



Analysis of strengthening the traditional system of village head elections viewed from the democratic aspect

Abdul Muammar Imran¹, Hayat², Hirzhi Andza³

^{1,2,3}Administrasi Publik, Fakultas Ilmu Administrasi, Universitas Islam Malang, Malang, Indonesia

Abstract: This research tries to look again at the government system through the Lamahala Adonara Custom of East Flores. This shows that even though Lamahala Jaya is covered by binding customary rules, traditional stakeholders and the community still respect the implementation of democracy in Indonesia. Lamahala Jaya as one of the traditional villages in Indonesia has become a tradition passed down from generation to generation that in carrying out the wheels of power so that they continue to follow the inherited customary system. The aim of this research is to find out the common ground that occurs in the implementation of democracy adopted by Indonesia based on the rules of the Constitution and the rules of the customary system that applies in Lamahala Jaya Village. This research uses a qualitative approach because it can directly create a more sensitive relationship between researchers and informants. The process of selecting the Village Head in Lamahala Jaya Village, East Adonara District, East Flores Regency began with the formation of a committee by the Bela Tribe of Telo whose members came from Kapitan Pulo and Pegawe Lema, followed by the election of the Village Head with the criteria of being devoted to God Almighty, knowing history, coming from from the Bela Telo tribe, wise, fair, honest and humane.

Keywords: Customary System; Lamahala; Village Head Election.

1. Introduction

Indonesia is known as a country that is multicultural, multi-ethnic, religious, racial and multi-group. Sesanti Bhinneka Tunggal Ika de facto reflects the plurality of national cultures within the auspices of the unitary state of the Republic of Indonesia which has diverse cultures (cultural resources) in a theoretical concept known as multicultural. On the one hand, this diversity is a cultural configuration that reflects national identity, and empirically is the main element in forming the unitary state of the Republic of Indonesia.

Indonesia is a unitary country that gives authority to regions to regulate and administer their territories (Simandjuntak, 2015). This has been regulated in the Constitution of the Republic of Indonesia in Article 18 paragraph (2) which reads "Provincial, district and city governments regulate and manage government affairs themselves based on the principle of autonomy". (Indonesian Constitution article 18 paragraph 2). Autonomous regions have the right to manage and regulate their own territories in accordance with the principles of autonomy. The principle of autonomy is the basic principle of implementing regional government based on regional autonomy. (Law NO. 23 of 2014). This explanation emphasizes that there are rights and authority for regions to regulate and administer their regions in accordance with the principles of deconcentration, decentralization and assistance duties (Kansil and Christine, 2008).

One example of a village with a traditional system in this research is the Lamahala Traditional Village in Adonara District, East Flores Regency. Specifically, in this research, we will discuss the implementation of Democracy in the Lamahala Village Customary system, the aim of which is to find common ground that occurs in the implementation of Democracy adopted by Indonesia based on the rules of the Constitution and the customary system rules that apply in Lamahala Jaya Village. Lamahala Jaya Village, which is one of the villages in Adonara subdistrict, is one of the villages located on the coast of

Correspondence:

Name: Abdul Muammar Imran

Email: abdulmuammar06@gmail.com

Received: May 02, 2024;

Revised: May 13, 2024;

Accepted: Jun 06, 2024;

Published: June 30, 2024



Copyright: © 20xx by the authors.

Submitted for possible open access publication under the terms and conditions of the Creative Commons Attribution-NonCommercial 4.0 International License (CC BY-NC 4.0) license (<https://creativecommons.org/licenses/by-nc/4.0/>).

Adonara Island. This island is included in the administrative area of East Flores Regency, East Nusa Tenggara province.

The population of Lamahala Village is predominantly Muslim. In the process of implementing village head elections in Lamahala Jaya, if we look at the laws and regulations, especially article 41, PP RI no. 47 of 2015 concerning villages shows that there is a practical conformity in the election of village heads in Lamahala Jaya Village with the regulations made by the government in its implementation. This shows that even though Lamahala Jaya is covered by binding customary rules, traditional stakeholders and the community still respect the implementation of democracy in Indonesia. Lamahala Jaya as one of the traditional villages in Indonesia has become a tradition passed down from generation to generation that in carrying out the wheels of power so that they continue to follow the inherited customary system. In the implementation of the village head election in Lamahala Jaya, the village community carried out the election by means of a general and direct election. Even though the election was carried out generally and directly, in this election the only people who were entitled to become candidates for village head were people from the Bela Tribe of Telo tribe, namely the tribe that is traditionally entrusted with being the government in Lamahala Jaya Village.

In selecting a village head, there must be support and participation from the Tanjung village community to be able to determine who has the right to serve as village head. Why is it made like that so that people are free and have the right to choose the leaders they want. The village head election was supported by the residents of Tanjung village and with their cooperation with the village head election organizing committee. To become a candidate for village head, you must fulfill the conditions that have been set so that the village head's performance can be maximized and he knows the rules better (Ramadani, Nasution, and Tarigan, 2018).

The village head election activity is a political activity that shows how the democratic process occurs in the village. Village elections cannot be separated from the development of political dynamics that occur in the village. Village elections are not merely a struggle for power in the context of leadership succession in the village or how campaign strategies are carried out to gain support from the village community. However, more than that, it concerns prestige, self-esteem and honor, so that for the village community the Village Election is more emotional and rational compared to other elections such as the Regional Election, Legislative Election and even the Presidential Election (Lestari, Alamsah, and Yuningsih, 2018).

2. Materials and Methods

This research uses a qualitative approach because it can directly create a more sensitive relationship between researchers and informants. The researcher wants to see directly so that he can find out the form of implementation of strengthening village head elections in the traditional system in Lamahala Jaya village, East Adonara subdistrict and to find out the customary system in the implementation of the traditional system of village head election in Lamahala Jaya village, East Adonara subdistrict in terms of democratic aspects. Research using qualitative methods. This qualitative method is used as a research procedure that produces descriptive data in the form of written or spoken words from the people observed (Moleong, 2007:6). Researchers who produce qualitative research are research procedures that produce descriptive data, namely in the form of written or spoken words of people or behavior that can be observed.

3. Results and Discussion

Government in Indonesia was formed based on the existence of villages. Villages are acknowledged to have existed long before the formation of the Unitary State of the Republic of Indonesia (NKRI). This is contained in the explanation of article 18 of the 1945

Constitution of the Republic of Indonesia which states that within the territory of the State of Indonesia there are approximately 250 "Zelfbesturende landschappen" "Volks gemeenschappen" such as villages in Java and Bali, nagari in Minangkabau, hamlets and clans in Palembang etc. These areas have an original composition and therefore these areas are special. Apart from that, article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia also regulates that the state recognizes and respects customary law community units and their traditional rights as long as they are still alive and in accordance with the development of society and the principles of the Unitary State of the Republic of Indonesia and mandates this is to be regulated in law (Basuki and Shofwan, 2006:27).

One of the elements that exist in a country is the population (ingezetenen) or people. Residents or residents of a country are all people who at any time inhabit the territory of the country (Samhudi, 2022). They are sociologically commonly called the people of that country, namely a group of people who are united by a sense of equality and who together inhabit a certain area. The state as an entity is abstract, what is visible are the elements of the state in the form of people, territory and government. One element of the state is the people. People who live in the territory of a country become residents of the country concerned. Citizens are part of the population of a country. Citizens have a relationship with their country. Their position as citizens creates relationships in the form of roles, rights and obligations, which are reciprocal (Habiba 2021).

The village government must implement laws and regulations relating to the village, but these laws and regulations cannot be implemented directly. This is because villages have different social, political and cultural conditions. One example is in making decisions to implement Village Regulations, the Village Head stipulates Village Head Regulations and/or Village Head Decrees in the same way as in determining the APBDes (Kushandjani, 2008).

Lamahala Jaya Village is one of the villages in Indonesia whose government implementation still uses traditional culture, including in the process of selecting its village head. This is regulated in customary law in Lamahala Jaya. The village head election process regulated in customary law starts from pre-election to the traditional coronation of those elected as village heads. The process will be described as follows:

3.1 Pre-Election

A period of five years for the leadership of a village head is considered sufficient time to develop the village and sufficient time for preparation by the traditional stakeholders of Lamahala Jaya Village in preparing candidates for new village leaders. This period is considered a period of time that is mature enough to assess who will be a good leader for the Village. According to Nugroho and Suprpto (2021), in the principles of democracy, all people have the same right to be leaders, but you need to remember that to be a Village Head, which is a village whose community life still carries out government activities along the lines of custom, it is necessary for a village leader to be someone who understands and master the traditional lines. Therefore, there are several requirements that must be fulfilled to ensure that the customary laws that apply in the Lamahala Jaya Village community continue to be implemented. This then becomes a consideration for traditional stakeholders in determining the criteria for candidates. Even though Lamahala Jaya Village is still an administrative area of East Flores Regency, to carry out its government, the village is given the authority to regulate its village in accordance with customary law, therefore the criteria for becoming a village head are left to the customary provisions that have been in force in Lamahala Jaya.

3.2 Selection Process

The election process is such that the rule that the Village Consultative Body (BPD) has the full right to form a committee to carry out the election process for the village head candidate, in the election process the same applies as the applicable rules. The committee was formed involving elements of village officials, community agency administrators

and community leaders. The next election process is carried out by voting after the village head candidates have registered themselves with the village head election executive committee formed by the Village Consultative Body (BPD).

Voting is carried out by voting via ballot paper containing the number, photo and name of the candidate that has been prepared by the committee. Voting for the election is done by selecting one of the candidates on the ballot paper. Procurement of materials, quantity, shape, size and ballot papers, ballot boxes, complete equipment and distribution are further regulated in Regent/Mayor Regulations. The number of voters and the number, location, shape and layout of polling stations (TPS) are determined by the election committee.

3.3 Post-Election

After the election and vote counting, the author calls it the time when the traditional inauguration and inauguration procession is carried out in a ritual manner by the traditional leaders of the Bela Telo Tribe, after the new Village Head is elected. The entire inauguration procession was attended by traditional leaders from the Bela Telo Tribe, consisting of three tribes, namely the Atapukan Tribe, Malakalu Tribe and Selolong Tribe, and residents who had the right to take part in the procession.

This traditional coronation was carried out by traditional leaders from the Selolong Tribe as Bela Raja and witnessed by traditional leaders from other tribes and residents who were allowed to attend. The inauguration was carried out at the traditional house of the Selong Tribe, which is located in the Lamahala Jaya area with the aim that the Lamahala community can also get to know the new village head while praying that the new traditional head will be given ease in carrying out his mandate and be able to protect his residents well.

Detailed regulations regarding the Village Head are contained in articles 26 to 47 which essentially explain the authority, rights and obligations, election procedures, and dismissal of the village head. The same thing is regulated in Government Regulation Number 47 of 2015 concerning Amendments to Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages, there are regulations regarding Village Heads, namely from articles 41 to 80 which essentially regulate more or less the same authority, rights and obligations, procedures for selecting and dismissing Village Heads, however this Government Regulation is more technical and detailed because it is an implementing regulation (Simanjuntak and Marjuki, 2015).

In the implementation of village head elections in Lamahala Jaya, stages were also carried out that conformed to the election stages according to the rules of article 42, PP RI No. 47 of 2015. Starting with the nomination stage. At the nomination stage, Bela Tello, as the tribe responsible for village government, held deliberations to form a team whose membership came from Kapitan Pulo. This team will later act as executors in the village head election event. This team consists of 10 (ten) people. The tasks of this team are (1) designing the implementation of village head election activities, (2) Taking responsibility during the village head election process, (3) Designing operational financing during the election which will later be submitted to the Lamahala Jaya village government, (4) Providing accountability reports answer when the village head election process is completed.

Next to the nomination stage, at this stage the traditional leaders from Bella Tello who had previously discussed the criteria for candidates were published and invited the candidates who wanted to become village heads to carry out a ritualistic traditional procession by the traditional leaders from Bella Tello in order to get blessing from Lewo Tanah. Next, the candidates who have received this blessing are handed over to the village head election executive committee to then be continued in the voting process. The voting process is then carried out in an open manner. The committee determined the date and location for the voting and then invited all the people of Lamahala Jaya village who had the right to vote to elect the desired candidate to become village head.

4. Conclusions

The process of selecting the Village Head in Lamahala Jaya Village, East Adonara District, East Flores Regency began with the formation of a committee by the Bela Tribe of Telo whose members came from Kapitan Pulo and Pegawe Lema, followed by the election of the Village Head with the criteria of being devoted to God Almighty, knowing history, coming from from the Bela Telo tribe, wise, fair, honest and humane. Next, a vote is held and the one who gets the most votes is declared the elected village head. Election Easter is a coronation or announcement procession carried out according to traditional rituals by traditional leaders of the Bela Telo Tribe. The election of Village Heads in Lamahala Jaya is very relevant to government regulation no. 47 of 2015 concerning the election of village heads with stages, namely the nomination, election, vote counting and determination stages.

5. Patents

Author: made observations, collected data and analyzed. Author 2: assisted in the preparation of the data. Author 3: assisted in the preparation of the data.

References

- Aguilar. Grethel. 2001. "Access to Genetic Resources and Protection of Traditional Knowledge in the Territories of Indigenous Peoples." *Environmental Science & Policy* 4(4):241-56.
- Ahmad Marjuki, Perkembangan Penyelesaian Sengketa Pilkada, *Al Qisthas, Jurnal Hukum Dan Politik*, Vol. 6 No. 2, (2015), h. 205.
- Averus, A., & Alfina, D. (2020). Partisipasi Politik Dalam Pemilihan Kepala Desa. *Moderat: Jurnal Ilmiah Ilmu Pemerintahan*, 6(3), 585-610.
- Basuki, A. & Shofwan. (2006). Penguatan Pemerintahan Desa Berbasis Good Governance. Malang: Sekretariat Penguatan Otonomi Daerah (SPOD) Fakultas Ekonomi Universitas Brawijaya.
- Habibah, S. M. (2021). Pengakuan Hak Masyarakat Adat Mentawai Sebagai Penegakan Asas Kemanusiaan Warga Negara Indonesia. *Masyarakat Indonesia*, 47(2), 221-230.
- Kansil, C. S. T. & Christine S.T. Kansil. (2008), 'Pemerintahan Daerah di Indonesia', Jakarta: Sinar Grafika.
- Kushandjani. 2008. Otonomi Desa Berbasis Modal Sosial Dalam Perspektif Socio-Legal. Semarang: Jurusan Ilmu Pemerintahan Fisip UNDIP.
- Lestari, S., Alamsah, N., & Yuningsih, N. Y. (2018). Rural Development Strategies Through Bangga Mbangun Desa Policy: A study in Cimrutu Village Cilacap regency. *Advances in Social Sciences Research Journal*. doi, 10.
- Moleong, Lexy J. 2007. Metodologi Penelitian Kualitatif. Bandung: Penerbit PT Remaja Rosdakarya Offset.
- Nugroho, R., & Suprpto, F. A. (2021). *Kepemimpinan Pemerintah Desa Bagian 2: Kepemimpinan dan Demokrasi Desa*. Elex Media Komputindo.
- Ramadani, R., Nasution, I., & Tarigan, U. (2018). Analisis Pemilihan Kepala Desa Serentak terhadap Demokrasi Lokal di Desa Tanjung Kabupaten Aceh Tamiang. *PERSPEKTIF*, 7(2), 40-45.
- Samhudi, G. R. (2022). Pencantuman Aliran Kepercayaan dalam Kolom Agama Pada Kartu Tanda Penduduk (Analisis Kasus pada Putusan Mahkamah Konstitusi No. 97/PUU-XIV/2016). *Kosmik Hukum*, 22(1), 1-15.
- Simandjuntak, R. (2015). Sistem Desentralisasi Dalam Negara Kesatuan Republik Indonesia Perspektif Yuridis Konstitusional. *De Jure: Jurnal Hukum dan Syar'iah*, 7(1), 57-67.
- Yuningsih, N. Y dan Subekti, V. S. 2016. *Demokrasi dalam pemilihan kepala desa? Studi Kasus Desa Dengan Tipologi Tradisional, Transisional, dan Modern di provinsi Jawa Barat tahun 2008-2013*. Jurnal Politik.