

The Role of Local Government Policies in Simultaneous Village Head Elections

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Abstract

In the modern state administration system, it is no longer necessary to maintain village government as it is now because it is very outdated. The Indonesian people currently need an autonomous modern region, where the village is given the right to determine and manage its household. This can be done through direct village head elections. Law No. 6 of 2014 concerning villages still implies the need for local government intervention in determining regulations and policy directions for village head elections, especially those carried out simultaneously. Therefore, this study aims to examine the role of local government policies in implementing simultaneous village head elections in Indonesia. This study uses a descriptive qualitative approach with secondary data sources through library research. The results of the study found that the role of the government in implementing the policy of simultaneous village head elections was significant where the local government had a dual function, namely as a policymaker, organizer, and supervisor and a place to settle village head election disputes simultaneously. It can also be concluded that the village head election is not free from conflicts of interest, so the local government must also be fair and neutral and not take sides with any of the candidates.

Keywords

policy; local government;
village head election

I. Introduction

By changing Law No. 22 from 1999 into 2004 and allowing independent regional governments to regulate and manage their government affairs based on the principle of autonomy, the era of reform was marked by a change in law that accelerated the welfare of citizens by increasing and empowering democratic principles (Rais, 2018). Autonomy is not the ultimate goal in the administration of the state, and it is an instrument used by the state in achieving national goals. The development of the implementation of autonomy in Indonesia is not only attached to local governments but has also tried to give recognition to village autonomy (Aziz, 2016).

In the current era of regional autonomy in Indonesia, the village has broader authority in regulating and managing the interests of the community based on the rights of origin, customs, and socio-cultural values of the community, as well as carrying out parts a government affair delegated by the government district or city. This is because the rights of origin, customs, and socio-cultural values of the community are determined by the community itself (Nadir, 2013). This can be seen with the policy of strengthening village independence through LAW no. 6 of 2014 concerning Villages. The village is essentially a tiny organization that supports the sustainability of a country. The village is one of the elements that make up the state. Because villages have people and territories. Village life and governance existed long before the state was formed (Timotius, 2018).

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Today, the village is witnessing a government policy implementing agency that does not qualify as a modern state administrative institution. The village is not an official state institution. The village is just a community co-opted by the state and then given the task of carrying out the functions of the state (Nurcholis, 2013). The indicator is that the state does not pay the village head and village officials (except the village secretary) and does not allocate funds from the APBN and/or APBD to the village as regulated in the LAW. The state only provides the village non-binding ad hoc/subsidy/assistance funds. The state also does not foster, develop, and increase the capacity of village officials to become capable and competent public service apparatus so that they can provide public services that satisfy the people, which in turn improves the welfare of the village people (Nurcholis, 2017). With the argument of recognizing and respecting Village customs, the state leaves the village without the capacity as an element of modern state administrators. The village head is elected with strong money politics. The village apparatus does not meet the academic qualifications (except for the village secretary); the income relies on his communal land and the mercy of the regents, governors, and presidents (Hidayat, 2020).

Organization must have a goal to be achieved by the organizational members (Niati et al., 2021). In self-governing communities, the village's authority to regulate and manage communal affairs independently necessitates the employment of dependable and qualified individuals as village administrators (Muslich, 2017). To build a strong, advanced, independent, and democratic village, village regeneration is essential. Increasing the capacity of village communities in all aspects of life, particularly in democratic village management, is part of village cadre (Meiliyana et al., 2022). That's why it's necessary to have a leader who can guide the village government's path (12)ction.

The election of village heads is contained in Law Number 6 of 2014 concerning Villages; in Article 33, the requirements to be nominated as village heads are stated. This provision explicitly gives attribution authority to local governments (in this case, districts/cities) to determine other conditions stipulated in Regional Regulations (Article 33 letter m). Regional governments, in terms of managing and regulating their affairs, have the right to make regional regulations according to the region's needs, situations, and conditions. Regional regulations can function as a tool to facilitate the running of government in the region and provide instructions for things that have been regulated and implemented. As regional government administrators, local governments cannot be separated from the task of fostering peace and public order in their regions (Ayunita, 2016).

Based on the current Village Law, village head elections must be held simultaneously in all districts and cities with the stipulation of Regional Regulations to regulate policies regarding village head elections (Hartasari et al., 2017). Juridically technically, the word "with" must be interpreted that the regulation regarding the Pilkades must be based on a regional principle and no longer delegated to other forms of limitation, in contrast to the word "based on," which freely can be delegated with other regulations. However, in reality, some districts and small villages in the city still do not entirely regulate the Pilkades in the local regulation, so it must be explained again in the form of other regulations, for example, the Regent's Regulation (Prenup). Sometimes the Perbup contradicts each other, making the arrangements increasingly unclear (Rochmawanto, 2017).

This is an obstacle for each region in holding village head elections because the Village Law stipulates that in holding village head elections, each region must have a Regional Regulation that regulates simultaneous village head elections. Not only with local regulations, following the provisions of the law stipulating that the election of village

heads must also be regulated in government regulations as implementing regulations of the law and Permendagri as a reference for each village in making local regulations governing village head elections (Marit et al., 2021). At the moment, Government Regulation Number 47 of 2015 concerning amendments to Government Regulation Number 43 of 2014 concerning implementing regulations of Law Number 6 of 2014 regarding villages is the government regulation that regulates the implementation of the village law. This regulation governs the election of village heads, among other aspects of the law pertaining to villages. And the Minister of Home Affairs Regulation No. 112 of 2014 about Village Head Elections is the document that provides the technical provisions in regard to the election of village leaders. This document was issued by the Minister of Home Affairs. Because the election of village heads in some village government areas has become the major plan that must be carried out as soon as possible, the issue of government rules and the Permendagri is regarded as being exceedingly delayed. Many villages have experienced a village head vacancy after the Village Law was issued and must immediately draw up a regional regulation to make it happen. Elections for village heads in most regions could only be held in 2015 because the Permendagri, which technically regulates village head elections, was only passed in December 2014.

Based on the above background, the problem in this study is whether the election of a village head requires a separate regional regulation and depends on the policies of the regional government. This paper wants to invite the public to discuss the village: how should the election of the Village head be carried out so that it can become a government agent in providing public services that prosper the people.

II. Research Method

The descriptive qualitative research approach is combined with library research methods in this research method. This qualitative research is predicated mostly on detailed observations of both human behavior and the surrounding environment (Ismail, 2009). The reason for selecting this technique is that the object being researched necessitates the primary research instrument, which is direct observation from the researcher, in order to investigate the process and meaning of the object. To acquire secondary data containing materials or materials in the form of books, articles, research results, rules and regulations, and expert opinions linked to local government policies in controlling village head elections, research into the relevant literature was carried out.

III. Results and Discussion

3.1 Village Head Election

Local government law is closely related or one of the things discussed in the village. Van Vollenhoven (quoted in Taufiq, 2011) said in the first sentence of his book entitled *Staatsrecht Overseas* that in 1596, the first Dutch-flagged ship entered the Indonesian archipelagic waters; this area was legally not wild and empty. There are many institutions of regulation and authority through government by or against tribes, villages, village associations, republics or kingdoms. Van Vollenhoven also emphasized that the state administration is indigenous (*inheemsch geleven*), although the influence of Hinduism and Islam on people's lives continues.

The community has improved itself by forming permanent villages. The traditions of this era have determined the shape and arrangement of our temples. According to Soepomo (Hutagalung, 2005), the original nature of Indonesia's state administration, which until now

can be seen in everyday life, is village administration, both in Java, Sumatra, and other Indonesian islands.

Thus, according to Attamimi, the essence of Indonesia is a large village with a few modern aspects incorporated into it (Huda, 2008). Thus, the Republic of Indonesia includes village government as a form of village autonomy in its government structure. According to the Villages Law No. 6 of 2014, it has the right to run its own home, including village government. It is essential to have a leader who serves as a village head, responsible for running the village government he serves. It has been stated in the quo law that village head elections are used to determine who has the right to be a village head.

The election of village heads is a way to realize people's sovereignty which is an opportunity for village communities to choose village heads and decide what they want the village government to run. The election of village heads is expected to be a democratization process in the village which will be a prerequisite for the growth and development of democracy at the regional and national levels (Rohmawati, 2013).

The village head has the right to authority and responsibility in the village administration, in organizing his household, which is the main organizer and person in charge in the fields of government, development, and society. In addition, the village head also has the task of building the mentality of the village community, both in the form of growing and developing the spirit of the building, which is imbued with the principles of joint effort and kinship. Based on this, it can be seen that the village head has a significant role and position in the village government. The village head is the leader of the administration of village government affairs and the organizer and person in charge of running the wheels of government and development within his territory (Neldi & Juaharmen, 2018).

The purpose of the village head election is to select a village head candidate who will be able to govern the village. The registered village community directly elects the village head by directly picking the candidate for the village head who is deemed capable of bringing the community's aspirations and the development of their village (Janwandri, 2013: 239-240).

In the context of village head elections, democracy can be characterized as an acceptance of the community's variety and participation in the village democracy framework. This relates to Law No. 6 of 2014, which acknowledges village governance administration as a subsystem of the government administration system. The village has the authority and the right to administer village households. Indonesia. A democratic state is one that is organized based on the will and will of the people, or, from the standpoint of the organization, it (democracy) means the organization of the state that is carried out by the people themselves or with their agreement because sovereignty is in the hands of the people (Mahfud, 2003).

According to Samidjo (Faizah, 1995), one form of community participation in a country is its involvement in general elections (elections). Elections are one of the characteristics of a democratic government. This includes elections for village leaders. Historically, village head elections have been held for a long time and have been seen as an acknowledgment of the range of political perspectives toward community engagement in democratization at the village level.

3.2 The Regional Government as the owner of the Simultaneous Pilkades authority

The Regent/Mayor, the Regional Secretary, the Assistant to the Government, the Regency Election Committee, the District Attorney, and the Resort Police are all involved in the implementation of a participatory, transparent, and accountable simultaneous Village Head election process. The Muspida serves as the director (Prahara, 2021).

Village head election process is carried out concurrently by those who have power (interests impacted) and those who participate and participate in all aspects of the village head election process from pre-nomination through voting to determining the victorious candidate. Village head elections at the district, sub-district, and village levels are generally being implemented in accordance with the rules for conducting village head elections, according to the findings of this study (Sofyan, 2021).

As members of the regional election committee, all regional apparatuses have fulfilled their duties to the best of their abilities. An evaluation of the benefits (benefits) that can be reaped from the simultaneous election of village chiefs is the basis for this. Or the team in charge of enabling district-level elections for village chiefs will do this.

Succeeding in the simultaneous election of village leaders is a statewide approach that requires the participation of local leaders and other stakeholders. Because of this, the village's consultative body (BPD) and the village head election committee are in charge of making the village head election a success and celebrating democracy by selecting village leaders according to local preferences.

It is possible for individuals within a community to get an understanding of the significance of democratic elections with the assistance of one another. The election of village leaders is a democratic process that is carried out by the local citizens of the village for the benefit of the village community. Elections are held for the purpose of electing village leaders. It is considered a lawful and elegant strategy to attain this goal through the election process of village chiefs to select candidates for village chiefs who are honest, trustworthy, and dedicated to improving the village in keeping with the aspirations of the village community. This viewpoint is shared by a lot of people.

The Regency/Citizenship, Community Empowerment, Government and Village Service (PMPD), Regional Election Committee Team, or Facilitation Team for Village Head Elections is where decisions are made in the process of implementing simultaneous village head election policies in order to realize participatory, transparent, and accountable village head elections in the regions.

3.3 Implementing the Village Head Election Policy simultaneously.

Village head election committees in Regency / City are being recruited based on numbers rather than education as part of the policy's implementation, which necessitates extensive training from the subdistrict and district levels.

Starting with the preparation, nomination, voting, and determining stages, the regional government provides a budget for the conduct of village head elections in villages. The regional government implements village head elections and facilitates their inauguration. Candidate and committee groups have committed to attend and to provide support amenities like public transit and many banners for voters to see.

As a result, the onus is on the chairman and members of the village head election committee to advise and brief everyone involved, including the necessary regional apparatus organizations (OPD), local chiefs, village consultative body chiefs (BPD), and so on. When it comes time for the village committee to elect a village head, RT, RW, and every other local institution work together with them, as does the district, subdistrict, and village councils, providing assistance and technical support.

The president, through the minister of home affairs, the governor of the province, and the district chief executive are the institutions with the most sway in the election of village chiefs at the central, provincial, and district levels, respectively, in the Regency/simultaneous City's village head election policy implementation. BPD may replace or remove the village committee if it fails to follow the main task force's directives.

Because of the layered structure of the village head election process, which starts at the center (with the creation of regulations for village head elections) and works its way down to the local level (with the formation of BPDs and village committees), the village committees are expected to operate with professionalism and autonomy. Starting with the preparation of nominations, voting and determining village head election results, the PMPD Service aids implementation. Progress has been made so that the village election can be conducted in accordance with established systems and procedures. There has been beneficial impact on the institution's synergy between the regional committee and subdistrict committee as well as the village committee as a result of the institution's holding village head elections. The use of WhatsApp (WA) groups facilitates extensive active collaboration and monitoring. Existing issues can be identified and swiftly remedied by anticipating them and using the necessary solutions.

In order to carry out the policy of holding the village head elections at the same time, the Regency or City PMPD Office's organizational structure includes two section heads with job descriptions that include holding village head elections. Although the objective of supporting village head elections is being carried out smoothly, it is not sufficient, and hence the task implementation is not optimal. Each field should have three section heads in the future. Village heads are currently selected by the sub-organizational district's structure. Village head elections can be improved even further by the establishment of a committee comprised of qualified individuals who are both neutral and transparent, as well as effective and impartial observers.

An Important Part of the Pilkades' Implementation by Local Governments. Political activities in the region are managed and overseen by the provincial government in regional autonomy. It is specified by Law Number 6 concerning Villages that the implementation of elections must be carried out concurrently in all districts, so that Pilkades becomes one of the regional government's obligations. During its implementation, the local government serves not only as an organizer, but also as a mediator in the event of future conflicts in the Pilkades.

IV. Conclusion

The election of village heads is a way to realize people's sovereignty and is an opportunity to provide political and democratic education to villagers. The election of village heads should be carried out simultaneously in line with the enactment of regional regulations to regulate these policies. The local government is in a critical position in implementing Pilkades, simultaneously having a dual function: policymakers, organizers, and election supervisors. In its implementation, local governments must always be fair and neutral. Making the village an autonomous region with the right to regulate its household is the right step in future Village planning because it provides certainty of Village status and is a rediscovery of lost pearls.

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