

VILLAGE DEPENDENCY TO LOCAL GOVERNMENTS IN THE VILLAGE HEAD POSITION FILLING ACCORDING TO VILLAGE LAW

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Abstract

The election of village heads in Indonesia is implementation of democracy and people's sovereignty in Indonesia. However, in practice, the Village Head Election is still very dependent on Regency / City Government. The aim of the study is to analyze the dependency of the Village Head filling on the Regency/City Government and the involvement of the Regency/City Regional Government in filling the position of Village Head. This study uses a normative juridical research method using a dogmatic legal approach and secondary data as the source. The results of the study indicate that the involvement of the Regency/City Government in filling the position of Village Head is the result of the concept of division of power, which is a territorial division of power adopted by the Unitary State of the Republic of Indonesia. As a result, the Regency/City Regional Government has a relatively large portion of involvement in filling the Village Head positions as regulated by applicable laws and regulations. This is what should be reduced for the sake of village development in Indonesia.

Keywords: *Village; Village Head Election; Local Government*

1. Introduction

The village head election process in Indonesia has been a cornerstone of local governance, empowering communities to elect their leaders and actively participate in decision-making processes at the grassroots level. However, the dependency on the local government in conducting these elections raises essential questions about the extent of autonomy and self-determination of Indonesian villages.¹

The dependency on local government is evident in various aspects of the village head election process. Firstly, the local government plays a significant role in overseeing and administering the elections, including the registration of candidates, voter registration, and providing logistical support.² This reliance on the local government raises concerns about the potential for undue influence and manipulation in the electoral process.

Furthermore, the financial dependency of villages on the local government creates a power dynamic that affects the village head election. Villages rely on the local government for funding

¹ Amirullah Umar, Ahmad Syaukani, and Andi M Rusli, "Demokratisasi Dalam Penyelenggaraan Pemerintahan Daerah (Studi Pilkadaes Serentak Di Kabupaten Bone)," *Government: Jurnal Ilmu Pemerintahan* 7, no. 2 (2014): 111–119, <http://journal.unhas.ac.id/index.php/government/article/view/1249>.

² Ibid.

and resources, which can influence the decision-making process of the village leaders.³ The financial support provided by the local government can lead to a patronage system where village leaders feel obligated to align their policies and actions with the interests of the local government rather than the needs and aspirations of the villagers.⁴

The dependency on the local government also raises questions about the autonomy and self-governance of Indonesian villages. While the village head election is meant to empower communities, the reliance on the local government can undermine the independence and authority of village leaders.⁵ The control exerted by the local government over the election process can limit the choices available to villagers and restrict their ability to select leaders who represent their interests.

This research article aims at exploring and analysing the dependency of village head elections to the local government. By examining the various dimensions of this dependency, including administrative oversight, financial reliance, and its impact on village autonomy, this study sheds light on the challenges and implications for grassroots democracy in the Indonesian context. Through a comprehensive analysis, this research aims to provide insights and recommendations for promoting a more independent and participatory village head election process in Indonesia.

Village head election is fundamental in the advancement of democratization in Indonesia. Village elections in Indonesia have proven instrumental in empowering individuals and enhancing the democratic fabric of the nation, as they promote transparency, accountability, and local ownership in the decision-making processes. But, democratization is often associated with the renewal of political elites, making a new regime.⁶ Therefore, even after the fall of an authoritarian regime and the emergence of democratic reform movements, the movement itself shows some fundamental flaws in the system of democracy. This is demonstrated in several previous research.

³ Adityo Pratikno Ramadhan et al., "Electronic Voting in Indonesia: Head of Village Election," *Sospol: Jurnal Sosial Politik* 4, no. 2 (2018): 73–83, <http://202.52.52.6/index.php/sospol/article/view/6150>.

⁴ Hans Antlöv, "Village Government And Rural Development In Indonesia: The New Democratic Framework," *Bulletin of Indonesian Economic Studies* 39, no. 2 (2003): 193–214, <https://www.tandfonline.com/doi/abs/10.1080/00074910302013>; Ahmad Avenus and Dinda Alfina, "Partisipasi Politik Dalam Pemilihan Kepala Desa," *Moderat: Jurnal Ilmiah Ilmu Pemerintahan* 6, no. 3 (2020): 585–610, <https://jurnal.unigal.ac.id/moderat/article/view/3996>.

⁵ Abdul Hamid Tome, Moh. Zachary Rusman, and Moh Sigit Ibrahim, "Kebijakan Pemerintah Daerah Dalam Pelaksanaan Pemilihan Kepala Desa," *Al-Adalah: Jurnal Hukum dan Politik Islam* 6, no. 1 (2021): 37–50, <https://jurnal.iain-bone.ac.id/index.php/aladalah/article/view/1103>.

⁶ Ward Berenschot, "The Political Economy of Clientelism: A Comparative Study of Indonesia's Patronage Democracy," *Comparative Political Studies* 51, no. 12 (2018): 1563–1593, <https://journals.sagepub.com/doi/10.1177/0010414018758756>.

Buehler et al. found that the democratization in decolonized countries from Brazil to the Philippines to Indonesia is plagued with the persistent dominance of quasi-oligarch political elites who succeeded in using their resources to maintain political power after the advent of competitive elections.⁷ Aspinall and Rohman argue that Village elites, rather than being incorporated as subordinates in a bureaucratic hierarchy during authoritarian rule, are now true rural brokers.⁸ They exercise considerable leverage in their relations with the state. Despite the competitiveness of these elections, the modes of campaigning employed by candidates, particularly vote buying, indicate a continuation of elite dominance, as only wealthy villagers can afford to compete for office. Furthermore, maintaining connections with higher state officials remains crucial for village elites, enabling them to secure projects from the local government and garner political support.⁹

However, Berenschot et al. show a more positive light in their research whereby villages in Indonesia pre-Reformation which leaders from established families ruled with a quasi-hereditary grip on power, now they have been replaced by newer leaders from more modest backgrounds and different leadership styles.¹⁰ Berenschot argues that the change of the political landscape and regime is possible when open and information-dense elections coincide with a process of economic diversification undercutting the economic dominance of these traditionally established political families.¹¹

In terms of establishing village electoral systems, it needed to be stronger in early inception due to a lack of explicit constitutional mandates, a lack of institutional designs and the overabundance of ad-hoc establishments. Yani explains village election has not been systematically

⁷ Michael Buehler and Ronnie Nataatmadja, "Authoritarian Diasporas in Indonesia and the Philippines: Comparative Perspectives on Elite Survival and Defection," *Democratization* 28, no. 3 (2021): 521–538, <https://www.tandfonline.com/doi/full/10.1080/13510347.2020.1832084>; Michael Buehler, Ronnie Nataatmadja, and Iqra Anugrah, "Limitations to Subnational Authoritarianism: Indonesian Local Government Head Elections in Comparative Perspective," *Regional & Federal Studies* 31, no. 3 (2021): 381–404, <https://www.tandfonline.com/doi/full/10.1080/13597566.2021.1918388>.

⁸ Edward Aspinall and Ward Berenschot, *Democracy for Sale: Elections, Clientelism, and the State in Indonesia* (Ithaca: Cornell University Press, 2019); Edward Aspinall and Noor Rohman, "Village Head Elections in Java: Money Politics and Brokerage in the Remaking of Indonesia's Rural Elite," *Journal of Southeast Asian Studies* 48, no. 1 (2017): 31–52, <https://www.cambridge.org/core/journals/journal-of-southeast-asian-studies/article/village-head-elections-in-java-money-politics-and-brokerage-in-the-remaking-of-indonesias-rural-elite/672395441AE305282CB3E55CC112D9D4>.

⁹ Aspinall and Berenschot, *Democracy for Sale: Elections, Clientelism, and the State in Indonesia*.

¹⁰ Ward Berenschot, Wigke Capri, and Devy Dhian, "A Quiet Revolution? Village Head Elections and the Democratization of Rural Indonesia," *Critical Asian Studies* 53, no. 1 (2021): 126–146, <https://www.tandfonline.com/doi/full/10.1080/14672715.2021.1871852>.

¹¹ Berenschot, "The Political Economy of Clientelism: A Comparative Study of Indonesia's Patronage Democracy"; Berenschot, Capri, and Dhian, "A Quiet Revolution? Village Head Elections and the Democratization of Rural Indonesia."

incorporated into the whole election law, thus potentially undermining its legitimacy.¹² Moreover, structurization is required for *ad hoc* village electoral bodies.

In conclusion, the Village elections in Indonesia have undeniably played a crucial role in empowering individuals and fostering a stronger democratic foundation within the nation. By promoting transparency, accountability, and local ownership in decision-making processes, these elections have become a vital instrument in strengthening the democratic fabric of Indonesia.¹³ It argues that through the active participation of citizens, these elections provide a platform for diverse voices to be heard and for marginalized communities to have a say in shaping their local governance.¹⁴ As a result, Village elections have empowered individuals and contributed to a more inclusive and participatory democratic system, ultimately paving the way for a brighter and more equitable future for the nation as a whole.

2. Method

This research belongs to the type of dogmatic legal research with normative legal approach. The method of normative juridical approach or doctrinal legal research is library research, namely research conducted on secondary data. In other words, normative legal research is legal research conducted by examining library materials or secondary data.¹⁵ This research also uses a law or statute approach. The law or statute approach is an approach taken by examining regulations relating to legal issues or the object of research being researched.¹⁶

The data related to filling the position of the Village Head obtained using the method mentioned above was then analyzed using the analytical descriptive method. The data obtained were analyzed by providing an overview, description, and explanation, as well as an analysis of the findings of the study. The method used in this qualitative research is based on and linked to the applicable laws and regulations as well as the opinions of legal experts as a theoretical basis so that the resulting data is data based on clear, logical, and systematically arranged arguments.

¹² Ahmad Yani, "Penataan Pemilihan Kepala Desa Dalam Sistem Ketatanegaraan Di Indonesia," *Jurnal Konstitusi* 19, no. 2 (2022): 456–478, <https://jurnalkonstitusi.mkri.id/index.php/jk/article/view/1929>.

¹³ Wahidah R Bulan, "Implementation of the Law on Village and Democratization Effort in the Villages," in *Proceedings of the Third International Conference on Social and Political Sciences (ICSPPS 2017)* (Atlantis Press, 2017), 292–295, <https://www.atlantis-press.com/proceedings/icspps-17/25891383>.

¹⁴ Takeshi Ito, "Open Access Everyday Citizenship in Village Java," in *Citizenship and Democratization in Southeast Asia*, ed. Ward Berenschot, Henk Schulte Nordholt, and Laurens Bakker (Brill, 2017), 51–67.

¹⁵ Mike McConville and Wing Hong Chui, eds., *Research Methods for Law* (Edinburgh University Press, 2017).

¹⁶ Peter Mahmud Marzuki, *Penelitian Hukum* (Jakarta: Kencana, 2005).

3. Results and Discussion

3.1. The Position of Village Governments in the Division of Power in Indonesia

The village is a government unit whose scope of authority is within a Regency/City. Although it has the authority to regulate and manage government affairs and the interests of the local community based on Law Number 6 of 2014 on Villages, the village does not necessarily exercise this authority to the fullest extent but remains within the framework of the Unitary State of the Republic of Indonesia.

Based on the vertical and territorial division of power, it can be interpreted that within the government structure in Indonesia, there are levels of government whose levels are based on the scope of the area of authority. Nationally, the Central Government holds the highest authority in administering government affairs. Under him, the Provincial Government holds the power to administer government affairs that fall within its provincial authority. Within these provinces, as has also been mentioned in Article 18 paragraph (1) of the 1945 Constitution of the Republic of Indonesia, there are regencies/cities with their own regency/municipal government. Each level of government has its own authority in carrying out government affairs as regulated in Law Number 23 of 2014 on Regional Government.¹⁷

Villages are included in the scope of the Regency/City area. It is stated in Article 2 paragraph (2) of Law Number 23 of 2014 on Regional Government in the Chapter of Division of State Territories, "*Regencies/municipalities are divided into sub-districts and sub-districts are divided into sub-districts and/or villages.*" In addition, in the same law, Article 371 paragraph (1) states that "*In a Regency/City Area, a Village may be formed.*" Likewise, regarding the position of the village as regulated in Law Number 6 of 2014 on Villages, it is stated in Article 5, "*The Village is domiciled in the Regency/City area.*" The village also has a village government consisting of the village head, or what is called by another name, assisted by village officials as an element of village administration. The Village Government in question is the administration of government affairs and the local community's interests in the government system of the Unitary State of the Republic of Indonesia. From this, the Village Government is still included in the level of government in the government structure in Indonesia, where the Village Government is under the Regency/City Regional Government.

¹⁷ Rudy Rudy et al., "18 Years of Decentralization Experiment in Indonesia: Institutional and Democratic Evaluation," *Journal of Politics and Law* 10, no. 5 (2017): 132–139, <https://www.ccsenet.org/journal/index.php/jpl/article/view/72151>.

The structure of government in Indonesia, which is stratified based on the area of the scope of authority, creates a relationship between the superior government and subordinate government between the government at a higher level and the government at a lower level. In hierarchical inter-governmental relations such as, for example, in the relationship between the Central Government and Regional Governments.¹⁸ It is in this pattern of government interference at a higher level in the administration of the government below that the regulation regarding the filling of the Village Head position, which is very dependent on the Regency/City Regional Government, is interpreted.¹⁹

The authority of the Regional Government does not come from the Regional Government itself. As in the concept of a unitary state, power is only held by one government, namely the central government, while the governments under it (regions) receive power from the central government. In the administration of Village government within the framework of the Unitary State of the Republic of Indonesia, the involvement of the Regency/City Government in filling the position of Village Head is also a result of the authority granted by the Central Government to the Regency/City Regional Government. The granting of authority to the Regency/City Regional Government to intervene in filling the position of Village Head in its territory is given by a law established by the only legislative institution at the central level, which is a characteristic of a unitary state where the constitution of a unitary state does not recognize the existence of a legislative body other than a law-making body at the central level. Because of its nature, which only needs to accept the authority of the Central Government, the Regional Government is an extension of the administration of government in the regions.²⁰ Likewise, it can be interpreted in the context of the involvement of the Regency/City Regional Government in filling the position of Village Head.

3.2. Involvement of Regency/Municipal Governments in The Village Head Position Filling

The Village Head position filling is generally carried out through a general election mechanism as regulated in Law Number 6 of 2014 on Villages. However, the Village Head

¹⁸ Avenus and Alfina, "Partisipasi Politik Dalam Pemilihan Kepala Desa"; Umar, Syaukani, and Rusli, "Demokratisasi Dalam Penyelenggaraan Pemerintahan Daerah (Studi Pilkada Serentak Di Kabupaten Bone)."

¹⁹ Bulan, "Implementation of the Law on Village and Democratization Effort in the Villages"; Agus Salim et al., *Indonesia's Village Law: Enabler or Constraint for More Accountable Governance?*, 2017, https://opendocs.ids.ac.uk/opendocs/bitstream/handle/20.500.12413/13324/Village_law_Indonesia_Final.pdf.

²⁰ J.A.C. Vel and A.W. Bedner, "Decentralisation and Village Governance in Indonesia: The Return to the Nagari and the 2014 Village Law," *The Journal of Legal Pluralism and Unofficial Law* 47, no. 3 (2015): 493–507, <https://www.tandfonline.com/doi/full/10.1080/07329113.2015.1109379>.

position filling does not escape the involvement of the Regency/City Government. The involvement of Regency/Municipal Governments in filling the position of Village Head can be found even from the early stages of Village Head Elections.

The Regency/City Regional Government shall first determine the policy for implementing the Village Head Election with a Regency/City Regional Regulation as stated in Article 31 paragraph (2) of Law Number 6 on Villages. The authority of the Regional Government (in this case, the Regency/City Government) to form a Regional Regulation (Perda) to regulate the implementation of the Village Head Election is an authority that comes from the attribution authority. The attribution of authority in the formation of laws and regulations (*attributie van wetgevingsbevoegdheid*) is the granting of the authority to form a statutory regulation granted by the constitution (*grondwet*) or law (*wet*) to a state or government institution.²¹ So, in this case, it means that the Regency/City Regional Government receives the authority from Law Number 6 of 2014 on Villages to form a Regional Regulation to regulate the implementation of Village Head Elections in their territory.

The involvement of the Regency/City Government in the next Village Head Election stage can be found before the Preparation stage. The Regency/City Regional Government first forms an election committee in the Regency/City, which is determined by the decision of the Regent/Mayor. The election committee in the district/city has the task as regulated in Article 5 paragraph (2) of the Minister of Home Affairs Regulation Number 65 of 2017 on Amendments to the Minister of Home Affairs Regulation Number 112 of 2014 on the Election of Village Heads as follows: a) plan, coordinate and organize all stages of the implementation of district/city-level elections; b) provide technical guidance on the implementation of the Village head election to the Village level election committee; c) determine the number of ballots and ballot boxes; d) facilitate the printing of ballot papers and the manufacture of ballot boxes and other voting equipment; e) deliver ballot papers and ballot boxes, and other election equipment to the election committee; f) facilitate the resolution of problems in the election of village heads at the regency/city level; g) supervise the implementation of the Village head election and report and make recommendations to the regent/mayor; and, h) evaluate and report on the performance of the election.

The formation of the election committee in the district/city can be understood as a consequence of the financing of the Village Head Election, which is charged to the Regency/City

²¹ Rudy et al., "18 Years of Decentralization Experiment in Indonesia: Institutional and Democratic Evaluation"; Vel and Bedner, "Decentralisation and Village Governance in Indonesia: The Return to the Nagari and the 2014 Village Law."

Regional Revenue and Expenditure Budget as regulated in Article 34 paragraph (6) of Law Number 6 of 2014 on Villages. In the explanation of Article 34 paragraph (6) of Law Number 6 of 2014, it is explained that the cost of the Village Head Election, which is charged to the Regency/City Regional Revenue and Expenditure Budget, is for the procurement of ballots, ballot boxes, other equipment, committee honoraria, and appointment fees. The subsequent stages of the Village Head Election as regulated under Article 6 of the Ministerial Regulations of Home Affairs Number 112 of 2014 on the Election of the Village Head, the Village Head Election consists of: a) preparation; b) nomination; c) voting; and, d) determination.

The involvement of Regency/Municipal Governments in Village Head Elections can again be found in the nomination stage. The involvement of Regency/City Regional Governments can be found in Article 24 of the Ministerial Regulation of Home Affairs Number 112 of 2014 on Village Head Elections. Article 24 paragraph (1) Ministerial Regulation of Home Affairs *a quo* mandates that the Village Head Election be attended by at least two Village Head candidates. In the event that there are less than two candidates who meet the requirements to become Village Head candidates, the committee extends the registration period for twenty days. If, after the extension of the registration period, there are still less than two candidates who meet the requirements, the Regent/Mayor will postpone the implementation of the Village Head election until a time specified later. Article 24 paragraph (3) of the Ministerial Regulation of Home Affairs Number 112 of 2014 also states that if within the grace period for the extension of the registration period for a candidate for a Village Head, the term of office for the Village Head ends, the Regent/Mayor appoints the acting Village Head from a civil servant within the Regency/Municipal Government.

Village head elections are held simultaneously in a regency/city area. However, in its implementation, the simultaneous Village Head Election is carried out based on consideration of the number of Villages in the regency/city area and the ability of the election costs to be charged to the Regency/City Regional Revenue and Expenditure Budget. So that in its implementation, the Village Head Election is possible to be carried out in waves. The simultaneous village head elections, which are possible to be carried out in batches, have contributed to the larger portion of the involvement of the Regency/City Government in the Village Head Election. It is regulated that the Regency/City Regional Government can appoint civil servants from the Regency/City Regional Government as acting Village Heads until the Village Head is elected if the previous Village Head's term of office has expired.

The availability of civil servants who can be appointed as Acting Village Heads does greatly affect the regulation of simultaneous Village Head Elections, which are carried out in waves. It is stated in Article 4 paragraph (1) of Permendagri Number 65 of 2017 on Amendments to Permendagri Number 112 of 2014 on Village Head Elections, "*Village head elections as referred to in Article 2 can be carried out by considering: a) grouping of the expiration of the term of office of the Village head in the regency/city area; b) regional financial capacity; and/or c) the availability of civil servants within the district/city local government who meet the requirements as acting village heads.*"

The appointment of the acting Village Head by the Regency/City Regional Government can be understood as a way to prevent vacancies from occurring so that the administration of government in the village continues. However, the policy of appointing civil servants of the Regency/City Government as acting Village Heads by the Regency/City Regional Government which is top-down, does not seem to reflect the understanding of democracy and people's sovereignty. The appointment of a civil servant of the Regency/City Government as the acting Village Head seems to be a unilateral policy because even though they fit the requirements to understand the leadership and technical fields of government, it is not necessarily the case that the civil servant who is appointed as the Acting Village Head knows the ins and outs of the village he leads. The appointment of civil servants within the Regency/City Regional Government can also be found in Law Number 6 of 2014 on Villages to fill the positions of Village Heads who stop and are dismissed before their term of office expires.

The appointment of civil servants within the Regency/City Regional Government to become acting Village Heads can cause problems in the administration of Village administration. In the administration of village government in Pauh Village, Bonai Darussalam District, Rokan Hulu Regency, Riau for example. The problem started when the Pauh Village Head, who was elected in 2008, was temporarily disabled in 2010 due to a legal case. Following up on the deactivation of the Pauh Village Head, the Regent of Rokan Hulu appointed Mohammad Herdiyanto A., S.STP, as acting Village Head for six months from December 2010 to June 2011 by issuing Rokan Hulu Regent Decree Number 141 of 2010. However, until the end of the term of office of the village head, no village development has been produced, and the village government does not run. The problem did not stop there because the next acting Village Head who was appointed also did not carry out village development and did not organize village government properly. This is certainly very detrimental to the local village community. In fact, the acting Village Head, based on Article

46 of Law Number 6 of 2014 on Villages, carries out the same duties, authorities, obligations, and rights as the Village Head.

The arrangements as contained in Article 46 of Law Number 6 of 2014 on Villages above can also be found in Permendagri Number 66 of 2017 on Amendments to Permendagri Number 82 of 2015 on the Appointment and Dismissal of Village Heads. It is stated in Article 4A paragraph (2) of the Permendagri that the acting Village Head carries out the duties and authorities of the Village Head until the Village Head is inaugurated as a result of direct elections simultaneously by the provisions of the law. Specifically, the regulation in Article 4A of Permendagri Number 66 of 2017 can occur in the event that the elected Village Head candidate dies, is permanently unable to or resigns with justifiable reasons before the inauguration so that the elected candidate is declared disqualified. From the content of Article 4A paragraph (2) of Permendagri Number 66 of 2017, it can be seen that the acting Village Head can fully exercise the authority attached to the Village Head.

Permendagri Number 65 of 2017 on Amendments to Permendagri Number 112 of 2014 on Election of Village Heads reduces the involvement of Regency/Municipal Governments in the event of a vacancy in the position of Village Head. In the Minister of Home Affairs Regulation Number 65 of 2017, it is known that there are Interim Village Heads who are elected through village meetings. The existence of an Acting Village Head filled by civil servants of the Regency/City Regional Government only exists until the Interim Village Head is elected as stated in Article 47A of the Minister of Home Affairs Number 65 of 2017, "Village Head who resigns and/or is dismissed with a remaining term of office of more than one years, the regent/mayor shall appoint a civil servant from the regency/city regional government as acting Village head until the results of the Village deliberations determine the Interim Village head."

The interim Village Head election in the event of a vacancy in the Village Head position is more democratic than the appointment of a civil servant from the Regency/City Government to become the acting Village Head by the Regent/Mayor. The interim Village Head election is carried out by deliberation, whose election committee is formed by the Village Consultative Body and consists of village officials and community elements. Participants in the village head election deliberation at that time must also involve elements of the community who come from: a) traditional figure; b) religious figure; c) public figure; d) education figure; e) representatives of farmer groups; f) fisherman group representatives; g) representatives of the crafter's group; h) representatives of women's groups; i) representatives of child protection and observer groups; j)

representatives of poor community groups; or, k) other community elements in accordance with the socio-cultural conditions of the local community.

The involvement of the Regency/City Government, however, can still be found in the Village Head Elections above. Besides the appointment of the acting Village Head, the involvement of the Regency/City Regional Government is contained in further arrangements regarding the interim Village Head Elections, where further arrangements are set forth in Regency/City Regional Regulations, the same as the simultaneous Village Head Elections.

The involvement of the Regency/Municipal Government in filling the position of Village Head above is not under the concept of Village autonomy, wherein the concept of Village autonomy, there is the ability and initiative of the village community to regulate and carry out the dynamics of their lives based on their own abilities. With the concept of village autonomy, it means that intervention from outside the village itself should be eliminated or at least reduced.

4. Conclusion

The involvement of the Regency/Municipal Government in filling the position of Village Head is nothing but a consequence of the adoption of a territorial division of power system by Indonesia. In such a division of power, there is a hierarchical relationship between the government at a higher level and the government at a lower level. This relationship causes, in certain circumstances, the government at a higher level can interfere in the affairs of the government below it in the context of administering the government. The involvement of the Regency/Municipal Government in the Village Head position filling is included in such a relationship. This is because the position of the village is within the scope of the regency/city area.

The Village Head position filled through a general election mechanism in Indonesia is regulated by Law Number 6 of 2014 on Villages to be carried out simultaneously. The simultaneous implementation of the Village Head Election must first be set forth in a Regency/City Regional Regulation. In addition, the dependence of the village in the Village Head position filling to the Regency/City Regional Government can also be seen from the source of financing for the Village Head Election, which is charged to the Regency/City Regional Revenue and Expenditure Budget. This has resulted in the emergence of a fairly large portion of the involvement of the Regency/City Government in the Village Head Election. Another form of involvement of the Regency/Municipal Government in the Village Head Election is related to the formation of the election committee in the Regency/City level and with regard to the appointment of civil servants

of the Regency/City Regional Government to become the acting Village Head. Regarding the form of involvement of the Regency/Municipal Government in the Village Head Election mentioned last, it is considered that it does not reflect the principles of democracy and people's sovereignty because the appointments tend to be unilateral.

The involvement of the Regency/Municipal Government in the Village Head Election, as discussed in this research, should have been reduced in portion. This is none other than for the development of the village itself towards a more autonomous Village, which is able to take care of its own problems by empowering the resources owned by the village.

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