

The Democratic Process in the History of Village Head Election in Java

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Abstract - Villages in Java past before the arrival of Europeans to Indonesia has been mentioned in existence in some historical relics of inscriptions, including mentioned in inscriptions walandit and inscriptions kawali which is a relic of the 14th century. In both these inscriptions mentioned that the village is the lowest government structure of a government (kingdom) at that time. The leader or village head becomes an important element in the implementation and rearrangement of village people's lives. The election of village heads in Indonesia has existed since the past and is running until now, although in the next process after the entry of foreign nations to Indonesia, especially the Netherlands and Japan and post-independence - there are arrangements in the process of village head elections and the regulation of village positions in government.

Keywords: Village, Village Head, Village Head Election

I. INTRODUCTION

The election of the village head or the general called "*pilkades*" is different from the presidential election, the regional head (regent / mayor and governor) and the election of legislative members nationally from all sides. In the process of presidential election, regents / mayors, governors and legislative members are regularly held every 5 years, then village head elections (abbreviated *pilkades*) are not implemented simultaneously for each province, or district or city. In addition, the *pilkades* were not followed by a number of existing political parties at the time and the candidates did not come from certain political party cadres.

Each the village legislative regulation in Indonesia (from pre-independence period to the present) did not change the form of village election process directly elected by the community, only the role and function of the village leader was strongly influenced by each regime in power at the time.

The position of the village head until now in some villages in Indonesia is personification and is considered as representative of the interests of the village community. The performance of village heads in some villages in Indonesia does not use modern criteria (transparency and accountability) but rather puts forward the traditional element (full compliance and trust from the community). The legitimacy of village leader is sometimes an inseparable

element of traditional / old local culture such as heredity, material or irrational matters so that these factors are very influential on the process of electing village heads in several villages in Indonesia today. But in some villages that have been in contact with urban areas (modernization) has slowly changed, where the thinking of the villagers has turned to more rational thinking (education, matter, and bargaining power).

A. History Of "*Pilkades*" in Java

In the period before the arrival of foreign nation to Indonesia, the existence of the village is mentioned in some written relics, as in Walandit inscriptions in East Java and Kawali inscriptions in West Java suspected to date from the 14th century AD (in both inscriptions mentioned village term). In addition, in other inscriptions of Himad Walandit mentioned also the term that can be interpreted as the autonomous authority of a village to manage its own affairs[1].

The existence of villages in Java, especially in the northern coast of Java, was first discovered by foreign governments, when the British government took over Java from the Dutch hands with Thomas Stamford Raffles as Governor General. Through the inscription of Herman Warner Muntinghe, a Dutch member of *Raad Van Indie* and concurrently an assistant from Raffles, villages can be identified. On the basis of reports from Muntinghe, in addition to finding a number of villages in Java, also found some villages outside Java[2].

After the island of Java returned to Dutch hands, the existence of the village began to be regulated by the Dutch colonial government through *Regeeringsreglement* in 1854 article 71[3]. In the article is affirmed about the position of the village or referred to as *inlandsche gemeente* as a form of community communities who are entitled to choose their leader and determine the composition of their government. In this case the Dutch colonial government submitted the procedures for the election of village leader according to the customs of the village community. In addition, in that regulation the village was given the right to organize and manage its own household as long as it did not conflict with the regulations issued by the governor-general or the government above it.

Some historical records illustrate that the process of village leader election in the past had been done by consensus (*mufakat*) by the elders or village elders then the

results of the deliberations delivered to the public. If only one candidate is the head of the region, then the people may refuse or approve the elected candidate. If the candidate head of the village is more than one candidate then the villagers are given the freedom to choose or reject the candidate for village leader that the village elders ask. Such an arrangement is mentioned in Mutinghe's report to Raffles and based on the results of the report the Dutch colonial government established a decree on the election of the village head of *Staatsblad* in 1819 no.13 which contained the provision "that the old customs which gave the villagers the right to choose their leader and replace their leader" Was enforced thereafter and there was no desire of the colonial government to intervene in the process[4].

During the Japanese occupation, the Japanese military government made little change in the local government system. the Japanese government only replaced several terms into Japanese, for example in the administrative system of government, it is contained in *Kan Po* Number 1 or Act number 27 of 1942, for example *Syu* (residency) led by *Syuchoo*, *Ken* (county) led by *Kenchoo*, *Shi* (city) led by *Sichoo*, *Gun* (district) led by *Gunchoo*, *Son* (sub-district) led by *Sonchoo*, and *Ku* (village) led by *Kuchoo*[5].

Based on *Osamu Seirei* No. 7, 1944, the village leader elections were conducted by direct appointment by Japanese military officials for a term of 4 years and may be dismissed by the *syuchokan* (resident). Village administrators were conducted by 9 village officials, consisting of village head, *carik* (village administrators), village overseers totaling 5 people, village police and an *Amir* (village religious leader)[6].

After the formation of the state of the Republic of Indonesia, the government at that time had issued regulations on local government that also regulate the village position including the role of village leader but until the end of the Soekarno regime in Guided Democracy, the regulation was not held.

During the reign of Soeharto issued Law no. 5, 1979 Concerning parallel village governance with the spirit of centralization by ignoring the local form of local privilege (local customs, culture and values) and wishing to include the elements of the country in every village government so that the village is no longer autonomous and is required to have uniform pattern. Village administration is an extension of the government and is directly controlled by the village head's activities. Villages are not allowed to regulate their own village and all come from the delegation of authority over it. Although the election of the village leader was directly elected by the community, it was not fully democratic. In a study conducted by Frans Huken [7] in several villages in Indonesia, village leader elections were always colored by intimidation against the people or other village leader candidates, result manipulation and state intervention (through *the Camat*). The elected village chief is a person who has a hierarchical-corporatist relationship so that the village head functions as a state functionary under the sub-district head. The tenure of the village head is 8 years. In addition there is a village legislative body called LMD (Village Deliberation Council) which comes from the

head of the hamlet, village community institutions and village community leaders who together with the village head to carry out the function of village government. The LMD is chaired by the village leader so that LMD does not have a meaningful legislative function (Check and Balance) against the village head.

When the repressive and authoritarian period of Soeharto's rule ended and was replaced by a more democratic regime, the system of village administration changed as well. This is marked with the issuance of Law no. 22 of 1999 on Regional Government. In this law Village governance is placed as a legal community entity which has the right to self-regulate autonomously in accordance with its right of origin. Villages are authorized to manage their full potential and create village policies independently. The role of the village leader is no longer as an extension of the state but purely representative of the village community. The election of the village head is conducted by direct election without any interference and intimidation from the state. In running his administration, the village head was accompanied by the BPD (Village Representative Body) as the legislative body that oversees the government's activities by the village leader. The tenure of the village head is 5 years[8].

Until the enactment of Law no. 32 of 2004 on regional government replaces Law no. 22 of 1999, the process of conducting the election of village leader did not change, which is fixed with the form of direct election. Similarly, the duties and functions of the village leader had not changed much. It's just that there are some changes, namely the position of village leader is 6 years and the change of name BPD (Village Representative Agency) becomes *Bamusdes* (Village Consultative Body). But it becomes a problem when *Bamusdes* is positioned stronger than the village leader in line with the strong role of parliament in the central government. *Bamusdes* itself is filled by a number of public figures who have strong influence both traditionally, socially and economically so that much influence the contents of the policy on the village.

Provisions on the election process of regional leaders shall be stipulated by the Regional Regulations of each Regency or City and shall refer to the provisions of the law on regional government. The provisions in the election of village leaders are as follows: Village Head Election is implemented democratically and is direct, general, free, confidential, honest and fair. Directly means the voter has the right to directly vote in accordance with the will of his conscience without intermediaries. General means residents who have fulfilled certain conditions, have the opportunity or are eligible to participate in the Village Head Election, either the right to vote or elected without discrimination based on ethnicity, religion, race, class, gender or social status. Free means that every citizen who has the right to choose freely to choose his choice without pressure and coercion from anyone and guaranteed security, so that it can choose according to the will of conscience and interests. The secret means that every voter is guaranteed that his choice will not be known by anyone and in any way. Honestly means in the implementation of Village Head Election, Government, Election Committee and other parties who

directly or indirectly must be honest and act in accordance with the prevailing laws and regulations. Fair means that every voter or Candidate and Candidate of Village Head shall be treated equally and free from any party cheating[9].
Research purposes

The purpose of this research is 1. To find out a detailed description of the process of selecting the village head from the beginning to the election of the village head in several villages in Java 2. It also looks at aspects of village head elections from Political, Anthropological and Historical Approaches

Benefits of research

1. The results of this study can be input for the Indonesian government, especially in improving the drafting of regulations on the village in general and about the process of village head election for the future to experience a better process. 2. As a scientific contribution in the political studies in Indonesia in particular and became the basis for further similar research in general. 3. As a comparative study for other countries or regions or scientists who wish to study the same in other countries or regions.

II. METHODOLOGY

1. Literature study. This is done to know and understand the historical events surrounding the process of village head election ever occurred in Indonesia to be compared with the results of research that will be done. In addition the literature study was conducted to examine a number of documents in the form of regulations or legal policies ever issued by the previous government related to the process of village head election.

2. Field study. Conduct by direct observation of the process or the course of the election of the leader of the village so as to obtain an objective picture of the event under investigation. The study was conducted by following the election process of village head elections from the beginning to the end of the implementation (starting the registration of prospective village leader candidates to the election of village head candidates to become village head).

III. RESULT AND DISCUSSION

In academic studies, a method that has an institutional procedure for achieving political decisions in which individuals gain power to make political decisions through competition to seize popular votes in elections. The journey of Indonesian democracy in 2017 is the second half of a new round of regional head elections, namely the simultaneous regional head elections that have been held in 2015. The 2017 regional elections are held in 7 provinces and 94 districts. The electoral system is new, but the old faces that participate in the elections simultaneously show that there is nothing new from the mechanism of elections at the same time. There are still political dynasties that are exist in simultaneous election, suddenly provide valuable lessons for the sustainability of democracy in Indonesia. According to Karyudi Sutajah Putra[10] (Suara Merdeka, October 18, 2013), entitled "Political Competition of the

Dynasty", political dynasties arose due to three factors, there are the strength of financial capital, network strength, and position in the party. So far there has been no restriction about the development of political dynasties in one region or in political parties, so the development of political dynasty is hard to blame.

At the local level, especially in village leader election, democracy is sometimes only focused on government institutions. For example greatly emphasizes the existence of executive institutions. Democracy contains four elements: 1) competition for political participation, 2) competition for political recruitment, 3) openness of executive recruitment, and 4) challenges facing executives. This opinion should also include another dimension, because the executive presence in the region cannot be separated from the process and the results of the election involving a number of political actors.

Those paradigm remains as the way of thinking of local political elites who only focus on executive positions. So that the battle in village head election becomes a very important competition to be contested, even a gamble for the political dynasty to continue to maintain the power that has been achieved. The fact above is interesting to study. It may be that some people think it is natural, but some consider it distortion or democracy pressure. Democracy basically demands consolidation of democracy requires a supportive democratic environment. The emergence of the phenomenon of political dynasties will threaten the phase of democratic transition towards consolidation of democracy. Consolidation of democracy can be interpreted as the (process) of merging several elements of democracy to jointly facilitate political democratization. The elements involved in consolidating democracy are political institutions or institutions, both of political parties, elites, interest groups and political society. Another important element in the consolidation of democracy is the mutual agreement on "political values" that can approach and reconcile the various political elements above become a relatively coherent force during the transition to democracy.

Image 1.

Village head election by inserting a stick to hollow bamboo



in Yogyakarta, 1951.

(source: Library and Regional Archives of Yogyakarta)

IV. CONCLUSION

Although the function of the village has changed and returned to the form of origin based on the principle of local democracy, in its development after independence the role of the village leader is not separated from the influence of the regime in power at that time so it also influences the purpose of the administration of the village government. This is reflected in the respective laws that apply at that time and have the principle of the goal of different governance, especially the village.

In the process of implementing the village administration, the role of the village head has significance. Village heads by villagers who vote for them are considered to have the ability to manage village life from local economic, social, cultural and cultural factors.

The level of democracy of each village depends heavily on the direct role of rural village control or village councils or councils as village representatives who serve as supervisors of the village chief's leadership, as well as the extent of government influence over it (the provincial /regency/municipality) in the affairs of village governance.

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