

ABSTRAK

Penyusunan peraturan desa merupakan penjabaran atas berbagai kewenangan yang dimiliki desa, seperti kewenangan yang sudah ada berdasarkan hak asal usul desa, lembaga lembaga pemerintahan desa yang berwenang membentuk peraturan desa di desa, yakni kepala desa dan badan permusyawaratan desa (BPD), Jika dikaitkan dengan penyusunan peraturan daerah provinsi dan peraturan daerah kabupaten/kota, semestinya penyusunan peraturan desa harus menggunakan naskah akademik karena proses pembentukan peraturan desa dilakukan oleh dua pihak yaitu Badan Permusyawaratan desa (BPD) dan Kepala desa, Urgensi dari naskah akademik dalam proses pembentukan peraturan desa antara lain merupakan media nyata bagi partisipasi masyarakat dalam proses pembentukan peraturan desa

Metode penelitian yang digunakan adalah *penelitian hukum normatif*. Adapun pendekatan yang dilakukan adalah pendekatan perundang-undangan digabungkan dengan pendekatan konsep.

Hasil penelitian ini menunjukkan bahwa pembentukan peraturan desa dengan pembentukan peraturan daerah kabupaten/ kota baik *regeling* (pengaturan) atau *beshicking* (penetapan) tidak berlaku secara *mutatis mutandis*, karena tidak menggunakan naskah akademik dalam pembentukan peraturan desa.

Kata Kunci: Pembentukan Perdes, Naskah Akademik.

ABSTRACT

The preparation of the village regulation is description on varios the authority owned village. As the authority of existing by virtue of the origin of village, institutions village administration authorities form village regulations in the village, the village head and the village of representatives (BPD), if it is associated with the provincial rules and regulations districts / city, should the village regulations should use the academic paper because the formation of the village regulations undertaken by two parties namely the village of representatives (BPD) and village head, the urgency of the academic paper in the formation of the village regulations include be a pleasant clear to public participation in the formation of the village regulations.

Research methodology used is research law normative .As for the approach that was undertaken is the approach legislation combined with the approach the concept . As for the approach is the approach legislation combined with the approach the concept.

This research result indicates that the establishment of village regulations with the formation The formation of regulation districts / cities good regeling (arrangement or beshicking (the determination of not shall apply mutatis mutandis, because they did not use the academic paper in the formation of village regulations.

Key Word: The formation of perdes, academic paper