

The Authority of the Temporary Head of Village in Silangge Village Government System, Dolok District, North Padang Lawas Regency

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ABSTRACT

The appointment of the Silangge village head official was due to the permanent dismissal of the previous village head who died, then the District Head. North Padang Lawas appointed the sub-district head of Dolok sub-district as a temporary office in Silangge Village, district. Dolok Kab. North Padang Lawas until 2016. The approach method used to research the discussion of this thesis is an empirical juridical approach, namely the research in this thesis was carried out by field studies at the Dolok Subdistrict Head Office, North Padang Lawas Regency. This study was carried out concerning the applicable laws and regulations. The Temporary Village Head's authority in running the Silangge village administration is the same as the village head, the Silangge Temporary Village Head in 2013 has the main task of carrying out village head elections, then the next Silangge Village Head in 2015 also has the main task of organizing village head election. The term of office of the Silangge Village Head from 2015 to 2016 carried out village infrastructure development through village funds in 2015 and 2016 and carried out the Silangge village head election in 2016.

Keywords: Authority, Temporary Official, the Village head

INTRODUCTION

Law Number 6 of 2014 concerning villages divides villages into two types, villages and customary villages. Villages carry out their government by the provisions of the law on villages. Meanwhile, traditional villages carry out their authority in various fields of village administration based on origin rights and customs that live in the community. The determination of a village is a customary village determined by provincial regulations. Villages, both villages based on the law on villages and customary villages, are legal community units that have territorial boundaries that are authorized to regulate and manage government affairs, the interests of the local community based on community initiatives, origin rights, and/or traditional rights that are recognized and respected in the system of government of the Unitary State of the Republic of Indonesia.

The formulation of the village above can be detailed as follows: the village is a legal community unit, the village has territorial boundaries, the village is authorized to regulate and manage the interests of the local community, the village authority is based on local origins and customs, local customs are recognized and respected in the government system of the Republic of Indonesia. Article 1 paragraph (2) of Law Number 6 of 2014 concerning Villages defines village government as the administration of government affairs and the interests of the local community in the government system of the Unitary State of the Republic of Indonesia. The implementation of village government in Law Number 6 of 2014 concerning villages includes the implementation of executive affairs, namely the administration of government by the village government through the village head and village officials as the head of government and village government executor. The implementation of legislative affairs, namely the function of policy formation through the establishment of the Village Consultative Body.¹

The implementation of village government is carried out based on original autonomy, which

¹ Ateng Syafrudin and Suprin Na'a, 2010. *The Republic of Villages-The Struggle of Traditional Law and Modern Law in the Design of Village Autonomy*, cet. I, Bandung: Alumni, p. 16.

means that the village government's authority in regulating and managing local communities is based on the origins and socio-cultural values found in the local community but must be carried out in the perspective of state government administration which always follows the times. The village government is the village head and other village officials. Meanwhile, according to Article 48 of the law on villages, what is meant by village officials as part of the village government are the village secretariat, regional implementers, and technical implementation. The village head is in charge of administering village government, carrying out village development, village community development, and empowering village communities

According to Law Number 6 of 2014, the Village Head as the administration of Village Government affairs which is the authority is the affairs of the existing Village Government based on the origin of the Village. Village Government Affairs that can directly improve services, development, and community empowerment as well as assistance tasks from the provincial government, and district/city governments. The village head is obliged to provide accountability in the form of making a report on the administration of village governance addressed to the Regent/Mayor, and an accountability report to the BPD and informing all reports on the administration of government to the community. The report contains reports of all village activities based on existing village authorities, as well as duties and finances from the government, provincial government, and district/city governments. This accountability report on the duties of the village head is carried out as an effort to realize accountability in a village government and as an effort to realize government transparency to the community.

Based on Government Regulation Number 43 of 2014 concerning Villages as regulated in Article 17 Paragraph (8) which states that "after the dismissal of the Village Head as referred to in paragraph 5, the Regent/Mayor shall appoint a Temporary Village Head. Article 21 states that the Temporary Village Head (automatically) is the Village Secretary or civil servant in the sub-district scope. Normatively the duties and authorities of the Village Head Officer are by Article 26 of Law Number 6 of 2014 concerning Villages. However, not all the authority of the Village Head can be carried out by the Temporary Village Head. Some of the powers that are prohibited from being exercised are especially in terms of making policies that are contrary to the policies of the administration of government and the previous village head development program.

Government Regulation Number 72 of 2005 Article 21 states that the Temporary Village Head (automatically) is the village secretary. The village secretary is appointed as a temporary replacement for the village head if; (1) the head of the village is temporarily dismissed by the regent/mayor without going through the recommendation of the BPD for committing an act punishable by imprisonment for a minimum of 5 years, and (2) the head is dismissed (no longer temporarily) by the regent/mayor without going through the proposal of the BPD for an act against law based on a court decision that has permanent legal force.

Since the last four years (2009-2013) there has been no division of villages or sub-districts in North Padang Lawas Regency. There were 386 villages and 2 Ward in 2013 of which 300 were underdeveloped villages. The sub-districts with a relatively high percentage of underdeveloped villages are more than 90 percent, namely: Dolok Sigompulon District, Dolok District, Batang Onang District, Simangambat District, and Hulu Sihapas District. Of the 388 villages/Ward there are 377 villages/Ward of which are headed by men and 11 villages are headed by women.²

One of the villages in North Padang Lawas Regency led by the Temporary Village Head since 2013 is Silangge village. The appointment of the Silangge village head was due to the permanent dismissal of the previous village head, Sahril Sihombing, who died later the Regent of Kab. North Padang Lawas appointed the sub-district head of Dolok sub-district as a temporary office in Silangge

² Central Bureau of Statistics. 2014. North Padang Lawas in Figures 2014. Gunung Tua : BPS, p. 19

Village, district. Dolok Kab. North Padang Lawas who served until 2016.

LITERATURE REVIEW

Temporary Head of Village

Officials in a broad sense can be distinguished between appointed officials and elected officials. Elected officials can be recruited through the process of direct election by the people (directly elected by the people), direct election by the people but not referred to as general elections, indirect or semi-direct elections, ie through the electoral college, "electoral college", "ahlul halli wa al aqdh", or as it is called by other names, or indirect elections through representative bodies, such as the DPR (Parliament). While the officials recruited through appointment are civilian and military positions, as regulated in the laws governing each and last amended by Law Number 5 of 2014 as described above.

Specifically regarding officials who are recruited through the direct election system by the people (directly elected officials) in practice in Indonesia today include Presidential and Vice Presidential candidate pairs in the five-year presidential election, Governor and Deputy Governor Pairs for Provincial Heads, in addition to Regional Governors. Special Region of Yogyakarta, Pairs of Regents and Deputy Regents, other than Regents in the Special Capital Region of Jakarta, Pairs of Mayors and Deputy Mayors, other than Mayors in the Special Capital Region of Jakarta, Members of the People's Representative Council, Members of the Regional Representatives Council, Members of the Provincial People's Representative Council, Members of the Council District People's Representatives, except for administrative districts in the Special Capital Region of Jakarta, Members of the City Regional House of Representatives, except for administrative cities in the Special Capital Region of Jakarta that does not have a Regional House of Representatives, and Village Heads.

Officials who are elected directly through general elections or not through general elections some officials are elected indirectly but not through people's representative institutions. The practice of electing Presidents in the United States is an example of electoral college elections which often result in a discrepancy between the number of "electoral votes" and "popular votes". With different variations, the practice of "electoral college" in the United States can be compared with the practice of religious organizations in Indonesia, especially Nahdlatul Ulama (NU) which elects the General Chair through the election of "Ahlul halli wal aqdi", that is, by first selecting the delegates. to hold elections in the electoral college. Although not using the term "ahlu al halli wal aqdi", the General Chairperson of PP Muhammadiyah also uses the same mechanism, namely that its members first elect delegates to choose from among them to become the General Chair. However, in Indonesia, such a mechanism is not used to fill state positions.³

The implementation of village administration in the dismissal of the Village Head due to death, own request, termination of office, and dismissal which has been regulated in Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages has stated that the Regent/Mayor has the authority to appoint a civil servant from the Regency/City regional government as an official of the Village Head as a substitute for the vacancy of the Village Head until the election of a New Village head.

Village government

Etymologically the word village comes from the Sanskrit language, deca which means homeland, homeland, or homeland. From a geographical perspective, the village or village is defined as " a group of houses or shops in a country area, smaller than and town ". The village is a legal community unit that has the authority to manage its household based on the rights of origin and customs that are recognized

³ Jimly Asshidiqie, Paper, 2015 . Liberalization of the Public Position Filling System, pages 6-7

in the National Government and are located in the Regency Area.

The village according to HAW Widjaja in his book entitled "Village Autonomy" states that the village is a legal community unit that has an original structure based on special origin rights. The rationale for village governance is diversity, participation, genuine autonomy, democratization, and community empowerment.⁴

According to R. Bintarto, based on the geographical review he put forward, the village is a result of the geographical, social, political, and cultural manifestations that exist in an area and have reciprocal relationships with other regions.⁵ According to the Big Indonesian Dictionary, a village is a territorial unit inhabited by several families that have their government system (headed by a village head) or a village is a group of houses outside the city that are a unit.⁶

The history of village government in Indonesia has existed since the Dutch colonial government because the legislation governing the village already existed at that time. The laws and regulations governing the village have changed several times according to the times and needs. From 1906 to 1 December 1979 Village Government in Indonesia was regulated by legislation made by the Dutch Colonial colonialists, although in 1965 there was Law No. 19 of 1965 concerning Desapraja with the issuance of Law No. 6 of 1969 which stated that In the absence of various laws and government regulations instead of laws, Law No. 19 of 1965 in practice does not apply even though juridically the law is still valid until the formation of a new law governing Village Government, only after 34 years independent the State of Indonesia has its own Village Government Law.

Village Autonomy

Indonesia is a unitary state that applies autonomy to the regions or decentralization which is a bit like a union or federal state. However, some differences make them not the same. Local governments are developed based on the principles of autonomy (decentralization) and co-administration. The principle of deconcentration is only applied in the provinces and districts/cities that are not ready or have not fully implemented the principle of autonomy as stipulated in the Constitution. Therefore, the idealized relationship between the central government and the provincial government and the provincial government and district/city governments is non-hierarchical. However, the coordination function in the context of fostering regional autonomy and solving problems between regions is still carried out by the central government and the provincial government as appropriate.⁷

Regional autonomy can be interpreted as the right of authority and obligation of the region to regulate and manage its own household by applicable laws and regulations. In principle, two things are included in autonomy, namely the right of authority to manage the region, and responsibility for failures in managing the region.⁸

The establishment of this regional government aims to achieve effectiveness and efficiency in service to the community. Bung Hatta explained that the form of people's sovereignty as a statement of the people's government is that in its entirety or in parts it governs itself. However, the sovereignty exercised by the local people is not sovereignty that comes out of its essence, but the sovereignty possessed by the people who are higher up. Thus, the sovereignty possessed by the local people must not conflict with the outlines that have been determined in the outlines of the state policy. The autonomy held within the unitary state of the Republic of Indonesia is at least influenced by the underlying factors,

⁴ Widjaja, HAW. 2003. Village/Marga Administration . PT. King Grafindo Persada. Jakarta. page. 3.

⁵ R. Bintaro,. 1989. In Rural-City Interaction and Its Problems. Jakarta: Ghalia Indonesia, page. 46

⁶ Ministry of Education. 2013. Big Indonesian Dictionary, Medan: Bitra Indonesia, page.2.

⁷ Jimly Asshiddiqie. 2010. Indonesian Constitution and Constitutionalism. Jakarta: Sinar Graphic, page

⁸ Utang Rosidi. 2010. Regional Autonomy and Decentralization. Bandung: Faithful Library, page 85

namely the following:

1. The diversity of the Indonesian people with special characteristics in various groups does not allow the government to be organized uniformly;
2. The territory of Indonesia, which has islands and is wide with all their respective characteristics, requires a method of administration that is by the conditions and characteristics of the various islands;
3. Villages and various legal alliances are one of the codes to be maintained in the structure of the state government;
4. Pancasila and the 1945 Constitution require a democratic government structure;
5. Decentralization is one way to create order the democracy; and
6. Efficiency is one measure of organizational success. The Republic of Indonesia, which is vast and has a large and diverse population, requires a way of administering state government that ensures efficiency and effectiveness. By dividing the administration of government into smaller units (decentralization), such efficiency and effectiveness can be achieved.⁹

According to Article 1 paragraph (1) of Law Number 6 of 2014 concerning Village, Village is a village and traditional village or what is called by another name, hereinafter referred to as Village, is a legal community unit that has boundaries the area authorized to regulate and manage the government, interests local communities based on community initiatives, origin rights, and/or traditional rights that are recognized and respected in the state government system the Unitary Republic of Indonesia. Diverse villages throughout Indonesia have long been the basis for the livelihoods of the local community, which incidentally has autonomy in managing power and governance over the population, local institutions, and economic resources. Based on the history of village growth in Indonesia, there are three types of villages that are: since the beginning of its growth until now include:

1. Traditional village (self-governing community), the namely traditional village which is the original and oldest form in Indonesia. The concept of "Original Autonomy" refers to in the sense of this traditional village. The traditional village takes care of and manages itself with its wealth without state intervention. Traditional villages do not carry out the administrative tasks assigned by the State. Examples of traditional Pakraman villages in Bali;
2. Administration Village (local state government), namely the village which is a unit of administrative area, which is the lowest government unit for providing administrative services from the central government. village administration is formed by the state and is an extension of the state to carry out administrative tasks assigned by the country. Substantial administrative villages have no rights autonomous and tend to be undemocratic; and
3. Autonomous villages (local self-government), namely a village that is formed based on the principle of decentralization by law. An autonomous village has clear authority because it is regulated in the law of its formation. Therefore, the autonomous village has the authority fully in managing and taking care of its household.¹⁰

According to Article 1 paragraph (2) of Law Number 6 In 2014, the village government is the village head or what is called by the name of the village head others are assisted by the Village apparatus as elements of the administration of the Government Village. The Village Government has the authority to include:

1. authority based on the right of origin;
2. village-scale local authority;

⁹ Ibid . pages 83-84

¹⁰The Drafting Team for the Academic Draft of the Village Bill. 2007. Academic Draft of the Bill on Villages. Jakarta: Ministry of Home Affairs, page. 83.

3. authority assigned by the Government, Regional Government Province, or Regency or City Government; and
4. other authorities assigned by the Government, Regional Government Province, or Regency or City Regional Government by the provisions of the legislation.

The administration of the village government is also assisted by the National Board of The Village Consultative Assembly which is a representative of the Village population based on the regional representation which is filled in democratically, the Board of The Village Deliberation has the task of discussing and agreeing on the Draft Village Regulations together with the Village Head in addition to accommodating and distributing Village community aspirations also supervise the performance of the Village Head.

METHODS

Good writing requires accuracy, precision, and persistent effort to obtain maximum results that are by scientific writing standards, compiling and implementing data relating to the phenomenon being investigated, the research used includes:

Nature of Research

To research discussing this thesis, a descriptive research specification is needed, namely, research carried out by outlining the overall subject matter discussed in the thesis as stated in the problem formulation, first connecting the existing ones, both obtained from the field and the literature. The approach method used to research the discussion of this thesis is the empirical juridical approach. Namely, the research in this thesis was carried out by field studies with the Silangge Village Government, Dolok District, North Padang Lawas Regency. This study was carried out concerning the applicable laws and regulations.

Data source

To conduct this research, primary data sources and secondary data sources are used. Primary data sources are data sources that are obtained directly from the field (field research or interviews with parties who have competence and study documents (library) which are the object of research in the Silangge Village Government, Dolok District, North Padang Lawas Regency. While secondary data are data- data obtained from library materials, which consists of:

1. The primary legal materials used in this research are Law Number 6 of 2014 concerning Villages and Law Number 23 of 2014 concerning Regional Government, Government Regulation No. 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages Government Regulations Number 72 of 2005 concerning Villages, as well as ministerial regulations related to villages and related regional regulations of North Padang Lawas Regency.
2. Secondary book materials used in writing are in the form of readings that are relevant to the material being studied, such as books on constitutional law and scientific works.
3. Tertiary legal materials are materials that are given instructions or explanations for primary legal materials and secondary legal materials using legal dictionaries and websites.

Data Collection Tool

The data collection tool in this research is through field research studies or interviews and document studies (library) which aims to obtain data and information related to the title of the thesis being researched.

Data analysis

Data obtained from field studies (field research) and literature studies are collected and sorted and then organized into a pattern, category, and basic description. So that a solution can be taken that will be described using qualitative analysis.

RESULTS AND DISCUSSION

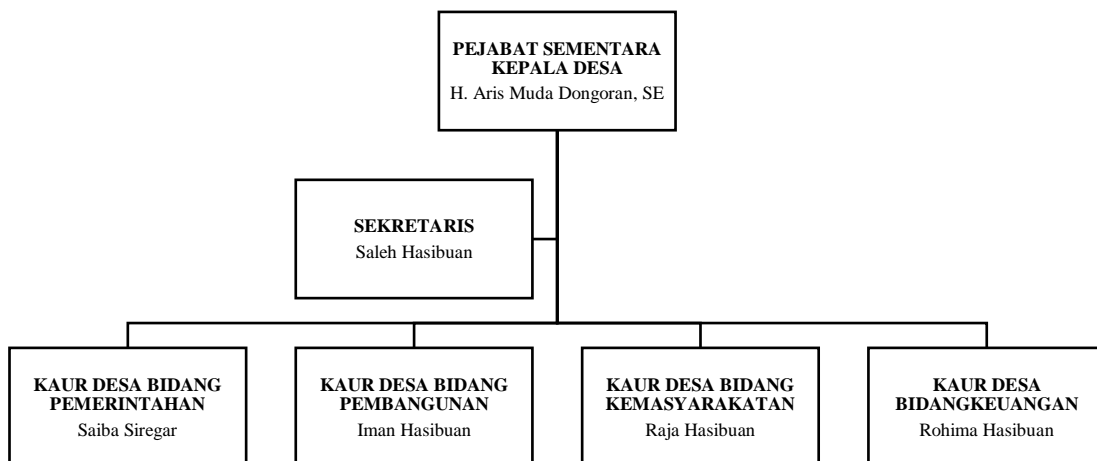
Silangge Village Administration, Dolok District, North Padang Lawas Regency

Silangge Village is one of the villages in Dolok District, North Padang Lawas Regency. Silangge Village is the oldest village in Luhut Silangge which was founded in the 1800's. The majority of Silangge villagers are Mandailing tribes. The population of Silangge village is about 50 households. North Padang Lawas Regency is one of the regencies in the province of North Sumatra North Sumatra, Indonesia , which is the result of the division of South Tapanuli Regency. The capital of this district is Gunung Tua.

The area of this regency is 3,918.05 km. The population of Padang Lawas Utara in the 2010 census results was 223,531 people with a density of 57 per square kilometer, which in 2011 increased to 225,621 people with population growth from year to year of around 2.18 percent. North Padang Lawas Regency is located at 113 50 "North Latitude and 992 44 10019 ° 10 East Longitude, its boundaries are in the east it is bordered by Riau Province, in the west it is bordered by South Tapanuli, in the north it is bordered by Labuhan Batu Regency and South Labuhan Batu, in the south, it is bordered by Padang Lawas Regency.

The history of the government of the village of Lintasge was founded around 1889 by Sutan Doli. Vintage Village is one of the oldest villages in Dolok District, North Padang Lawas Regency. In 1980 who served as the head of Silangge village was Mangaraja Bangun then in 1998, the head of Silangge village was held by Mukmin Sihombing, in 2004 held by Sahban Dasopang, in 2010 held by Irfan Sihombing. In 2013 the village head Irfan Sihombing died and was appointed Temporary Village Head H Aris Muda Dongoran SE who is also the Head of the Dolok District.¹¹ The following is the organizational structure of the Silangge village government.

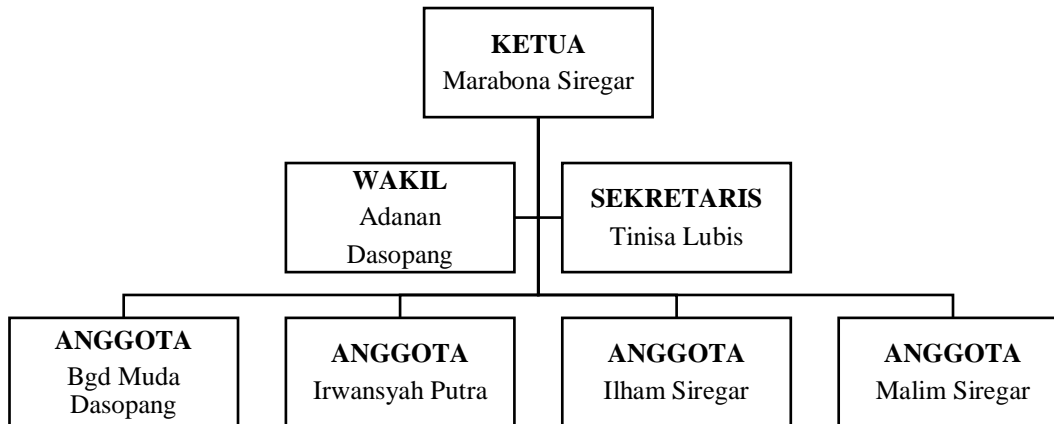
Silangge Village Government Organizational Structure



Source: Office of the Head of Silangge Village, Dolok District, North Padang Lawas Regency

Organizational Structure of the Silangge Village Consultative Body

¹¹ Results of an interview with Saleh Hasibuan, Secretary of Silangge Village, Dolok District, North Padang Lawas Regency on January 14, 2017



Source: Office of the Deliberative Council of Silangge Village, Dolok District, North Padang Lawas Regency

Procedure for Appointment of Temporary Head of Silangge Village, Dolok District, North Padang Lawas Regency

The practice of appointing temporary officials and implementing daily tasks (PLT) within the village government is still maintained now. Some regions even accommodate it in the legal products of regional regulations. At a higher level, Government Regulation No. 72 of 2005 itself does not regulate this. Temporary officials are usually appointed when the village head is unable to carry out his duties due to legal issues. The legal process that the village head must undergo often takes months, even years. To lead the village administration, an official who carries out the functions of the village head is appointed.

Each region has different rules regarding the length of a temporary official's term of office, his authority, and the personnel who fill the position. Government Regulation Number 72 of 2005 Article 21 states that the Temporary Village Head (automatically) is the village secretary. The village secretary is appointed as a temporary replacement for the village head if; (1) the head of the village is temporarily dismissed by the regent/mayor without going through the recommendation of the BPD for committing an act punishable by imprisonment for a minimum of 5 years, and (2) the head is dismissed (no longer temporarily) by the regent/mayor without going through the proposal of the BPD for an act against law based on a court decision that has permanent legal force.

However, the term used there is 'official'. Not a temporary official. In the case of carrying out daily tasks (PLT), the appointment is made by the village head through a decree, a copy of which is sent to the BPD and the Camat. Executors of daily tasks carry out their duties if the village head is not present at a certain time. For example, performing the pilgrimage, medical treatment, and so on. Executors of daily tasks are often given tasks but are not given authority. In terms of strategic policies such as the use of money or the sale of land in the village, the PLT Village Head always does not have the right to decide. Government Regulation No. 72 of 2005 does not regulate this at all. In Article 13 it is stated that the guidelines through which the organization and working procedures of the village administration are regulated are regional regulations. The Regional Regulations referred to at least contain procedures for the preparation of organizational structures, ranks, duties, and functions, as well as working relationships. Thus the district/city area is given space to accommodate such things as

village head officials, village head executives, and Temporary Village Head.¹²

The implementation of village administration in the dismissal of the Village Head due to death, own request, termination of office, and dismissal which has been regulated in Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages have stated that the Regent/Mayor has the authority to appoint a civil servant from the Regency/City regional government as an official of the Village Head as a substitute for the vacancy of the Village Head until the election of a New Village head. It is clear in this provision that it is explained that if there is a vacancy in the village head position, the Regent or regional head must appoint a Village Head Officer. The statement of the article is also confirmed by the Regional Regulation of North Padang Lawas Regency Number 2 of 2015 Article 46 which reads "The appointment of a temporary village head is determined by a Regent's Decree. However, the more detailed provisions regarding the term of office are not explained in more detail in the regional regulation.

Referring to the normative provisions above, it is an interesting phenomenon to be studied based on normative footings on the implementation of Temporary Officials (PJS) in the vacancy of the village government. During 2013-2016 Silangge Village, District of North Padang Lawas Regency was led by the Temporary Village Head whose task was to fill the temporary vacancy for the administration of Silangge Village.

The procedure for determining the Temporary Officials (PJS) is stipulated through a Regional Regulation. For the term of office based on Article 22 of Government Regulation Number 72 of 2005 concerning Villages is 6 (six) months, then Article 46 paragraph (1) of Law Number 6 of 2014 concerning Villages explains in terms of the remaining term of office of the dismissed village head as referred to in Article 43 for no more than 1 (one) year, the Regent/mayor appoints a civil servant from the Regency/City local government as village head officials until the election of a village head, Article 47 paragraph (1) explains in terms of the remaining term of office of the dismissed village head as referred to in Article 43 for more than 1 (one) year, the Regent/Mayor shall appoint a civil servant from the Regency/Municipal government as the official village head.

Then Article 55 of Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages states that if the remaining term of office of the dismissed Village head is not more than 1 (one) year due to being dismissed as referred to in Article 54 paragraph (1) letter a and letter b as well as paragraph (2) letter b, letter c, letter d, letter f, and letter g, the regent/mayor shall appoint civil servants from the regency/city-regional government as Temporary Village Head until a new Village head is elected.

Article 56 of the government regulation states that if the remaining term of office of the dismissed Village head is more than 1 (one) year due to being dismissed as referred to in Article 54 paragraph (1) letters a and b as well as paragraph (2) letter b, letter c, letter d, letter f, and letter g, the regent/mayor shall appoint a civil servant from the regency/city-regional government as the Temporary Village Head until a new Village head is elected through the results of the Village deliberation.

The appointment of a Temporary Village Head as referred to in Article 56 of Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages is carried out if the village head is dismissed. The dismissal of the village head was due to as referred to in Article 54 of Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages which stated:

1. The Village Head resigned because:
 - a. die;

¹² Roy Salamoni. "Temporary Officials and PLT Village Heads" via [http: www.kompasiana.com](http://www.kompasiana.com), accessed on Sunday 04 June 2017, 19.03 WIB

- b. own request; or
- c. dismissed.
2. The Village Head is dismissed as referred to in paragraph (1) letter c because:
 - a. end of his term of office;
 - b. unable to carry out tasks continuously or permanently absent for 6 (six) months;
 - c. no longer meets the requirements as a Village head;
 - d. violates the prohibition as village head;
 - e. there is a change in the status of a Village to a sub-district, the merger of 2 (two) or more Villages into 1 (one) new Village, or the abolition of a Village;
 - f. does not carry out obligations as Village head; or
 - g. declared as a convict based on a court decision that has permanent legal force.
3. If the Village head quits as referred to in paragraph (1), the Village Consultative Body shall report to the regent/mayor through the subdistrict head or other designations.
4. The dismissal of the Village head as referred to in paragraph (3) is stipulated by a decision of the regent/mayor.

The head of Silangge village for the period of 2011 to 2016 was Irfan Sihombing, in 2013 the village head of Irfan Sihombing died. So to fill the temporary vacancy for the administration of Village Government, Ridoan Siregar, an employee of the Dolok Sub-district Head, was appointed as the Temporary Head of Silangge Village, Dolok District, North Padang Lawas Regency with the Decree of the Regent of North Padang Lawas Regency Number 421.2/350/K/2013 concerning the Appointment of the Temporary Head. Silangge Village, North Padang Lawas Regency with a maximum term of 6 months. In the Decree, it was mandated to Ridoan Siregar to in addition to carrying out his duties, functions, and authorities as Temporary Village Head of Silangge Village after reading a letter of recommendation from the sub-district head of Dolok sub-district regarding the proposed appointment of Temporary Village Head of Silangge Village, Dolok District, also charged with the task of preparing for the implementation of the Village Head election. definitive one.

Appointment of Ridoan Siregar in 2013 as Temporary Village Head of Silangge Village based on the legal umbrella of Government Regulation Number 72 of 2005 concerning Villages. Article 22 of Government Regulation Number 72 of 2005 concerning Villages is 6 (six) months, then Article 21 states that the Temporary Village Head (automatically) is the Village Secretary, therefore the appointment of Ridoan Siregar, an employee of the Dolok District Head Office as Temporary Village Head Silangge is not by the mandate of Article 21 of Government Regulation Number 72 of 2005 concerning Villages which states that if there is a dismissal of the village head, the Village Secretary will automatically become the Temporary Village Head. Based on the results of the author's research, the appointment of Ridoan Siregar as Temporary Village Head of Silangge Village was based on a suggestion from the results of the consultations of the Silangge Village Consultative Body because the village secretary at that time, Saleh Hasibuan, did not get the trust of the Silangge Village Consultative Body to become the Temporary Head of Silangge Village.

In early 2014, a village head election was held through a consensus meeting of the Silangge Village community which was attended by representatives of community leaders (hatobangon), representatives from the PKK management, and representatives from the education community. However, the consensus deliberation for the election of a definitive village head did not come to fruition because representatives of community leaders consisting of the mora and anak boru parties insisted on defending their respective choices.¹³

¹³ Results of an interview with Ridoan Siregar, the interim head of Silangge village in 2013 on 09 January 2017

After Ridoan Siregar's term as Temporary Village Head of Silangge ended in 2014, the Regent of North Padang Lawas Regency appointed H Aris Muda Dongoran, SE as Temporary Village Head through the Decree of the Regent of North Padang Lawas Regency Number 421.2/326/K/2015 with a term of office until the election of the village head through village deliberation who is also the sub-district head of Dolok District, North Padang Lawas Regency. The authority of H Aris Muda Dongoran, SE as Temporary Village Head of Silangge Village is the same as the authority of the definitive village head. The term of office of H Aris Muda Dongoran, SE as the temporary head of Silangge village was extended until the simultaneous election of village heads in North Padang Lawas Regency in 2016.¹⁴

Appointment of H Aris Muda Dongoran, SE as Temporary Village Head of Silangge Village based on the legal umbrella of Law Number 6 of 2014 concerning Villages and Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages. In the Decree of the Regent of North Padang Lawas Regency Number 421.2/326/K/2015, the term of office of H Aris Muda Dongoran as Temporary Village Head of Silangge Village is until the election of the village head through village deliberation, this is by the provisions of Article 56 of Government Regulation Number 43 of 2014 concerning Implementing Regulation of Law Number 6 of 2014 concerning Villages which states if the remaining term of office of the dismissed Village head is more than 1 (one) year due to being dismissed as referred to in Article 54 paragraph (1) letters a and b and paragraph (2) letter b, letter c, letter d, letter f, and letter g, the regent/mayor shall appoint a civil servant from the regency/city-regional government as the Temporary Village Head until a new Village head is elected through the results of the Village deliberation.

Based on the description above, it can be understood that there are differences in the procedure for the appointment of the Temporary Head of Silangge Village in 2013 namely Ridoan Siregar with the Decree of the Regent of North Padang Lawas Regency Number 421.2/350/K/2013 for a term of office of 6 months and the appointment of H Aris Muda Dongoran, SE Decree of the Regent of North Padang Lawas Regency Number 421.2/326/K/2015 H Aris Muda Dongoran's term of office as Temporary Village Head of Silangge Village is until the election of the village head through village meetings. This is due to differences in the legal umbrella in the stages of appointing the Silangge Village Temporary Village Head, namely Government Regulation Number 72 of 2005 concerning Villages, Law Number 6 of 2014 concerning Villages, and Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages.

The Authority of the Temporary Village Head in Running the Silangge Village Administration, Dolok District, North Padang Lawas Regency for the Period of 2013 to 2014

In 2013 Ridoan Siregar, who is an employee of Dolok District, North Padang Lawas Regency, was appointed as the Temporary Head of Silangge Village based on the Decree of the Regent of North Padang Lawas Regency No. 421.2/350/K/2013 concerning the Appointment of the Temporary Head of Silangge Village, North Padang Lawas Regency. with a term of 6 months.¹⁵

The appointment of Ridoan Siregar as Temporary (PJS) for the Silangge Village Head aims to organize Village Government by the Decree of the North Padang Lawas Regency Regent, namely carrying out the duties and functions of the Village Head until the election of a definitive Silangge village head. In the Regent's Decree, Ridoan Siregar has the mandate to run the village government with the assistance of the Village Secretary and other Village officials. However, during his term of office, no Village development was produced, neither the economic development of the Village nor the

¹⁴ Result of an interview with H Aris Muda Dongoran, SE, interim official of Silangge village head on 20 May 2017

¹⁵ Results of an interview with Ridoan Siregar, the interim head of Silangge village on January 09, 2017

development of the Village infrastructure itself.¹⁶

Based on the provisions in Article 22 of Government Regulation Number 72 of 2005 concerning Villages, it is stated that: "If the Village Head is dismissed as referred to in Article 18 paragraph (2) and Article 19, the Regent/Mayor appoints the Village Head with the main task of holding Village Head elections no later than 6 (six) months as of the court's decision which has permanent legal force. Referring to these provisions, the main task of the Silangge village head official Ridoan Siregar is to hold village head elections for a maximum of 6 months. However, based on the research results of the author Ridoan Siregar as the Temporary Head of Silangge Village, he could not fulfill the mandate of Article 22 of Government Regulation Number 72 of 2005 concerning Villages to hold a definitive village head election in Silangge village, this was due to the occurrence of Silangge opinions in the village head election consensus meeting.¹⁷

The Authority of the Temporary Village Head in Running the Silangge Village Administration, Dolok District, North Padang Lawas Regency, 2014 to 2016

The end of Ridoan Siregar's term of office as the Temporary (PJS) Head of Silangge Village in 2014, then there was a vacancy in the administration of the Silangge Village government. Therefore, the Regional Government must appoint a new Temporary Head of Silangge Village to administer Village administration. Therefore, the Regent of North Padang Lawas Regency appointed H. Aris Muda Dongoran, SE as Head of Silangge Village, Dolok District, North Padang Lawas Regency, who is also the Head of Dolok District, North Padang Lawas Regency in 2015.

Appointment of H. Aris Muda Dongoran, SE as Head of Silangge Village based on the provisions of Law Number 6 of 2014 concerning Villages and Government Regulation Number 43 of 2014 concerning Implementing Regulations of Law Number 6 of 2014 concerning Villages. Based on the provisions of Article 46 paragraph (1) of Law Number 6 of 2014 concerning Villages, it is stated that if the remaining term of office of the dismissed village head as referred to in Article 43 is not more than 1 (one) year, the Regent/Mayor shall appoint civil servants and the government. district/city area as the Temporary Village Head until the election of the village head. The village head carries out the duties, authorities, obligations, and rights of the village head as referred to in Article 26.

Based on the above provisions, the authority possessed by the Temporary Village Head in carrying out village administration in Silangge Village is the same as the authority possessed by the previous Silangge village head by Article 26 paragraph (2) of Law Number 6 of 2014 concerning Villages, namely:

1. Leading the implementation of Village Government;
2. Appointing and dismissing Village apparatus;
3. Holding the power to manage Village Finance and Assets;
4. Establish Village Regulations;
5. Determine the Village Revenue and Expenditure Budget;
6. Fostering the life of the Village community;
7. Fostering peace and order in the Village community;
8. Fostering and improving the Village economy and integrating it to achieve a productive scale economy for the greatest prosperity of the Village community;
9. Develop Village income sources;
10. Propose and accept the delegation of part of the state's wealth to improve the welfare of the Village community;

¹⁶ Results of an interview with Saleh Hasibuan, Secretary of Silangge Village on January 11, 2017

¹⁷ Results of an interview with Saleh Hasibuan, Secretary of Silangge Village on January 11, 2017

11. Develop the socio-cultural life of the Village community;
12. Utilizing appropriate technology;
13. Coordinate Village Development in a participatory manner;
14. Representing the Village inside and outside the court or appointing a legal representative to represent it by the provisions of the legislation; and
15. Carry out other authorities by the provisions of the legislation.

The implementation of the authority as Head of Silangge Village, Dolok District, North Padang Lawas Regency from 2015 to 2016, can be described as follows:

1. Administration of Government Affairs

It should be noted that to assist the Temporary Official (PJS) the village head is assisted by 1 (one) secretary, 3 (three) heads of affairs, and several hamlet heads. As a staff element, the Village Head Temporary Officer (PJS) coordinates, delegates, and instructs the village secretary to organize village government, especially in the field of administration. H. Aris Muda Dongoran, SE as the Temporary Head of Silangge Village who is also the Head of the Dolok District in carrying out village government in the field of Administration, this is not working properly, this is because the Temporary Head of Silangge Village is a sub-district head, so that the administrative process and public services very hampered, the administrative process that is carried out is only in terms of the preparation of the village income budget which is prepared annually at the sub-district office of Dolok sub-district. This is as explained by Saleh Hasibuan as the secretary of Silangge village.

“The administrative process of Silangge village while it was led by H Aris Muda Dongoran as the Temporary Head of Silangge Village was not running well because H Aris Muda Dongoran was also the sub-district head of Dolok sub-district, so he had dual duties, on the one hand, he had to work as sub-district head in dolok sub-district on the one hand. On the other hand, he is also the Temporary Head of Silangge Village. So if there are correspondence matters such as processing of Family Cards, Certificate of Identity, Land Sales and Purchase Letters, Deliberations, you have to go to the sub-district office directly, from Silangge village to the Camat office the distance is approximately 20 kilometers”.¹⁸

2. Implementation of Village Community Life Development

In the field of fostering community life in the village by the Temporary Official (PJS) of the Village Head that the Temporary Official (PJS) of the Village Head is like making a long-term and short-term work program, for example in connection with the construction of roads and bridges to facilitate community economic access, building village markets as places buying and selling agricultural products, conducting periodic counseling, increasing human resources of village government apparatus and the community gradually, conducting spiritual-related coaching, socializing family planning programs, guiding the community in positive and productive activities, as well as increasing and promoting the spirit of cooperation in the community within their respective Neighborhood Associations (RT).

3. Implementation of Village Development

The implementation of the development was carried out by H. Aris Muda Dongoran as Head of Silangge Village, namely in 2015 with the construction of a concrete rebate road with a fund of Rp. 181,000. 000. Then in 2016 the implementation of village infrastructure development was continued, sourced from village funds for the 2016 fiscal year.

4. Implementation of Village Economic Development

The economic development of the villagers realizes that their family life or livelihood is on agricultural products, plantations in addition to trading. In this connection, of course, as the leader and administrator of the village government, when viewed from the duties of the village head, the

¹⁸Results of an interview with Saleh Hasibuan, Secretary of Silangge Village on January 11, 2017

Temporary Village Head (PJS) is tasked with fostering the economy of the village community. The Head Temporary Officer (PJS) in fostering the economy of the village community does not have a community welfare empowerment program. This can be done such as collaborating with private companies, making village welfare empowerment programs facilitated by the district government.

5. Village Head Election Organizer

Since the death of Irfan Sihombing as Silangge village head in 2013, the Temporary Silangge Village Head held by Ridoan Siregar was unable to carry out village head elections through the Silangge village community consensus meeting, then the Silangge village head official was replaced by H. Aris Muda Dongoran, SE also cannot carry out village head elections through deliberation and consensus. Then in 2016, the village head election was simultaneously held in North Padang Lawas Regency including Silangge village. In the village head election, the single candidate, Ahmad Rizali Hasibuan, won.

CONCLUSION

The procedure for determining the Temporary Servant (PJS) is stipulated through the Regional Regulation of North Padang Lawas Regency Number 2 of 2015 concerning Dismissal and Appointment of Village Heads. The term of office of the Temporary Village Head based on Article 22 of Government Regulation Number 72 of 2005 concerning Villages is 6 (six) months, then Article 46 paragraph (1) of Law Number 6 of 2014 concerning Villages explains in terms of the remaining term of office of the dismissed village head as referred to in Article 43 for no more than 1 (one) year, the Regent/mayor appoints a civil servant from the Regency/City regional government as village head officials until the election of a village head, Article 47 paragraph (1) explains in terms of the remaining term of office of the head of the village. dismissed as referred to in Article 43 for more than 1 (one) year, the Regent/Mayor shall appoint a civil servant from the Regency/Municipal government as the official village head.

The authority of the Temporary Village Head in running the Silangge village government is the same as that of the village head, Ridoan Siregar as Silangge Village Head in 2013 had the main task of carrying out village head elections, then H Aris Muda Dongoran was appointed as Silangge Village Head in 2013 2015 also has the main task of organizing village head elections. Term of office while the Silangge Village Head H Aris Muda Dongoran carried out village infrastructure development through village funds in 2015 and 2016 and carried out the Silangge village head election in 2016.

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