government in Kaidipang District has had an ambivalent impact. Although the intervention has a positive impact in the form of increased accountability, program alignment between the village and district levels, and increased the capacity of village apparatus in the technical aspects of administration, but the negative impact is more dominant and significant, the intervention of the Regional Government of North Bolaang Mongondow Regency on village government in Kaidipang District has not been fully in line with the principle of subsidiarity which mandates respect for Village Independence. In practice, there is a reduction in the attributive authority of the village through restrictions on the implementation of the right of origin, the narrowing of local authority at the village scale due to the too rigid interpretation of the local government, and deviation from the principle of true delegation in the implementation of the assigned authority.

#### 5. BIBLIOGRAPHY

- Bambang Sugiyono, *Metode Penelitian Pendidikan (Pendekatan Kuantitatif, Kualitatif, dan R & D)* (Bandung: Alfabeta, 2014)
- Baqir Manan, *Hukum Tata Negara Indonesia* (Bandung: Alumni, 2013)
- Darwin Abd Rajak dkk., *Pembangunan Masyarakat Desa* (Malang: Penerbit Forind, 2024)
- Gunawan Sumodiningrat, *Pemberdayaan Masyarakat dan Jaring Pengaman Sosial* (Jakarta: Gramedia Pustaka Utama, 1999)
- Hayat dan Daris Zunaida, *Kemandirian Desa* (Malang: Inteligensi Media, 2018)
- Jusuf Luturmas dkk., "Asas-Asas Penyelenggaraan Pemerintahan dalam Kajian Hukum Administrasi Negara," *Jurnal Kolaboratif Sains* 7, no. 7 (2024).
- Ng Syamsiah B dan Tamsir, "Faktor-Faktor yang Mempengaruhi Pengelolaan Dana Desa di Desa Butungale Kecamatan Popayato Barat Kabupaten Pohuwato," *Jurnal Kolaboratif Sains* 7, no. 6 (2024)
- Nicholas Aroney, *Shari'a In The West* (Oxford: Oxford University Press, 2010)
- Prasojo, *Desentralisasi dan Pemerintahan Daerah: Antara Model Demokrasi Lokad dan Efisiensi Struktural*.
- Republik Indonesia, *Undang-Undang Nomor 6 Tahun 2014 tentang Desa*.