

## **The Dispute of the Simultaneous Village Head Election: A Case Study in North Luwu Regency**

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### **ABSTRACT**

*This study aims to describe the simultaneous Village Head election disputes in 2016 and 2018 in North Luwu Regency. This research combines normative juridical and empirical research methods. The primary data were collected using direct interviews, while the secondary data was collected using literature study techniques. The data obtained in this research were then analyzed qualitatively to describe problems and answer study purposes. The results show the implementation of the simultaneous Village Head election of 2016 and 2018 in North Luwu Regency, consisting of 64 Villages. Of the 64 simultaneous Village Head elections, six of them are still considered to contain legal defects by several candidates. Accordingly, the six candidates submitted lawsuits against the simultaneous Village Head election results at the State Administrative Court to prove the violation. In this case, there are two lawsuits for Regent Decision No. 188.4.45/386/VI/2016 and four for Regent Decision No. 188.4.45/479/XI/2018. One of the six lawsuits was granted by the Judge in the Decision of the State Administrative Court, but the Decision of the State Administrative High Court voided the Court Decision of the first instance. In contrast, the other five lawsuits were immediately dismissed by the Judge at the Decision of the State Administrative Court. Therefore, it is recommended that the Regency Government be able to predict and provide solutions to a series of problems that will arise at all stages of implementing the simultaneous Village Head election. In this case, to minimize future disputes of the simultaneous Village Head election.*

**Keyword:** *Dispute; Simultaneous Election; State Administrative Court; Village Head.*

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### **INTRODUCTION**

The change in the governance paradigm from a centralized system to a decentralized one gives Regional Governments the full authority to regulate their territorial (Kamal,

2019). One form of legitimacy for Regional Government authority is to involve citizens in determining their Regional Heads through the electoral process (Farkhani, 2019). The decentralization system is not limited to the Regional Government of Provincial and Regency/Municipal, but up to the Village Government level (Ropii, 2015). The decentralization system at the Village Government level is emphasized by enacted Law of the Republic of Indonesia Number 6 of 2014 on the Village (hereinafter referred to as Law No. 6 of 2014). Law No. 6 of 2014 is a starting point for deepening democracy in more specific government to build village independence and the community's economy (Suharto, 2021).

In addition, the Village Head also gains legitimacy through the election process, as with the Governor and Regent/Mayor (Aji, 2017). However, the difference lies in the governing body, whereby the General Election Commission organizes Regional Head elections at the Provincial and Regency/Municipal (Wibawa, 2018). In contrast, the Village Head election is held by one of the departments in the Regional Government of Regency/Municipal, which organizes affairs in the field of Village Government (Arfawati, 2021). In this case, based on Article 31 section (2) of Law No. 6 of 2014 regulates that:

*"The Regional Government of Regency/Municipal enacts the policy of implementing the simultaneous Village Head election, as referred to in section (1), with the Regional Regulation of Regency/Municipal."*

From the provisions above, the Regional Government of Regency/Municipal must prepare everything related to implementing the simultaneous Village Head election. In this case, starting from regulation, budget, human resources, and all matters related to the technical implementation (Muzakkir et al., 2021).

One example of implementing the provisions above that can be studied is the simultaneous Village Head election of 2016 and 2018 held in North Luwu Regency. The implementing regulations enacted by the Government of North Luwu Regency include:

1. Regional Regulation of North Luwu Regency Number 7 of 2018 on Amendment to Regional Regulation of North Luwu Regency Number 1 of 2015 on Election of the Village Head (hereinafter referred to as Regional Regulation No. 7 of 2018);
2. Regent Regulation of North Luwu Number 35 of 2018 on Amendment to Regent Regulation of North Luwu Number 17 of 2016 on Implementing Regulation of Regional Regulation of North Luwu Regency Number 1 of 2015 on Election of the Village Head (hereinafter referred to as Regent Regulation No. 35 of 2018).

Implementation of the simultaneous Village Head election of 2016 in North Luwu Regency, consisting of 23 Villages, while in 2018, there were 41 Villages. Even though

the number of implementations of elections in 2016 and 2018 were relatively few compared to the total of 166 villages in North Luwu Regency, various problems still occurred in the process. In this case, several violations resulted in social conflicts that disrupted security and public order stability. In addition to social conflicts, disputes also occurred, so several candidates submitted a lawsuit against the results of the Village Head election at the State Administrative Court.

Based on the description above, this study aims to describe the simultaneous Village Head election disputes in 2016 and 2018 in North Luwu Regency.

## **METHOD**

This research combines normative juridical and empirical research methods. Normative juridical research analyzes legal problems by referring to and originating from laws and regulations (Sampara & Husen, 2016). In contrast, empirical is research whose object of study includes the provisions of laws and regulations (*in abstracto*) and their application to legal events (*in concreto*) (Qamar & Rezah, 2020). Furthermore, this type of empirical legal research focuses on legal practice as a social phenomenon in terms of the reciprocal relationships caused by social phenomena, including economic, political, social, psychological, and anthropological aspects (Irwansyah, 2021). This research was carried out from August to October 2019 in several Villages and at the Office of the Department of Village Community Empowerment of North Luwu Regency. The informant in this study consisted of 14 informants who were selected with a purposive sampling technique. The types and sources of data used in this research are as follows:

1. Primary Data is data obtained directly from informants based on sample determination;
2. Secondary Data is data obtained from searching legal literature, including laws and regulations, references, legal scientific journals, legal encyclopedias, and texts or official publications.

The primary data were collected using direct interviews with 14 informants. While the secondary data was collected using literature study techniques on primary, secondary, and tertiary legal materials. The data obtained in this research were then analyzed qualitatively to describe problems and answer study purposes.

## **RESULTS AND DISCUSSION**

Regency/Municipal must implementing the simultaneous Village Head election (Bachmid, 2020). However, simultaneous orders in Article 31 section (2) of Law No. 6 of 2014 can be executed more than once or implemented gradually. In this case, Article

40 section (2) of Government Regulation of the Republic of Indonesia Number 11 of 2019 on the Second Amendment to Government Regulation Number 43 of 2014 on Implementation Regulation of Law Number 6 of 2014 on Village (hereinafter referred to as Government Regulation No. 11 of 2019) regulates that:

*“The simultaneous Village Head election, as referred to in section (1), can be implemented in gradually a maximum of 3 (three) times within a period of 6 (six) years.”*

Furthermore, Article 4 section (3) of Regulation of Minister of Internal Affairs of the Republic of Indonesia Number 65 of 2017 on Amendment to Regulation of Minister of Internal Affairs Number 112 of 2014 on Election of the Village Head (hereinafter referred to as the MoIA Regulation No. 65 of 2017) regulates that:

*“Further provisions regarding the gradual election interval of the Village Head, as referred to in section (2), are regulated by a Regent/Mayor Regulation.”*

From the provisions above, the Government of North Luwu Regency has chosen to implement the simultaneous Village Head election gradually. In this case, based on Article 2 of Regional Regulation No. 7 of 2018 regulates that:

- (1) The simultaneous Village Head election is implemented 3 (three) times within a period of 6 (six) years.
- (2) The simultaneous Village Head election, as referred to in section (1), is carried out at intervals of 2 (two) years at maximum.

Furthermore, Article 2 section (3) of Regent Regulation No. 35 of 2018 regulates that *“The simultaneous Village Head election, as referred to in section (1), is implemented in 2016, 2018, and 2020.”* Meanwhile, the simultaneous Village Head election of 2020 had yet to be implemented when this research was conducted. Implementation of the simultaneous Village Head election of 2016 in North Luwu Regency, consisting of 23 Villages, while in 2018, there were 41 Villages. Even though the number of implementations of elections in 2016 and 2018 were relatively few compared to the total of 166 villages in North Luwu Regency, various problems still occurred in the process.

On the other hand, the potential for violations by related parties will always exist in every process of the simultaneous Village Head election (Suhendi, 2020). Violations in this process will have a detrimental impact on other parties, especially Village Head candidate. Therefore, candidates who feel aggrieved must make complaints as soon as possible based on Article 26 section (1) of Regent Regulation No. 35 of 2018 regulates that *“complaints of implementation violations of the Village Head election on each stage, reported in writing by the Village Head candidate.”* In this case, Article 3 of

Regent Regulation No. 35 of 2018 regulates that Village Head election is implemented through the following stages:

- a. preparation;
- b. nomination;
- c. voting; dan
- d. determination.

From the provisions above, there were no complaints of implementation violations of the Village Head election at the preparation and nomination stages from various related parties. In contrast, there were complaints of implementation violations of election at the voting and determination stages.

### **A. Voting in Village Head Election**

The voting process in the Village Head election is the same as the General Election process (Ramadhan et al., 2018). During the process, the Selection Committee must pay attention and carry out activities according to standards sequentially. In this case, Article 50 section (1) of Regional Regulation No. 7 of 2018 regulates that before carrying out voting, the Selection Committee carries out the following activities:

- a. opening and emptying ballot boxes;
- b. identify the types of documents and equipment; and
- c. count the number of each type of document and equipment.

Therefore, witnesses from each candidate must pay close attention to all Village Head election activities (Wance & Ibrahim, 2019). In this case, if an error or violation occurs which is detrimental to the candidate, the witness immediately makes a rebuttal or interrupts so that the problem can be resolved before the vote count begins.

While in the research process, there was a conclusion from interviews with several Selection Committee members. They stated that in the voting process in several villages, an error was made by the Selection Committee. For example, in the 2016 Village Head election, the Selection Committee in Takkalala Village did not use ink as regulated in Regent Regulation No. 17 of 2016. This error was due to the Selection Committee in Takkalala Village needing to follow up on the shortage of equipment before the voting began. However, the Selection Committee ignored the shortfall and did not attempt to procure ink before voting began. Meanwhile, witnesses from the Village Head candidates allowed and even agreed to continue the voting process without using ink.

Other problems in the 2016 Village Head election occurred in Waelawi Village and Tulak Tallu Village, but the Selection Committee appropriately resolved these problems. Errors in the printing of ballots are a problem in Waelawi Village. Therefore, the implementation of voting in Waelawi Village was postponed until the correct reprinting of the ballot papers had been carried out. Meanwhile, the problem in Tulak Tallu Village was caused by an error in the alleged voter who had lived less than 6 (six) months in the village. Therefore, the Selection Committee immediately responds to the existence of these voters so that the problem can be appropriately resolved.

Furthermore, problems in the 2018 Village Head election in Pengkajoang Village were caused by finding voters who were not registered in the Final Voter List but did vote. In this case, the Selection Committee should verify the voter's KTP so that this problem does not occur. Meanwhile, the witness from the Village Head candidate did not object to or interrupt the Selection Committee regarding this matter until the vote count was carried out. This incident became a problem after one of the Village Head candidates lost, so he submitted a lawsuit in court with a lawsuit argument for the incident.

## **B. Vote Count and Determination in Village Head Election**

The Selection Committee will carry out the vote count after the voting ends. The Selection Committee allows the Village Head candidates and witnesses to submit objections if any irregularities are found in the vote-counting process.

The candidate who obtains the most votes from the number of valid votes will be designated as the Village Head elected candidate. While in the research process, there are results of the vote for the Village Head candidate in the 2018 Village Head election in Desa Tammuku. Therefore, the Selection Committee in Tammuku Village made an additional selection.

After the process has been completed, the Minutes of the vote count results are signed. The signing is carried out by at least two members of the Village Head Selection Committee, the Selection Committee at the District level, and witnesses or The Village Head candidate. Furthermore, based on Article 61 section (3) of Regional Regulation No. 7 of 2018 regulates that:

*“The Regent issues a decision regarding the validation and appointment of the Village Head based on the BPD report as referred to in section (2) no later than 30 (thirty) days after the report is received.”*

In this case, the simultaneous Village Head election in the first gradual was implemented on 2 July 2016. Subsequently, North Luwu Regent Decree No.

188.4.45/386/VI/2016 was enacted concerning the Dismissal of the Village Head Official and Appointment of Village Head Elected Results of the Simultaneous Village Head Election of North Luwu Regency for the 2016-2022 Period (hereinafter referred to as Regent Decision No. 188.4.45/386/VI/2016).

**Table 1. Results of the Simultaneous Village Head Election in North Luwu Regency for the 2016-2022 Period**

No.	Subdistrict	Village	Village Head Elected
1	Baebunta	Bumi Harapan	Basrun
2	Baebunta	Mukti Jaya	Andi Basnar Racasiwi
3	Bone-Bone	Sukaraya	Sutikno
4	Malangke	Takkalala	Nasrianti
5	Malangke	Tolada	Andi Zulfadi, S.E.
6	Malangke Barat	Kalitata	Basri
7	Malangke Barat	Pao	Hajar
8	Malangke Barat	Pombakka	Akhiruddin K.
9	Malangke Barat	Waelawi	Ir. Tasran
10	Malangke Barat	Wara	Basruddin B.
11	Masamba	Lapapa	Masrong
12	Masamba	Pandak	Masrun
13	Masamba	Rompu	Rusdi
14	Masamba	Sepakat	Ahad Basri
15	Rongkong	Komba	Lancar
16	Sabbang	Sabbang	Amir Jaya
17	Sabbang	Tulak Tallu	Ma'in, S.Sos.
18	Seko	Hono	Ilham
19	Sukamaju	Kaluku	Asri Rusdin
20	Sukamaju	Tulung Sari	Syamsul Bahri
21	Tana Lili	Bungadidi	Kaso Baso
22	Tana Lili	Patila	Hasdi
23	Tana Lili	Sumberdadi	Winartho

*Source: Data processed from Annex of Regent Decision No. 188.4.45/386/VI/2016*

Meanwhile, the simultaneous Village Head election in the second gradual was implemented on 3 October 2016. Subsequently, Regent Decision of North Luwu Number 188.4.45/479/XI/2018 was enacted concerning the Dismissal of the Village Head Official and Appointment of Village Head Elected Results of the Simultaneous Village Head Election of North Luwu Regency for the 2018-2024 Period (hereinafter referred to as Regent Decision No. 188.4.45/479/XI/2018).

**Table 2. Results of the Simultaneous Village Head Election in North Luwu Regency for the 2018-2024 Period**

No.	Subdistrict	Village	Village Head Elected
1	Baebunta	Mekar Sari Jaya	Vechyu Pantaouw
2	Baebunta	Polewali	Ambo Ala, S.H.
3	Bone-Bone	Tamuku	Isnandar
4	Malangke	Benteng	Drs. Nidal Waje
5	Malangke	Malangke	Hj. Ratna
6	Malangke	Pettalandung	Kismar
7	Malangke	Pince Pute	Mail, S.Pd.
8	Malangke	Pute Mata	Nasrum
9	Malangke	Tingkara	H. Sulaiman
10	Malangke	Tokke	Nurlang Tabbo
11	Malangke Barat	Limbong Wara	Andi Mahmuddin
12	Malangke Barat	Pengkajoang	Zulyana Alnan, S.H.
13	Malangke Barat	Pole Jiwa	Imron
14	Malangke Barat	Waetuo	Mahyuddin M.D.
15	Mappedeceng	Cendana Putih Dua	Aldin
16	Mappedeceng	Cendana Putih Satu	Muhammad Nur
17	Mappedeceng	Kapidi	Mahmuddin
18	Mappedeceng	Mangalle	Askar
19	Mappedeceng	Mekar Jaya	I Made Widana
20	Mappedeceng	Sumber Harum	Paiman Adi Purnomo
21	Mappedeceng	Sumber Wangi	Sarifuddin
22	Mappedeceng	Tarra Tellu	H. Artin
23	Masamba	Kamiri	Raswan, S.Pd.
24	Masamba	Sumillin	Khaeruddin G.
25	Masamba	Toradda	Halim Muh. Nasir, S. Sos.
26	Sabbang	Batu Alang	Mustamin
27	Sabbang	Buanguin	Achmad Zulkifli, S.E.
28	Sabbang	Buntu Terpedo	Jamiluddin Jasman
29	Sabbang	Kalotok	Drs. Jusman
30	Sabbang	Kampung Baru	Mardianto Mangadi, S.AN.
31	Sabbang	Malimbu	Kasrim
32	Sabbang	Mari-Mari	Mariana Manna
33	Sabbang	Pengkendekan	H. Muslimin
34	Sabbang	Pompaniki	Drs. Jayadi
35	Sabbang	Salama	Hairuddin
36	Sabbang	Terpedo Jaya	Aris, S.E.
37	Seko	Marante	Hesir, A.Ma

No.	Subdistrict	Village	Village Head Elected
38	Sukamaju	Banyuwangi	Nur Adi, S.Sos.
39	Sukamaju	Katulungan	Supandri
40	Sukamaju	Sukadamai	I Made Suka A.R.
41	Sukamaju	Wonosari	Muh. Ukkas

*Source: Data processed from Annex of Regent Decision No. 188.4.45/479/XI/2018*

Implementation of the simultaneous election based on tables 1 and 2 above is still considered to contain legal defects by several candidates. Accordingly, several candidates submitted lawsuits against the results of the Village Head election at the State Administrative Court to prove the violation. In this case, there are two lawsuits for Regent Decision No. 188.4.45/386/VI/2016 and four for Regent Decision No. 188.4.45/479/XI/2018.

### **C. Complaints and Dispute Resolution in Village Head Election**

As explained at the beginning of the discussion, the potential for violations by related parties will always exist in every simultaneous Village Head election process (Suhendi, 2020). Therefore, aggrieved candidates must complain as soon as possible, as regulated in Article 26 section (1) of Regent Regulation No. 35 of 2018. From this description, the problems that occur at each stage should have been resolved in their entirety before the determination of the Village Head. Furthermore, the number of villages that had problems during the simultaneous Village Head election in the first gradual was implemented on 2 July 2016 can be seen in the following table.

**Table 3. Complaints and Dispute Resolution of the Simultaneous Village Head Election in North Luwu Regency for the 2016-2022 Period**

No.	Village	Dispute Resolution
1	Takkalala	State Administrative Court
2	Mukti Jaya	State Administrative Court
3	Waelawi	Regency Level Selection Committee
4	Tulak Tallu	Selection Committee

*Source: Processed from Secondary Data*

Table 3 above shows that four villages made complaints to the Selection Committee. The Selection Committee could resolve two of the four villages that experienced Village Head election disputes. Meanwhile, the other two villages resolved the dispute in the State Administrative Court. In this case, the two Village Head candidates sue Regent Decision No. 188.4.45/386/VI/2016. The Village Head candidates consist of Mukti Jaya Village and Takkalala Village.

Meanwhile, the number of villages that had problems during the simultaneous Village Head election in the second gradual implemented on 3 October 2018 can be seen in the following table.

**Table 4. Complaints and Dispute Resolution of the Simultaneous Village Head Election in North Luwu Regency for the 2018-2024 Period**

No.	Village	Dispute Resolution
1	Pole Jiwa	State Administrative Court
2	Tokke	State Administrative Court
3	Pengkajoang	State Administrative Court
4	Malangke	State Administrative Court
5	Tamuku	Regency Level Selection Committee
6	Mari-Mari	Selection Committee
7	Salama	Selection Committee
8	Pompaniki	Selection Committee

*Source: Processed from Secondary Data*

Table 4 above shows that eight villages made complaints to the Selection Committee. The Selection Committee could resolve four of the eight villages that experienced Village Head election disputes. Meanwhile, the other four villages resolved the dispute in the State Administrative Court. In this case, the four Village Head candidates sue Regent Decision No. 188.4.45/479/XI/2018. The Village Head candidates consist of Malangke Village, Tokke Village, Pengkajoang Village, and Pole Jiwa Village.

### **1. Takkalala Village**

During the Takkalala Village Head election, the Selection Committee determined four candidates. During voting at Polling Station 2, the Selection Committee in Takkalala Village did not use ink as regulated in Regent Regulation No. 17 of 2016. Meanwhile, witnesses from the Village Head candidates allowed and even agreed to continue the voting process without using ink. Furthermore, the voting results at the Village Head election in Takkalala Village can be seen in the following table.

**Table 5. The Voting Results at the Village Head election in Takkalala Village for the 2016-2022 Period**

No	Village Head Candidate	Frequency	Percentage
1	Israfil	190	13,22%
2	Husaini	247	17,19%
3	Nasrianti	571	39,74%
4	Amrong	422	29,37%
Invalid Votes		7	0,48%
<b>Total Votes</b>		<b>1437</b>	<b>100%</b>

Source: Processed from Secondary Data

From the table above, it can be seen that Nasrianti won the voting at the Village Head election in Takkalala Village by obtaining 571 votes. Amrong, the second candidate from the voting results, disputed the voting process without using ink. Amrong submitted a lawsuit with the State Administrative Court of Makassar, with the object of the lawsuit being Annex to Regent Decision No. 188.4.45/386/VI/2016, Serial Number 34, on behalf of Nasrianti. The Judge then granted Amrong's petition based on the Decision of the State Administrative Court of Makassar Number 91/G/2016/PTUN.MKS. In this case, the Judge granted the plaintiff's lawsuit entirety and declared it void, specifically Annex to Regent Decision No. 188.4.45/386/VI/2016, Serial Number 34, on behalf of Nasrianti.

From the Court Decision of the first instance, Nasrianti submitted a petition for appeal at the State Administrative High Court of Makassar. The Judge then accepted Nasrianti's appeal based on the Decision of the State Administrative High Court of Makassar Number 134/B/2017/PT.TUN.MKS. In this case, the Judge accepted the appeal from the Appellant and voided the Decision of the State Administrative Court of Makassar Number 91/G/2016/PTUN.MKS., 25 April 2017, which submitted the appeal.

From the Court Decision of appeal level, Amrong then submitted another petition for cassation at the Supreme Court. The Judge then dismissed Amrong's petition for cassation based on the Decision of the Supreme Court of the Republic of Indonesia Number 145 K/TUN/2018. In this case, the Judge dismissed the Cassation Applicant's petition for cassation and ordered the Cassation Applicant to pay court costs at the cassation level of IDR 500,000.00 (five hundred thousand rupiahs).

From a series of legal efforts over the dispute over the results of the Village Head election in Takkalala Village, Nasrianti was finally appointed as the Head of Takkalala Village.

## 2. Mukti Jaya Village

During the Mukti Jaya Village Head election, the Selection Committee determined two candidates. Furthermore, the voting results at the Village Head election in Mukti Jaya Village can be seen in the following table.

**Table 6. The Voting Results at the Village Head election in Mukti Jaya Village for the 2016-2022 Period**

No	Village Head Candidate	Frequency	Percentage
1	Andi Basnar Racasiwi, S.E.	378	55,92%
2	Mustika, S.H.	292	43,20%
	Invalid Votes	6	0,88%
	<b>Total Votes</b>	<b>1437</b>	<b>100%</b>

*Source: Processed from Secondary Data*

From the table above, it can be seen that Andi Basnar Racasiwi won the voting at the Village Head election in Mukti Jaya Village by obtaining 378 votes. However, rumors circulated after the Village Head election that the Senior High School Certificate and Bachelor's Degree Certificate that Andi Basnar Racasiwi use had legal defects. In this case, there is a difference where the Elementary School Certificate and Middle School Certificate are in the name of Baso Jamaluddin. Mustika, the second candidate from the voting results, then disputed the registration process for Andi Basnar Racasiwi. On the other hand, there is a Decision of the District Court of Palopo Number 06/Pdt.G/2016. PN.PLP, dated 28 February 2006, decided that the name Baso Jamaluddin was replaced with Andi Basnar Racasiwi.

Mustika submitted a lawsuit with the State Administrative Court of Makassar, with the object of the lawsuit being Annex to Regent Decision No. 188.4.45/386/VI/2016, specifically on behalf of Andi Basnar Racasiwi. The Judge then dismissed Mustika's petition based on the Decision of the State Administrative Court of Makassar Number 79/G/2016/PTUN.MKS. In this case, the Judge completely dismissed the Plaintiff's lawsuit and ordered the Plaintiff to pay court costs of IDR 332,000 (three hundred thirty-two thousand rupiahs).

## 3. Pole Jiwa Village

During the Pole Jiwa Village Head election, the Selection Committee determined four candidates. Furthermore, the voting results at the Village Head election in Pole Jiwa Village can be seen in the following table.

**Table 7. The Voting Results at the Village Head election in Pole Jiwa Village for the 2018-2024 Period**

No	Village Head Candidate	Frequency	Percentage
1	Nirwan	145	27,88%
2	Imron	246	47,30%
3	Ilham Jaya, S.H.	53	10,20%
4	Seri Bulan, S.E.	75	14,42%
	Invalid Votes	1	0,20%
	<b>Total Votes</b>	<b>520</b>	<b>100,00%</b>

Source: Processed from Secondary Data

From the table above, it can be seen that Imron won the votes in the Village Head election in Pole Jiwa Village by obtaining 246 votes. However, there was an issue after the Village Head election that there were allegations of the involvement of the Secretary of Pole Jiwa Village, who directed voters to choose Imron as candidate number 2. Apart from that, there were also allegations of money politics and the mobilization of other residents who were not voters to vote for the Village Head candidate in Pole Jiwa Village. Based on these allegations, Seri Bulan as a candidate along with several other candidates in the simultaneous Village Head election, submitted a lawsuit with the State Administrative Court of Makassar, with the object of the lawsuit being Annex to Regent Decision No. 188.4.45/479/XI/2018. The Judge then dismissed Seri Bulan's petition based on the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS. In this case, the Judge declared the Plaintiff's lawsuit unacceptable and ordered the Plaintiff to pay court costs of IDR 308,000 (three hundred eight thousand rupiahs).

From the Court Decision of the first instance, Seri Bulan submitted a petition for appeal at the State Administrative High Court of Makassar. The Judge then dismissed Seri Bulan's appeal based on the Decision of the State Administrative High Court of Makassar Number 139/B/2019/PT.TUN.MKS. In this case, the Judge upheld the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS., dated 1 August 2019, which submitted the appeal. In addition, the Judge ordered the Appellant to pay court costs at the appeal level of IDR 250,000.00 (two hundred and fifty thousand rupiahs).

#### 4. Tokke Village

During the Tokke Village Head election, the Selection Committee determined four candidates. Furthermore, the voting results at the Village Head election in Tokke Village can be seen in the following table.

**Table 8. The Voting Results at the Village Head election in Tokke Village for the 2018-2024 Period**

No	Village Head Candidate	Frequency	Percentage
1	Nurlang Tabbo	320	31,71%
2	Mustabil	229	22,70%
3	Ilhamsyah	313	31,02%
4	Mastang	145	14,37%
Invalid Votes		2	0,20%
<b>Total Votes</b>		<b>1009</b>	<b>100,00%</b>

*Source: Processed from Secondary Data*

From the table above, it can be seen that Nurlang Tabbo won the voting at the Village Head election in Tokke Village by obtaining 320 votes. Ilhamsyah, the second candidate from the voting results, disputed the process because the Selection Committee involved other parties in the vote-counting process. For this incident, Ilhamsyah and several other candidates in the simultaneous Village Head election submitted a lawsuit with the State Administrative Court of Makassar, with the object of the lawsuit being Annex to Regent Decision No. 188.4.45/479/XI/2018. The Judge then dismissed Ilhamsyah's petition based on the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS. In this case, the Judge declared the Plaintiff's lawsuit unacceptable and ordered the Plaintiff to pay court costs of IDR 308,000 (three hundred eight thousand rupiahs).

From the Court Decision of the first instance, Ilhamsyah submitted a petition for appeal at the State Administrative High Court of Makassar. The Judge then dismissed Ilhamsyah's appeal based on the Decision of the State Administrative High Court of Makassar Number 139/B/2019/PT.TUN.MKS. In this case, the Judge upheld the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS., dated 1 August 2019, which submitted the appeal. In addition, the Judge ordered the Appellant to pay court costs at the appeal level of IDR 250,000.00 (two hundred and fifty thousand rupiahs).

## **5. Pengkajoang Village**

During the Pengkajoang Village Head election, the Selection Committee determined three candidates. Furthermore, the voting results at the Village Head election in Pengkajoang Village can be seen in the following table.

**Table 9. The Voting Results at the Village Head election in Pengkajoang Village for the 2018-2024 Period**

No	Village Head Candidate	Frequency	Percentage
1	Supriadi Mukmin	561	38,72%
2	Zulyana Alnan, S.H.	582	40,16%
3	Drs. Syamsir H.	297	20,50%
Invalid Votes		9	0,62%
<b>Total Votes</b>		<b>1449</b>	<b>100,00%</b>

Source: Processed from Secondary Data

From the table above, it can be seen that Zulyana Alnan won the voting at the Village Head election in Pengkajoang Village by obtaining 582 votes. However, there was an issue after the Village Head election that there were allegations that there were 17 voters who had lived in the village for less than six months. Therefore, the 17 people cannot qualify as Voters. Based on these allegations, Supriadi Mukmin and several other candidates in the simultaneous Village Head election submitted a lawsuit with the State Administrative Court of Makassar, with the object of the lawsuit being Annex to Regent Decision No. 188.4.45/479/XI/2018. The Judge then dismissed Supriadi Mukmin's petition based on the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS. In this case, the Judge declared the Plaintiff's lawsuit unacceptable and ordered the Plaintiff to pay court costs of IDR 308,000 (three hundred eight thousand rupiahs).

From the Court Decision of the first instance, Supriadi Mukmin submitted a petition for appeal at the State Administrative High Court of Makassar. The Judge then dismissed Supriadi Mukmin's appeal based on the Decision of the State Administrative High Court of Makassar Number 139/B/2019/PT.TUN.MKS. In this case, the Judge upheld the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS., dated 1 August 2019, which submitted the appeal. In addition, the Judge ordered the Appellant to pay court costs at the appeal level of IDR 250,000.00 (two hundred and fifty thousand rupiahs).

## 6. Malangke Village

During the Malangke Village Head election, the Selection Committee determined five candidates. Furthermore, the voting results at the Village Head election in Malangke Village can be seen in the following table.

**Table 10. The Voting Results at the Village Head election in Malangke Village for the 2018-2024 Period**

No	Village Head Candidate	Frequency	Percentage
1	Ardis Baso	230	26,17%
2	Mursan	11	1,25%
3	Hj. Ratna	232	26,39%
4	Hasan, S.IP.	181	20,59%
5	Akop, A.Md.	221	25,14%
	Invalid Votes	4	0,46%
	<b>Total Votes</b>	<b>879</b>	<b>100,00%</b>

*Source: Processed from Secondary Data*

From the table above, it can be seen that Ratna won the voting at the Village Head election in Malangke Village by obtaining 232 votes. However, there was an issue after the Village Head election that there were allegations of the mobilization of other residents who were not voters to vote for the Village Head candidate in Malangke Village. Based on these allegations, Ardis Baso as a candidate along with several other candidates in the simultaneous Village Head election, submitted a lawsuit with the State Administrative Court of Makassar, with the object of the lawsuit being Annex to Regent Decision No. 188.4.45/479/XI/2018. The Judge then dismissed Ardis Baso's petition based on the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS. In this case, the Judge declared the Plaintiff's lawsuit unacceptable and ordered the Plaintiff to pay court costs of IDR 308,000 (three hundred eight thousand rupiahs).

From the Court Decision of the first instance, Ardis Baso submitted a petition for appeal at the State Administrative High Court of Makassar. The Judge then dismissed Ardis Baso's appeal based on the Decision of the State Administrative High Court of Makassar Number 139/B/2019/PT.TUN.MKS. In this case, the Judge upheld the Decision of the State Administrative Court of Makassar Number 5/G/2019/PTUN.MKS., dated 1 August 2019, which submitted the appeal. In addition, the Judge ordered the Appellant to pay court costs at the appeal level of IDR 250,000.00 (two hundred and fifty thousand rupiahs).

## **CONCLUSIONS AND SUGGESTIONS**

Based on the results and discussion above, it can be concluded that the implementation of the simultaneous Village Head election of 2016 and 2018 in North Luwu Regency, consisting of 64 Villages. Of the 64 simultaneous Village Head elections, six of them are still considered to contain legal defects by several candidates. Accordingly, the

six candidates submitted lawsuits against the simultaneous Village Head election results at the State Administrative Court to prove the violation. In this case, there are two lawsuits for Regent Decision No. 188.4.45/386/VI/2016 and four for Regent Decision No. 188.4.45/479/XI/2018. One of the six lawsuits was granted by the Judge in the Decision of the State Administrative Court, but the Decision of the State Administrative High Court voided the Court Decision of the first instance. In contrast, the other five lawsuits were immediately dismissed by the Judge at the Decision of the State Administrative Court. Based on the description of these conclusions, it is recommended that the Regency Government be able to predict and provide solutions to a series of problems that will arise at all stages of implementing the simultaneous Village Head election. In this case, to minimize future disputes of the simultaneous Village Head election.

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