

**SELECTION OF VILLAGE COMMUNITY INSTITUTIONS BASED ON
PERMENDAGRI NUMBER 18 OF 2018 CONCERNING VILLAGE
COMMUNITY INSTITUTIONS AND VILLAGE TRADITIONAL
INSTITUTIONS**

(Study in Labuhan-Lalar Village, Taliwang District, West Sumbawa)

THESIS UNDERGRADUATE

BY:

WIDYA ANGGRIANI. D

NIM 17230097



CONSTITUTIONAL LAW STUDY PROGRAM

FACULTY OF SHARIA

ISLAMIC UNIVERSITY STATE MAULANA MALIK IBRAHIM MALANG

2021

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UNIVERSITY 2020

MAULANA MALIK IBRAHIM MALANG STATE ISLAMIC UNIVERSITY 2020

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For the sake of Allah,
With awareness and a sense of responsibility for scientific development,
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YEAR 2018 CONCERNING VILLAGE COMMUNITY INSTITUTIONS AND VILLAGE
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(Study in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency)

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Malang, 1 December 2020

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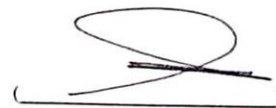
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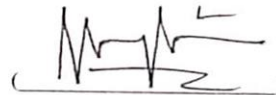
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MOTTO

*"You can't go back and change the beginning but you can start where you are
change the ending"*

(CS Lewis)

FOREWORD

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Alhamdulillahirabbil'alamin, who has given grace and assistance in writing a thesis entitled: "SELECTION OF VILLAGE COMMUNITY INSTITUTIONS BASED ON PERMENDAGRI NUMBER 18 YEAR 2018 ABOUT VILLAGE COMMUNITY INSTITUTIONS AND INSTITUTIONS OF TRADITIONAL INSTITUTIONS, West Sumbar District, Labuhan District. we finished well. Salawat and greetings we give to the Prophet Muhammad SAW who has given uswatun hasanah to us in living this life in syar'i. By following him, may we be classified as believers and get his intercession on the last day of the Last Hour. Amen.

With all the teaching, guidance / direction, and service assistance that has been provided, with all humility the writer would like to express his gratitude matchless to:

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2. Prof. Saifullah, SH, M. Hum, as Dean of the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang.
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8. All Lecturers of the Faculty of Sharia, Maulana Malik Ibrahim State Islamic University Malang, who have taught us all. With sincerity and intention. May their charity be a part of worship to get the pleasure of Allah SWT.
9. To parents who have support and prayers so that they can complete this thesis.
10. To all parties that I cannot mention one by one who has helped the author during the process until the end of this thesis.

With the completion of this thesis report, it is hoped that the knowledge that we have gained during college can provide benefits to the charities of life in this world and the hereafter. As a human being who never escapes mistakes, the author really hopes that the door of forgiveness as well as criticism and suggestions from all parties for efforts to improve in the future.

Malang 1, January 2021

Author

LITERATION GUIDELINES

A. General

Transliteration is the transfer of Arabic writing into Indonesian (Latin) writing, not Arabic translation into Indonesian. Included in this category are Arabic names from Arabs, while Arabic names from nations other than Arabic are written as the national language spelling, or as written in the reference book. Writing book titles in footnotes and bibliography, still uses this transliteration provision

There are many options and transliteration provisions that can be used in writing scientific papers, either with international or national standards or provisions specifically used by certain publishers. Latin Arabic Transliteration Guidelines which are the result of a joint decision (SKB) of the Minister of Religion and the Minister of Education and Culture of the Republic of Indonesia Number: 158 of 1987 and Number: 0543b / U / 1987.

B. Consonant

A list of Arabic letters and their transliterations into Latin letters can be seen on the following page:

Arabic font	Name	Latin letters	Name
ا	Alif	Not symbolized	Not symbolized
ب	Ba	B	Be
ت	Ta	T	Te

ث	S a	S	Ice (with dots above)
ج	Jim	J	Je
ح	Ha	H {	Ha (with the dot above)
خ	Kha	Kh	Ka and Ha
د	Dal	D	De
ذ	Z al	Z	Zet (with the dot above)
ر	Ra	R	Er
ز	Zai	Z	Zet
س	Sin	S	Ice
ش	Syin	Sy	Ice and ye
ص	S {ad	S {	Ice (with a dot on under)
ض	D} ad	D {	De (with a dot on under)
ط	T {a	T {	Te (with a dot on under)
ظ	Z} a	Z {	Zet (with a dot on under)
'Ain	ع	'_____	inverted apostrophe
غ	Gain	G.	Ge
ف	Fa	F	Eph
ق	Qof	Q	Qi
ك	Kaf	K	Ka
ل	Lam	L	El
م	Mim	M	Em
ن	Nun	N	En
و	Kite	W	We
هـ	Ha	H	Ha
ء	Hamza	'_____	Apostrophe
ي	Yes	Y	Ye

Hamza (ء) which is often denoted by alif, if it is located at the beginning of the word then in its transliteration follows a vowel, is not denoted by a comma above (,) , reversed with a comma (,) to replace the lammanag “ع”.

C. Long Vowels and Diphthongs

Every Arabic writing in the form of fathah vowels is written with "a", kasrah with "i", dhammah with "u", while the long reading is written in the following way Vocal (a)panjang= â misalnya قال becomes qâla Vowel (i)long= î for example قيل becomes qîla Long vowel (u) = û for example دون becomes dûna

Khusus untuk read an ya 'nisbat, then it cannot be replaced by "î", but it is still written with "iy" so that it can describe the ya' nisbat at the end. Likewise for the sounds of diphthong, wawu and ya 'after fathah are written with "aw" and "ay". Consider the following example:

Diphthong (aw) = و for example قول becomes qawlun

Diphthong (ay) = ي for example خير becomes khayrun.

D. Ta'marbûthah(ة)

Ta 'marbûthah transliterated with "t" if it is in the middle of a sentence, but if ta 'marbuthah is at the end of the sentence, then

transliterated using "h" for example الرسالة للمدرسة Becomes

al-risalat li al-mudarrisah, or when in the middle of a sentence consists of an arrangement of mudlaf and mudlaf ilayh, then transliterated with use "t" which is connected to the next sentence, for example هلا becomes fi rahmatillâh.

E. Word Clothing and Lafadz al-Jalâlah

The article in the form of "al" (ال) is written in small letters, unless it is located at the beginning of a sentence, while "al" in lafadh jal is in the middle of a leaning sentence (idhafah) then it is omitted. Consider the following examples:

1. Al-Imâm al-Bukhâriy said
2. Al-Bukhâriy in the muqaddimah of his book explains
3. *Masyâ'Allah kânâ wa mâlam yasyâ lam yakun.*
4. Billâh 'azza wa jalla.

F. Name and Indonesianized Arabic Words

In principle, every word that comes from Arabic must be written using a transliteration system. If the word is an Arabic name from an Indonesian or Indonesianized Arabic, it does not need to be written using a transliteration system. Consider the following example:

"... Abdurahman Wahid, the former fourth president of the Republic of Indonesia, and Amin Rais, former chairman of the MPR at the same time, have made an agreement to eradicate nepotism, collusion and corruption from the face of the Indonesian earth, by

one of the ways is through intensifying prayers in various government offices,
however ...

Pay attention to the writing of the names "Abdurahman Wahid", "Amin Rais" and the word "salat" written using the Indonesian language writing procedure adapted to the writing of his name. Even though these words come from Arabic, they are in the form of Indonesian names and have been Indonesianized, for that it is not written in the way "Abd al-Rahmân Wahîd", "Amîn Raîs", and is not written as "shalât".

ABSTRAK

Widya Anggriani, 17230097, Pemilihan Lembaga Kemasyarakatan Desa Berdasarkan Permendagri Nomor 18 Tahun 2018 Tentang Lembaga Kemasyarakatan Desa Dan Lembaga Adat Desa (Study di Labuhan-Lalar Kecamatan Taliwang Kabupaten Sumbawa Barat). Skripsi, Hukum Tata Negara, Fakultas Syariah, Universitas Islam Negeri Maulana Malik Ibrahim Malang, Pembimbing: Abdul Kadir, S.HI., MH

Kata Kunci: Lembaga Kemasyarakatan Desa (RT); Siyasah Dusturiyah; Permendagri

Pemilihan Lembaga Kemasyarakatan Desa (RT) adalah lembaga Kemasyarakatan yang mana pemilihannya telah diatur dalam Undang-Undang, Peraturan Daerah. Proses Pemilihan Lembaga Kemasyarakatan ini hanya pemerintah desa yang berperan dalam pemilihan Lembaga Kemasyarakatan Desa (RT) dan masyarakat tidak dilibatkan dalam proses pemilihan Lembaga kemasyarakatan desa (RT). Jenis Penelitian ini adalah Yuridis Empiris. Pendekatan yang digunakan yaitu pendekatan Yuridis Sosiologis. Metode Pengambilan Sampel yang digunakan ialah *accidental sampling dalam non-probability sampling*. Data yang digunakan ialah Primer yang berupa Wawancara dan Dokumentasi serta data sekunder berupa buku ilmiah, Skripsi, Laporan Penelitian dan Jurnal. Pemilihan Lembaga Kemasyarakatan Desa (RT) dalam Pasal 3 Ayat 1 Permendagri Nomor 18 Tahun 2018 Tentang Lembaga Kemasyarakatan Desa dan Lembaga Adat Desa belum terlaksana Karena proses pemilihannya hanya dilakukan oleh pemerintah saja yaitu pemerintah desa tidak melibatkan masyarakat dalam pemilihan Ketua RT ini. di Desa Labuhan-Lalar terdapat 4 dusun yang rata-rata ketua RT dipilih langsung oleh Kepala desa. hanya di Dusun Wara A Murni Hak masyarakat sudah menggunakan Hak pilihnya. faktor Pendukung dan penghambat Pemilihan Lembaga Kemasyarakatan Desa (RT) yaitu: Faktor Pendukung dalam Pemilihan Lembaga Kemasyarakatan Desa (RT) ini adalah Ketika masyarakat diberikan hak memilih dalam pemilihan Lembaga Kemasyarakatan Desa (RT) Maka Program dari Pemerintah Desa akan terlaksana dengan baik, karena Ketua RT dipilih melalui musyawarah. Dan ketua RT dapat merangkul masyarakat lingkungannya dengan baik. Faktor Penghambat dalam Pemilihan Lembaga Kemasyarakatan Desa ini adalah Ketika Masyarakat diberikan hak memilih dalam pemilihan lembaga kemasyarakatan Desa (RT) ditakutkan tidak sesuai karena ketika pemilihan ketua RT ternyata Se Lingkungan RT Masih ada ikatan keluarga jadi dia memenangi pemilihan ini dikarenakan keluarganya, padahal yang menjabat Ketua RT tidak sesuai dengan keinginan masyarakat. Dalam Pelaksanaan Pemilihan Lembaga Kemasyarakatan Desa (RT) Belum Sesuai dengan Pandangan Fiqh Siyasah Dusturiyah dikarenakan dalam Fiqh Siyasah Dusturiyah karena setiap proses

pengambilan keputusan dalam semua urusan kemasyarakatan dilakukan melalui consensus dan konsultasi dengan semua pihak.

ABSTRACT

WidyaAnggriani, 17230097, Selection Of Village Institutions Basen On Permendagri Number 18 Of 2018 Concerning Village Community Institutions and Village Traditional Institutions (Study in Labuhan-Lalar Village, Taliwang, West Sumbawa Regency). Thesis, Department of Constitutional Law, Faculty of Sharia, State Islamic University of Maulana Malik Ibrahim Malang, Advisor: Abdul Kadir, S.HI., MH

Keywords:Constitution; Siyasah Dusturiyah; Village Community Institution (RT) Selection

Election of Village Social Institutions (RT) is a community institution whose election has been regulated in Law, Regional Regulation. The selection process for this social institution is only the village government which plays a role in the selection of the Village Community Institution (RT) and the community is not involved in the process of selecting the Village Community Institution (RT). This type of research is juridical empirical. The approach used is the Sociological Juridical approach. The sampling method used was accidental sampling in non-probability sampling. The data used were primary in the form of interviews and documentation and secondary data in the form of scientific books, theses, research reports and journals. The selection of Village Community Institutions (RT) in Article 3 Paragraph 1 of Permendagri Number 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions has not been carried out because the election process is only carried out by the government, namely the village government does not involve the community in the election of the Head of this RT. The Implementation of Village Community Institution (RT) Election Is Not In Accordance With The View Of Fiqh Siyasah Dusturiyah because in Fiqh Siyasah Dusturiyah every decision-making process in all social affairs is carried out through consensus and consultation with all parties. The Implementation of Village Community Institution (RT) Election Is Not In Accordance With The View Of Fiqh Siyasah Dusturiyah because in Fiqh Siyasah Dusturiyah because every decision-making process in all social affairs is carried out through consensus and consultation with all parties. Inhibiting Factors in the Selection of Village Social Institutions is when the community is given the right to vote in the election of the Village community institution (RT) it is feared that it is not appropriate because when the election for the head of the RT it turns out that Se Lingkungan RT still has family ties so he won this election because of his family, even though it was the chairman of the RT. RT is not in accordance with the wishes of the community. The Implementation of Village Community Institution (RT) Election Is Not In Accordance With The View Of Fiqh Siyasah Dusturiyah because in Fiqh Siyasah Dusturiyah because every decision-making process in all social affairs is carried out through consensus and consultation with all parties

مختصرة نبذة

Widya Anggriani ، 17230097 ، 6/2014 رقم القانون على بناء القرية مجتمع مؤسسة أعضاء انتخاب ، الدستور القانون قسم ، أطروحة (سومباوا ويست مقاطعة ، تاليوانج منطقة ، لالار لابوهان قرية في دراسة) القرى بشأن ، S.HI ، MH ، القادر عبد :المستشار ، مالانج إبراهيم مالك مولانا الإسلامية الدولة جامعة ، الشريعة كلية ،

(RT) القروي المجتمع مؤسسة اختيار دستورية سياسة دستور ؛:الدالة الكلمات

القانون بموجب انتخابها تنظيم تم مجتمعية مؤسسة هي (RT) القروية المجتمعية المؤسسات انتخاب

واللوائح القانون بموجب انتخابها تنظيم تم مجتمعية مؤسسة هو (RT) القروية المجتمعية المؤسسات انتخاب اختيار في دورًا تلعب التي القرية حكومة فقط هي الاجتماعية المؤسسة لهذه الاختيار عملية الإقليمية (RT) القرية مجتمع لمؤسسة الاختيار عملية في المجتمع يشارك ولا (RT) القروي المجتمع مؤسسة أخذ طريقة كانت. الاجتماعي القانوني النهج هو المستخدم النهج. قانوني تجريبي البحث من النوع هذا المستخدمة البيانات وكانت ، الاحتمالية غير العينات في العرضي العينات أخذ هي المستخدمة العينات يتم لم. ومجلات بحثية وتقارير وأطروحات كتب شكل في ثانوية وبيانات وتوثيق مقابلات شكل في أولية لعام 18 رقم Permendagri من 1 الفقرة 3 المادة في (RT) القروية المجتمعية المؤسسات اختيار من تتم الانتخابات عملية لأن القروية التقليدية والمؤسسات القروية المجتمعية المؤسسات بشأن 2018 قرية في توجد. الفريق هذا رئيس انتخاب في المجتمع تشرك لا القرية حكومة أن أي ، فقط الحكومة قبل انتخاب: The name of this article is: المتوسط في يتم حيث صغيرة قرى 4 Labuhan-Lalar حقوق استخدمت Wara A Murni Hamlet في فقط. القرية رئيس قبل من مباشرة RT رئيس القروي المجتمع مؤسسة لاختيار والمثبطة الداعمة العوامل بهم الخاصة التصويت حقوق المجتمع المجتمع يُمنح عندما هذا ، (RT) القروي المجتمع مؤسسة اختيار في الداعمة العوامل :وهي ، (RT) القرية حكومة من البرنامج تنفيذ يتم ثم ، (RT) القروي المجتمع مؤسسات اختيار في التصويت حق في المجتمع احتضان RT لرئيس ويمكن. المداولات خلال من RT اختيار يتم الرئيس لأن ، جيد بشكل في الحق المجتمع يُمنح عندما هي القروية الاجتماعية المؤسسات اختيار في المثبطة العوامل. جيدًا بينته عندما لأنه مناسب غير ذلك يكون أن يُخشى ، (RT) القروي المجتمع مؤسسة انتخاب في التصويت هذه في فاز لذلك عائلية روابط لديه يزال لا Se Lingungan RT أن اتضح ، RT رئيس انتخاب لا. المجتمع رغبات مع يتوافق لا RT. RT-رئيسًا كان أنه من الرغم على ، عائلته بسبب الانتخابات فقه في لأنه الدستوري السياسي الفقه ظ وجهة مع المجتمعية القروية المؤسسة انتخابات تنفيذ يتوافق مع والتشاور بالتوافق تتم الاجتماعية الشؤون جميع في قرار صنع عملية كل لأن الدستورية السياسة حق المجتمع يُمنح عندما هي القروية الاجتماعية المؤسسات اختيار في المانعة العوامل. الأطراف جميع عندما لأنه مناسبًا ذلك يكون ألا يُخشى ، (RT) القروية الاجتماعية المؤسسة انتخاب في التصويت هذه في فاز لذلك ، عائلية روابط لديه يزال لا Se Lingungan RT أن اتضح ، RT رئيس انتخاب يتوافق لا. المجتمع رغبات مع يتوافق لا RT رئيسًا كان أنه من الرغم على ، عائلته بسبب الانتخابات السياسة فقه في لأنه الدستورية السياسة فقه ظ وجهة مع المجتمعية القروية المؤسسة انتخابات تنفيذ جميع مع والتشاور بالتوافق تتم الاجتماعية الشؤون جميع في قرار صنع عملية كل لأن الدستورية

في الحق المجتمع يُمنح عندما هي القروية الاجتماعية المؤسسات اختيار في المثبطة العوامل. الأطراف انتخاب عندما لأنه مناسباً ذلك يكون ألا يُخشى ، (RT) القروي المجتمع مؤسسة انتخاب في التصويت على ، عائلته بسبب الانتخابات هذه في فاز لذلك عائلية روابط لديه يزال لا RT أن اتضح ، RT رئيس المؤسسة انتخابات تنفيذ يتوافق لا. المجتمع رغبات مع يتوافق لا RT. RT. رئيساً كان أنه من الرغم عملية كل لأن الدستورية السياسة فقه في لأنه الدستورية السياسة فقه ظ وجهة مع المجتمعية القروية الأطراف جميع مع والتشاور بالتوافق تتم الاجتماعية الشؤون جميع في قرار صنع

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BAB I

PRELIMINARY

A. Background of the problem

In Law number 32 of 2004 concerning local government, where the village is a legal community unit owned by territorial borders, has the authority to regulate and manage the interests of the local community based on local origins and customs which are recognized and respected in the system of government of the unitary republic. Indonesia. Since the enactment of Law Number 6 of 2014 concerning Villages, the Government, Provincial Government and District / City Government can carry out village arrangement. In this case, it aims to realize the effectiveness of Village Government administration, accelerate the increase in the quality of public services, improve the quality of Village Government governance,¹

In the village is a place for an organized group of people, meaning that in the village live people who form an ordered social system. An orderly social system refers to a pattern of action by a group of people based on their respective roles, status and functions which refer to mutually agreed values and norms.²

According to Law Number 6 of 2014 Article 1, a village is a customary village or what is called a village, is a legal community unit that has territorial boundaries that is authorized to regulate and manage government affairs, the interests

¹ Article 7 Aya t (3) Law No.6 of 2014 concerning Villages

² Hanif Nurcholis, Growth and Village Administration (Jakarta: Erlangga, 2011), p. 69.

of the local community based on community initiatives, the right of proposals, and or traditional rights that are recognized and respected in the government system of the Republic of Indonesia. Village Administration is 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. and according to Sutardjo Kartodikusumo, a village is a legal entity in which a community resides in power to govern itself.³

The Village Head is a Village Government official who has the authority, duties and obligations to organize his village household and carry out the duties of the Government and local governments.⁴Article 26 paragraph (1) of Law No. 6 of 2014 regulates four main duties of the Village Head, namely:

1. Organizing Village Government
2. Implementing Village Development
3. Implementing Village Community Development, and
4. Empowering Village Communities.

Labuan Lalar Village is a village located in Taliwang District, West Sumbawa Regency, NTB. In terms of politics and regarding the rules of the majority in society, it is still classified as passive. Village Community Institutions, hereinafter abbreviated as LKD, are a forum for community participation, as a partner of the

³ <https://www.berdesa.com/definisi-desa-menurut-berbagai-ahli/#:~:text=Menurut%20Sutardjo%20Kartodikusumo%2C%20desa%20adalah,yang%20memiliki%20sistem%20pemerintah%20s%20itself>

⁴Article 1 number 7 Permendagri No. 112 of 2014 concerning Village Head Election.

village government, participating in planning, implementing and monitoring development, as well as improving village community services. In Article 3 Paragraph (1) Permendagri No 18/2018 Types of LKD include:

- a. RT
- b. RW
- c. Empowerment of Family Welfare
- d. Youth organization
- e. Integrated Service Post
- f. Community Empowerment Institutions

And in West Sumbawa regency regional regulation No 14 of 2019 Article 1 paragraph 20 concerning village development planning guidelines, namely: village community institutions, hereinafter referred to as LKD, are social institutions that are formed on the initiative of the community as needed and as partners of the village government in empowering the community. There are several basic reasons why I took or are interested in taking this topic because in the village of Labuhan-lalar Taliwang, West Sumbawa district, which just in 2020 has held the election for the village head of Labuhan Lalar village. And after being elected as the village head, the next step is the village government to hold an election for a village community institution or abbreviated as LKD. In the selection of this village social institution, which from previous years was elected by vote at the local RT deliberation, and in 2020 this election for members of social institutions (heads of neighborhoods) was

directly elected by the village head. Before choosing the head of the neighborhood unit, the village head gave a letter of dismissal to the RT head who was still in office before the election. And this made the RT head confused and did not understand why the village head had issued a dismissal letter. After the village head directly elects a member of the village community organization, namely the Rukun Tetangga, the village government immediately gives a letter to the local community to attend the inauguration of members of the social organization, namely the neighborhood association. In Labuhan Village, it consists of 4 hamlets, namely (Wara A, Wara B, Bangsal, Muhajirin, Toroh) and there are 20 Neighborhood Associations. The problematic ones or those directly elected by the village head in the election of the chairperson of the neighborhood unit are in 4 hamlets and there are 4 neighborhood units. And by this it makes the community confused because they never hold deliberations related to the election of the head of the neighborhood unit and make the local community not want to take part in events or associations with village community organizations or Rukun Tetangga.

The description on this background shows the weakness of the implication of Article 3 Paragraph 1 of the Minister of Home Affairs Regulation Number 18 of 2018. Based on the diastasis description, it is the reason for conducting a Thesis Research entitled "SELECTION OF VILLAGE PUBLIC INSTITUTIONS BASED ON PERMENDAGRI NUMBER 18 OF 2018 ABOUT DESA INSTITUTIONS

AND VILLAGE INSTITUTIONS Study in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency)

B. Formulation of the problem

1. How is the Implementation of Village Community Institution (RT) Election in Labuhan-Lalar Village?
2. Is the implementation of the selection of village community institutions in accordance with the views of Fikh Siyasah Dusturiyah?

C. Scope of problem

In Permendagri number 18 of 2018 in which the types of village social institutions consist of several types, this study is limited to only discussing the selection of members of the village community institution "Rukun Tetangga" (RT).

D. Research Objectives

The objectives of this study are as follows:

1. To Get a Law Degree
2. To find out the process, Selection of Village Community Institution (RT)
3. To find out whether the Village Social Institution Selection Process is appropriate according to the viewpoint of fiqh siyasah dusturiyah.

E. Benefits of research

The research benefits are:

1. For the Village Government

The results of this study are expected to be used as reference materials for the Labuan Lalar Village Government, Taliwag District, so that they can better understand the process of selecting the RT Chairperson based on the Regional Regulation of West Sumbawa Regency No.

2. For the Community

With this research, it is hoped that the Labuan Lalar community will be able to understand the procedure or process for selecting the RT Chairperson based on the West Sumbawa Regency Regional Regulation No. 14 of 2019 concerning Guidelines for Village Development Planning.

3. For Academics

This research can be a reference material, provide information, as well as scientific development materials for Constitutional Law Faculty of Sharia UIN Malang.

F. Operational definition

A definition of a variable that is formulated based on the characteristics of the observed variable. In order to avoid misunderstanding in interpreting the title of this thesis, it is necessary to explain the operational definition of the title as follows:⁵

Election is a matter of making a decision in which an election is held to choose who will be the leader by being elected by the community. A group decision-making process in which members of the public who meet the requirements elect someone to hold a public administration position.

⁵Dellyana, Shant. 1988, The Concept of Law Enforcement. Yogyakarta: Liberty p. 32

Village Community Institutions is a social institution in which this institution is a forum for community participation which acts as a link between the community and the village government. Social Institutions are institutions formed on the initiative of the community in accordance with the needs and are partners of the village government in carrying out government, development, social and community empowerment activities.

Neighborhood Association hereinafter abbreviated as RT or other term is an institution which is formed by deliberation with the local environmental community. part of the work of the village head and is an institution formed through local community deliberations in the framework of government and community services stipulated by the village government.

G. Systematics of the Discussion

The systematic discussion as a whole consists of 3 parts, namely:

First, the formality section consisting of: title page, thesis approval page, endorsement page, motto page, dedication page, preface, table of contents, and table list.

Second, this part of 5 chapters, namely chapter I on the Introduction. This chapter consists of several sub-chapters, namely the background of the problem, the formulation of the problem, the limitations of the problem, the objectives, the benefits of the research, and the systematic discussion.

Chapter II contains a literature review in which this section contains previous research and theoretical frameworks / theoretical foundations. Previous research contains information about research that has been carried out by previous research. In this previous study, there were 3 which were related to research problems in order to avoid duplication and then it was shown the originality of this study and its differences with previous research. Furthermore, it contains a theoretical framework / theoretical basis containing theories or juridical concepts as a theoretical basis for the study and analysis of problems. Here we use the theory of the concept of regional autonomy, the concept of village government and village community institutions.

Chapter III contains research methods in which empirical research methods are placed in chapter III. It consists of several sub-types, namely the type of research, the research approach, the location of the research, the sampling method, the types and sources of data, the data collection methods and the data processing methods.

Chapter IV contains the results of research and discussion, namely "The Election of Members of Village Community Institutions based on Law No. 6 of 2014 concerning villages." This section analyzes data from both primary and secondary data to answer the formulation of a predetermined problem.

Chapter V is the final chapter which contains conclusions and suggestions. The conclusions in this chapter are not a summary of the research conducted, but rather a brief answer to the formulation of the problems that have been determined. The number of points in the conclusion must correspond to the number of

formulations of the problem. Suggestions are suggestions or suggestions to related parties or parties having more authority over the theme being researched for the good of society, and proposals or suggestions for further research in the future. The contents of the suggestions can be related to the benefits of the research that has been written in chapter I.

BAB II

LITERATURE REVIEW

A. Previous Research

Previous research is information that contains what previous researchers have done, in the form of journals and articles that have been published or in the form of a dissertation, a thesis that has not been published, and also has a relationship with research problems in order to avoid duplication and explain the originality of the research and show differences. previous research.⁶

In Past Research, it can assist Researchers in positioning the research and show the originality of the research. In this section, the researcher lists some of the results of previous research, both from the title of Thesis and Research titles related to research that has been published or not yet published (Thesis, thesis, dissertation and others). The research used as a guide in this study are as follows:

1. **This researcher is named Wiri Siptun**, researcher a student of the Faculty of Sharia, State Islamic Institute (IAIN) Bengkulu in 2019 with the form of a thesis entitled "Implementation of Article 7 Regulation of the Minister of Home Affairs No. 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions (Rukun Tetangga (RT))) In Air Petai Village, Sukaraja District)". This researcher formulates the first problem is How the Implementation of Permendagri No. 18 of 2018 article 7 concerning the role and function of the leadership of the

⁶ Drafting Team, Guidelines for Scientific Work, (Malag: Sharia Faculty, 2015), 27

Rukun Tetangga (RT) in Air Petai Village, Sukaraja District, the second is how the fiqh siyasah review the role and leadership function of the Rukun Tetangga (RT) Air Petai Village, Sukaraja District. Researchers use this type of juridical empirical research or what is called field research. This study uses a qualitative approach. A qualitative approach is a way of analyzing research results that produces descriptive analysis data, namely data that is stated by respondents in writing or orally as well as real behavior, which is researched and studied as something intact.⁷

2. **This researcher is named M. Wawan Dermawan**, This researcher is a student of the Department of Criminal Law and State Administration of the Sharia Faculty of UIN Alauddin Makassar with the title of Thesis "Functions and Roles of RT Officials in Kelurahan in Karunrung Sub-District, Rapponcini District, Makassar City (Islamic Law Perspective). This researcher formulates the first problem, namely how the function of RT officials in the sub-district in development in the Karunrung village, the second how the role of RT officials in the village in development, and the third is how Islamic law views the function and role of RT officials in development. This researcher uses this type of research is qualitative research with the research approach used is a sociological and juridical normative approach.
3. **This Researcher Named Parizon**, This researcher is a student of the Siyasah Syari'iyah Study Program, Sharia Faculty, Raden Intan Lampung State Islamic University. ". This researcher formulates the first problem of how to conduct the RT election in Tanjung Kupang sub-district, tebinng sub-district according to the

⁷ <http://repository.iainbengkulu.ac.id/3861>

Prundnag-Invite Regulations in Indonesia. the second is how the fiqh siyasah review of the RT election organizers in Tanjung Kupang Subdistrict, Tebing Tinggi Subdistrict.

To simplify the description of previous research, the above research will display the table below.

No.	Researcher Name	Title	Difference	Research result
1.	Wiri Siptun, Researcher, a 2019 State Islamic Institute (IAIN) Sharia Faculty Student	Implementation of Article 7 Regulation of the Minister of Home Affairs No. 18 concerning village community organizations and village customary institutions (roles and functions of the leadership of the neighborhood association (RT) in Air Petai Village, Sukaraja District. ⁸ Formulation of the problem: 1) how is the	The difference between the two researchers, Wiri Siptun, discusses the role and function of neighborhood leadership in the village of Air Petai, Sukaraja sub-district, and I researched the selection of members of village social institutions.	There are still RT heads who have not carried out their roles and functions. It can be seen from the fact that there are RT heads who lack coordination with village heads in carrying out their duties. The RT head only carries out his duties which have been the custom of the previous RT head. In the perspective of fiqh siyasah, namely siyasah dusturiyah, the role and function of the RT head in Air Petai Village has not fully carried out the

⁸ <http://repository.iainbengkulu.ac.id/3861>

		<p>implementation of Minister of Home Affairs Regulation No. 18 of 2018 Article 7 concerning the role and function of the leadership of the neighborhood association (RT) in Air Petai Village, Sukaraja District</p> <p>2) how is the fiqh siyasah review of the role and function of the leadership of the neighborhood association (RT) in Air Petai Village, Sukaraja District</p>		<p>leadership mandate given to him.</p>
2.	M. Wawan Darmawan, a student researcher	The functions and roles of RT and Kelurahan	The difference between the two researchers is	is fully implemented (laws and regulations) regarding

<p>majoring in criminal law and administration of the Islamic Faculty of UIN Alauddin Makassar</p>	<p>officials in the development of the Karunrung Village, Rapponcini District, Makassar City (Islamic Law Perspective.⁹ Formulation of the problem:</p> <p>1) what are the functions of RT officials in urban villages in the development of Karunrung villages.</p> <p>2) what is the role of RT officials in the kelurahan in development</p> <p>3) what is the view of Islamic law on the</p>	<p>that Wawan Darmawan examines the functions and roles of RT and Kelurahan officials in development in Karunrung Village, Rapponcini District. I researched the selection of members of village community organizations in the village of Labuhan lalar, Taliwang Subdistrict, West Sumbawa, West Nusa Tenggara</p>	<p>the process for selecting the RT head and the lack of public knowledge on how the process for forming RT management in accordance with the Regional Regulation applies in the district.</p>
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⁹ [https://repositori.uin-alauddin.ac.id/11461/1/mersatria%20s Smile%20di%20desa%20bellapunranga.pdf](https://repositori.uin-alauddin.ac.id/11461/1/mersatria%20s%20Smile%20di%20desa%20bellapunranga.pdf)

		functions and roles of RT officials in development		
3.	Parizon, Researcher, a student majoring in Siyasaah Syar'iyah, Sharia faculty, UIN Raden Lampung	Fiqh siyasah review of the application of democracy in RT elections in Tanjung Kupang Village (Study in Tanjung Kupang sub-district, Tebing Tinggi sub-district, four lawang district, Sumsel. ¹⁰ Formulation of the problem: 1) how is the	The difference between these two studies is that parizon researchers are more concerned with how democracy is applied in RT elections. I researched the selection of members of village community organizations, namely in which the election process was directly elected by the village	The application of democracy in the election of the apparatus of the Tanjung Kupang village apparatus, especially the election of the head of the RT has not been implemented well enough in accordance with the prevailing laws and regulations in Empat Lawang. Still not Appropriate In the view of

¹⁰ <http://digilib.esaunggul.ac.id/public/UEU-Master-2580-Tesis%20Kepuas%20Pelayanan%20Masyarakat.pdf>

		<p>implementation of RT election in Kelurahan Tanjung Kupang, Tebing District</p> <p>2) how is the fiqh siyasah review of the implementation of the RT election in the Tanjung Kupang sub-district, cliff-high sub-district.</p>	head	<p>fiqh siyasah, the implementation of the election for the head of the RT in Tanjung Kelurahan, has been determined in Islam. Islam teaches making decisions carried out by deliberation</p>
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In some of the studies above, it can be concluded that there are several previous studies that are relevant to the research to be carried out by the researcher. The research above can also show that there are differences with the research that will be carried out by the researcher, and then there are the latest elements in the research that will be carried out by the researcher and will differentiate from previous research, namely whether community rights are already in the election of the RT Chairperson in Labuhan Village. Lalar, Taliwang District, West Sumbawa Regency has been carried out with the mandate of Article 68 of Law Number 6 of 2014 concerning Villages.

B. Conceptual framework

1. Regional autonomy

The term regional autonomy comes from a fragment of two Greek words, namely "autos" which means itself and "nomos" which means law.¹¹ Regional autonomy is the essence of the implementation of decentralized regional government, but in its development the concept of regional autonomy in addition to the meaning of zelfwetgeving (making your own regulations also includes zelfbestuur (self-government)).¹² CW Van Der Pot understands the concept of regional autonomy as eigen huishouding (running his own household).¹³

Regional autonomy can be understood as the authority or power in a regional area which regulates and administers its own government for the interests of the region or region as well as the local community in the system of the Unitary State of the Republic of Indonesia. In a broader sense, it can be understood as the authority or power in a region or region that regulates and manages self-government for the interests of the region or region as well as the local community starting from economic, political and financial balance regulations including social, cultural and ideological according to the tradition. the customs of each environment of each region.¹⁴

¹¹ Ni'matul huda, Development of constitutional law of difference and the idea of improvement (Yogyakarta: FH UII Press, 2014), p. 409.

¹² Agus Salim Sandi Gadjong, Regional Government: Political and Legal Studies (Bogor: Indonesian Ghalia, [nd]), pp. 108-09.

¹³ M. Laica Marzuki, taking a walk in the realm of law (Jakarta: secretariat general and secretariat of the Indonesian constitutional court, 2006), p. 161.

¹⁴ Lukman Santoso, local government law (Yogyakarta: Pustaka Pelajar, [nd]), 73-74.

then in essence regional autonomy is given to the people as a legal community unit which is given the authority to regulate and manage government affairs by themselves according to the aspirations and interests of the community as long as it does not conflict with the national legal order and other public interests. This authority is given from the central government to the regional government and in its implementation it is carried out by the regional head and the regional people's representative council (DPRD) and assisted by regional apparatus organizations (OPD).

The concept of regional autonomy, according to Ismail Sunny as quoted by Ni'matul Huda, has five levels, namely:¹⁵

1. Unitary state with limited autonomy through Law number 5 of 1974 concerning the principles of regional government, then Indonesia is an example of a country that adheres to limited autonomy. Although it emphasizes the principle of decentralization, its substance is very centralized. It gives enormous powers to the central government in many ways.
2. Unitary state with broad autonomy. Economically, the autonomy that must be broad must be supported by wealth and finance. Therefore it is very necessary to have regulations regarding the balance of financial wealth between the central government and regional governments. This balance is necessary so that the management of wealth and finance is not solely in the hands of the central government.

¹⁵ Ni'matul huda, regional autonomy, philosophy, history of development and problems ([np]: Learning library, [nd]), pp. 87-88.

3. Quasi federal state with provinces at the mercy of the central local government. The characteristic of this kind of state is the power in the central government to determine the validity of the decisions made by the regions. Hence, a state like this is called a pseudo Federal State.
4. Federal countries with federal governments, such as the United States, Australia, Canada, and Switzerland.
5. A Confederation State with its most extreme form, a country can be said to be in the form of a confederation if the central government depends on "goodwill", namely the confederation member countries or "commonwealth" countries.

In the concept of regional autonomy, it is known as the decentralization principle for decentralization and the principle of assistance tasks. So that as a consequence of the implementation of regional autonomy, a set of laws and regulations that regulate the financial balance between the central government and regional governments is also formed, namely through Law Number 25 of 1999 concerning the financial balance between the central and regional governments, which is then replaced by the more relevant to law number 33 of 2004 concerning financial balance between the central government and local governments.¹⁶

In its social manifestation, the state is a fairly broad organization. Empirically, it always adheres to the principle of centralization from birth to the end of life. However, a large and very complex organization such as an organization in the form of an Indonesian state may not only adhere to the principle of centralization, therefore

¹⁶ Ibid, p. 81

the principle of decentralization does not mean that the principle of centralization is abandoned. As has been emphasized by Herbert Werlin which states that the principle of decentralization will not occur without the principle of centralization, therefore for the sake of running an organization in the form of a state, it must apply the principles of good governance, namely the principle of centralization, the principle of decentralization, the principle of decentralization, and the principle of co-administration.¹⁷

In Law No. 32 of 2004 concerning regional government, it is stated that the principles of autonomy adopted are:

1. Broad Autonomy

Broad autonomy is regional power to carry out government functions which include the authority of all areas of government except those in the fields of foreign policy, defense and security, monetary, fiscal and religious justice.¹⁸ Regions have the authority to make regional policies to provide services, increase welfare. In addition there are other areas of authority which include:

- a. Policies on national planning and control of national development at a macro level.
- b. Financial balancing fund
- c. State administrative system and State economic institutions
- d. Development and empowerment of human resources

¹⁷ Sirajuddin, Regional government administration law (Malang: equal press, 2016), pp. 52-53.

¹⁸ <https://www.kompas.com/skola/read/2019/12/16/110000069/pengentuk-otonomi-daerah-dan-dasar-hukumnya?page=all>

e. Strategic use of natural resources and technology

f. National conservation and standardization

2. Real Autonomy

Real autonomy is the extent of a region to exercise authority based on the duties, authorities and obligations of the government in certain fields that actually exist and are needed and grow, live and develop in areas that have unique potential. The fields that must be implemented by regencies and cities include public works, health, education and culture, agriculture, transportation, industry and trade, investment, environment, defense, cooperatives and manpower.

Meanwhile, responsible autonomy is autonomy in its administration which must be in line with the objectives and purposes of granting autonomy which is basically to empower the regions including improving people's welfare which is the main objective of the national goal.¹⁹

3. Responsible autonomy

Autonomy is the manifestation of responsibility as a consequence of granting rights and authority to the regions in the form of duties and obligations that must be borne by the regions in achieving the granting of regional autonomy, meanwhile, responsible autonomy autonomy is autonomy which in its administration must be strictly in line with the goals and objectives. granting autonomy which is basically to

¹⁹ https://id.wikipedia.org/wiki/Otonomi_daerah

empower the regions including improving the welfare of the people which is the goal of the national goal.²⁰

4. The harmony of relations between regions and others

This means being able to build cooperation between regions to improve mutual welfare and prevent inequality between regions, and the important thing is that regional autonomy must also be able to ensure harmonious relations between regional governments, meaning that it must be able to maintain and maintain the territorial integrity of the country and the republic of Indonesia to remain upright in the framework of realizing the country.²¹

The purpose of being granted regional autonomy is to develop democratic mechanisms at the regional government level in the form of accommodating and channeling the aspirations of the community, both for the benefit of the local regional government and to support national political policies in the current reform era.²²

In regional autonomy, the relationship of authority between the central government and regional governments, among other things, relates to the way the division of government administration functions or how to find household affairs. This mode of determination will reflect a limited or broad economy form. Can be classified as limited autonomy if.²³First, regional household affairs are categorized

²⁰ <https://media.neliti.com/media/publications/28531-ID-pelimpahan-kewayaan-bupati-dalam-otonomi-daerah-kajian-pelimpahan-kewayaan-d.pdf>

²¹ http://sappk.itb.ac.id/spe/wp-content/uploads/2013/11/otonomi_daerah_-_sayembara.pdf

²² Kaloh, looking for a form of regional autonomy (Jakarta: Rineka Cipta, [nd]), p. 49.

²³ Bagir manan, welcoming the dawn of regional autonomy (Yogyakarta: PSH FH UII, [nd]), p. 37.

and their development regulated in certain ways. Second, if the supervision and supervision system is carried out in such a way, so that the autonomous region loses its independence to freely determine the ways to organize and manage the regional household. Third, the system of financial relations between the central government and regional governments, which raises things such as limited regional financial capacity which will limit the space for regional autonomy itself.²⁴

Extraordinary autonomy derives from the above principle, all governmental affairs basically become regional household affairs, except those determined as central affairs. In the modern state, especially when connected with the understanding of the welfare state, the number of government affairs cannot be identified.²⁵

Regional autonomy when viewed from the point of view of the region or region, then in its implementation it can be determined within the boundaries of the territory determined by the central government. Judging from the substance (material) of the implementation of regional autonomy, this is what the household system (huishuoding) means to determine based on the adopted regional autonomy.²⁶

Regional autonomy that is broadcast like this is expected to increase and accelerate the development which is very significant to the growth of regional development, in addition to creating a balance of development between regions in Indonesia. The impact of a centralized development policy has been known, namely

²⁴ <https://www.kompas.com/skola/read/2020/03/27/120000669/hubung-pemerintah-pusat-dan-pemerintah-daerah?page=all>

²⁵ Ibid

²⁶ Ni'matul huda, problems with the cancellation of regional regulations (Yogyakarta: FH UII Press, [nd]), p. 46.

the imbalance between regions, especially between Java and outside Java and between western and eastern Indonesia. Regional economic development experts have continued intensive studies on this matter, but regional development will not come and happen just like that. Development in new regions will run if a number of prerequisites can be met, especially by regional government administrators, namely the legislative and executive bodies in the regions (Governors, Regents and Mayors, as well as Provincial, Regency DPRD),²⁷

The concept of regional autonomy provides regional autonomy according to Law no. 22 of 1999 are:

- a. The implementation of regional autonomy is carried out by taking into account the aspects of democracy, justice, equity as well as the potential and diversity of the region.
- b. The implementation of regional autonomy is based on broad, real and responsible autonomy.
- c. The implementation of broad and complete autonomy is placed on districts and cities, while provincial autonomy is a limited autonomy.
- d. The implementation of regional autonomy must be in accordance with the state constitution, so that a harmonious relationship between the center and the regions is maintained.

²⁷ Afan Gaffar and M. Ryass Rasyid Syaukani H., Regional autonomy within a unitary state (Yogyakarta: Student library, 2003), p. 217.

- e. The implementation of regional autonomy must be more concerned with regional independence and therefore in districts and cities there are no more administrative areas. Likewise with special areas fostered by the government or other parties, such as authorities, special areas fostered by the government or other parties, such as regulatory agencies, port areas, housing, industrial estates, mining, plantations, forestry areas and new urban areas. , tourism, and the like.
- f. The implementation of regional autonomy must further enhance the role and function of the regional legislature, both as legislation, oversight, and as a budget function for regional government administration.
- g. The implementation of the principle of deconcentration is placed in the province in its position as an administrative area to carry out certain governmental authorities delegated to the governor as the representative of the central government, the implementation of the principle of assistance is possible not only from the central and regional governments to the village, accompanied by financing, facilities and infrastructure and human resources. with the obligation to report the implementation.

At this time, the principle of regional autonomy which is used is based on the provisions of law number 32 of 2004 which emphasizes the realization of autonomy that is as broad as possible and is responsible by taking into account the balance of relations between governments. In other words, the current principle of autonomy is based on the principle of balanced decentralization.²⁸

²⁸ <https://mykonlinedotblog.wordpress.com/2017/09/01/konsep-otonomi-daerah/>

Purpose of Regional Autonomy

The purpose of granting regional autonomy is to develop a democratic mechanism at the regional level in the form of accommodating and channeling people's aspirations, both for the benefit of the local area and to support national political policies in the current reform era.²⁹

The five variables as the main factors for measuring an area to be autonomous are:

- a. Regional financial capacity, its value is determined by how much local revenue is put in to the total amount of regional financing
- b. With regard to the ability of the apparatus what is the ratio of employees to total population
- c. Community participation involving various kinds of services.
- d. The regional economic variable measures the indicator of the average value of perapitia income in the last five years.
- e. Demographic variables, population income, population growth, and others.

Regional autonomy can be seen as a way of realizing effective, efficient, and authoritative government administration in order to realize the provision of services to the community in order to improve the welfare of regional autonomy as well as a

²⁹ <https://rakhma-tkj2.blogspot.com/2017/03/otonomi-daerah.html>

strong linkage between one region and another in addition to fostering a spirit of togetherness in the national network. the unity of the republic of Indonesia.³⁰

2. Medebewind Principles

According to Koesosemahatmadja (Koswara, 1999: 58), medebewind or zelfbestuur provides the possibility for the government / regional government at a higher level to ask for assistance from the local government / regional government of a lower level to carry out tasks or household affairs of a lower level so that carry out tasks or household affairs (areas with a higher level).

The term zelfbestuur is the equivalent of the word selfgouverment which is diinggris defined as all government activities in every part of England carried out by representatives of the governed. In the Netherlands, zelfbestuur is defined as assisting the administration of the central or higher level regions by means of equipment from regions whose rank is higher by means of equipment from regions whose level is higher by equipment from the regions. levels by means of equipment from areas that are lower. In carrying out the medebewind, the affairs organized by the regional government are still central to matters. Regions that are above the ground do not turn into regional household affairs for which assistance is requested. However,

The concept of co-administration according to Koswara (2003) is an assignment with an obligation to be accountable for its implementation to those who assign it. Meanwhile, according to joeniarto (1992: 31), in addition to the local /

³⁰ Lukman Santoso, local government law (Yogyakarta: Pustaka Belajar, [nd]).

regional government having the right to organize and manage the household of their own household affairs, they can be assigned assistance tasks (medebewind, and cantantra).

The task of assistance is to participate in carrying out central government affairs or local local government who has the right to regulate and manage the household level superior (joeniarto, 1979: 31).

According to Bayu Surianingrat (1992: 59) that the task of assistance does not turn into a task to be assigned, but it is still the affair of the central government or upper level government that gives the task. The government under him as the recipient of the task and participates in carrying out the government affairs concerned. The task of assistance is not given to government officials in the regions, but to local governments, therefore it is not a deconcentration, but also a decentralization, because the government affairs that are transferred do not become the affairs of regional households.

Bagir Manan argues that household affairs in the assistance task only concern the procedures for administering assisted government affairs, while the substance remains with the assisted government unit.

Both in autonomy and co-administration, regions have the same freedom to regulate and carry out these affairs as long as they do not conflict with statutory regulations., decency and public interest.

BAB III

RESEARCH METHODS

A. Types of research

Soerjono Soekanto argues that legal research is a scientific activity, which is based on certain methods, systematics and thinking, which aims to study something or certain laws by analyzing them.³¹ This type of research is a type of juridical empirical research, in other words sociological legal research and or what is called field research, which examines the applicable legal provisions and what happens in reality to society.³² Empirical juridical research is legal research regarding the enactment or implementation of normative legal provisions in action at any particular legal event that occurs in society. Empirical juridical research is also called a research conducted on actual conditions or real events that occur in society in which to know and be able to find the required facts and data.³³

This research is included in the Empirical Juridical Research because the researcher wants to find out what the community's rights are in Article 68 of Law No. 6 of 2014 concerning Villages. In the village of labuhan lalar, Taliwang district, West Sumbawa regency

B. Research Approach

³¹ Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UI Press, 1981), p. 43.

³² Suharsimi arikunto, *Procedures for a Practice approach*, (Jakarta, Rineka Cipta, 2012), p. 126

³³ Bambang Waluyo, *Legal Research in Practice* (Jakarta: Sinar Grafika, 2002), p. 15.

Bahder John Nasution argues that the research approach is a problem related to the way a person looks at and approaches the issue in accordance with the discipline of knowledge.³⁴ The approach method used in this research is the sociological juridical approach, in Soerjono Soekanto's opinion, to identify and conceptualize law as a real and functional social institution in a real life system.³⁵ This approach is carried out in the community or community environment in order to find facts and the purpose of finding facts (fact-finding), and leading to identification (problem identification) and finally solving the problem (problem-solution).³⁶ The Sociological Juridical Approach is to emphasize research that has the aim of obtaining empirical legal knowledge by going directly to the research site for the process of selecting village social institutions based on Permendagri number 18 of 2018.

C. Research sites

Research location is a place or area where some research samples are taken and the research data is collected for the results of the research. The research location chosen by the researcher was Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency. The place for sampling in the Researcher is in several Rukun Tetanga (RT) in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency.

³⁴ Bahder John Nasution, *Legal Science Research Methods* (Bandung: Mandar Maju, 2008), p. 130.

³⁵ Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UI Press, 1986), p. 51.

³⁶ Soerjono Soekanto, *Introduction to Legal Research* (Jakarta: UI Press, 2007), p. 10.

The reason the author chose the place of research is because the author found several facts, one of which is the Village Community Institution Selection Mechanism, namely the RT where the RT election does not have deliberation with the community but is chosen directly by the Head of Labuhan-Lalar village, Taliwang District, West Sumbawa Regency.

D. Sampling Method

In empirical research, sample determination is an important step because the research conclusion is a generalization from the sample to the population. Generalization is the lifting of research conclusions as something that applies to the population.³⁷ The population can be distinguished between the sampling population and the target population. The population referred to in this study is the entire Neighborhood Association in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency.

Sampling according to Soerjono Soekanto is the process of selecting a representative part of a population, in contrast to a complete solving process, where each member of the population is included. The advantages obtained for sampling consist of: a) faster and cheaper sampling procedures b) more comprehensive information that can be concluded in the study c) more accurate d) can cover a wider and more varied population, because of the higher costs. relatively lower and shorter

³⁷ Bahder Johan Nasution, legal research methods (Bandung: Cv Mandar Maju, 2008), p. 145.

timeframe.³⁸ The sampling used by researchers here is that researchers take 4 RT in 4 hamlets in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency.

The theory of the sampling method itself used by researchers is "non-probability". Non probability sampling design does not follow probability basics. Its main basis is logic and "common-sense". This method is applied when there is very little or no data about the population. This kind of sampling is applied if the researcher wants to conduct exploratory research.³⁹The form of non-probability sampling used by researchers is accidental sampling. Accidental sampling is the way it is applied, the researcher will reach out and bring the cases / problems that fall into the hands, continue the process until the sample reaches the specified size.⁴⁰

The problem in this research is which in the selection of the head of the RT which includes the type of Village Community Institution where the community has the right to elect the Head of the RT as in Article 68 of Law Number 6 of 2014 concerning villages. however, in this election the village head himself appointed who was entitled to become the head of the RT in Labuhan-Lalar village. So that the researcher simply conducts interviews with the village head and RT management as well as the local community regarding these problems so that the researchers obtain the necessary data.

E. Types and Sources of Data

³⁸ Soerjono Soekanto, Introduction to Legal Research (Jakarta: UI Press, 1986), p. 172.

³⁹ Soerjono Soekanto, Introduction to Legal Research (Jakarta: UI Press, 1986), pp. 30-31.

⁴⁰ Soerjono Soekanto, Introduction to Legal Research (Jakarta: UI Press, 1986), p. 195.

The type of data used in this research is divided into 2 (two), namely primary data and secondary data. Sources of data that will be used in this research are information gathering from the source, the data sources used in this research are:⁴¹

1. Primary data

Primary data is data obtained directly from the first source related to the issues to be discussed.⁴²sourced from research in the field by conducting interviews, observations and reports in the form of unofficial documents which are then processed by the researcher. Sources of data obtained from the field directly by interviewing:

1. Head of Labuhan-Lalar Village
2. The head of the RT who is elected by the village head
3. Neighborhood Community RT

- a. Secondary Data

Secondary data is data obtained by other parties, not obtained from the research subject. Secondary data is data that is supporting in research. Secondary data is data obtained by studying the Laws and Regulations, law books, and documents related to the issues discussed.

⁴¹ Soekanto Sarjono, Normative legal research (Jakarta: Rajawali Pers, 2006), p. 11.

⁴² Amiruddin, Introduction to Legal Research Methods (Jakarta: PT Raja Grafindo Persada, 2006), p. 30.

1. Permendagri No 18/2018 concerning village community institutions and village customary institutions
2. West Sumbawa Regional Regulation Number 14 of 2019 concerning guidelines for village development planning

b. Tertiary Data

Other materials that have relevance to the subject matter provide information, directions and explanations for primary and secondary legal materials.⁴³ Tertiary legal materials are not legal materials, but can significantly be used as the language of analysis for the application of legal regulations in the field, such as Indonesian, encyclopedias, bulletin, magazines, articles on the internet and other materials which are scientific papers related to problems will be discussed in this research.

F. Method of collecting data

Data collection in this study uses the following techniques:

a. Interview

Namely the data collection technique by answering only between the interviewer who asked the question, and the interviewee who gave the answer to the question.⁴⁴

⁴³Peter Mahmud Marzuki. 2010. Legal Research...., P. 52

⁴⁴ Soerjono Soekanto, Normative legal research (Jakarta: Rajawaki pers, 2006), p. 11.

Interviewing is a role situation between individuals face to face, when someone, namely the interviewer, asks questions designed to obtain answers that are relevant to the research problem to the respondent. The interview is a question and answer process in research that takes place orally in which two or more people face to face directly listen to information or statements. Interviews are conducted freely openly by using a tool in the form of a list of questions that have been prepared (as an interview guide) in accordance with the problems to be sought answers without closing the possibility to add other questions that are spontaneous in connection with the answers given by the respondent.⁴⁵

- a. Interviews in this study were conducted by:
 - 1. Head of Labuhan-Lalar Village
 - 2. The head of the RT who is elected by the village head
 - 3. Local environmental community
- b. Documentation

Documentation is a technique for obtaining data through books and the like that are relevant to research. Besides that, you can also take data in the field which can be in the form of photos and so on.

G. Data Processing Methods

- a. Data processing techniques

⁴⁵ Amiruddin and Zainal Askin, 2004, Introduction to Legal Research Methods, Jakarta: Raja Grafindo Persada, p. 49.

The data processing method used by the researcher after getting all the data for the study is as follows: ⁴⁶

1. Data checking (Editing)

This process is the first process in data processing. Data checking or editing is reviewing the records in the data that have been obtained to find out whether the records are good enough to be prepared for the next process. The data examined by researchers here is to collect data from field studies, namely the results of interviews and from the documentation process related to the theme of selecting village community institutions. Apart from the field, researchers also collected data from collected websites, journals, and books.

2. Clarification (Classifying)

Clarification or Classifying is classifying the data that has been collected so that it can be easily analyzed according to the required data. This stage aims so that the data obtained with the problem can be solved and can limit some of the data that should not be included and not used in this study. Researchers will read again and will explore all the data obtained from both interviews and documentation. At this stage, the researcher conducted an in-depth classification of the problems with the provisions in Article 68 of Law Number 6 of 2014 concerning Villages.

3. Verification (Verifying)

⁴⁶ Peter Mahmud Marzuki, Legal Research ([np]: [n.pub.], 2010), p. 55.

Verification is a step and activity carried out to review the information data that has been retrieved from the field in order to know the truth and clarity. Verification which means double checking, so that the data that the researcher gets is checked again whether the truth and clarity in general can be recognized. This verification is done by meeting the data source (informant) and providing the results of the interview with him to respond to whether the data obtained is in accordance with the information by the informant or not. Researchers conducted research directly to the research location, namely 4 RT in 4 hamlets in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency.

4. Data compiler

Data systematization, namely the arrangement of data regularly so that the data can be analyzed according to the correct and precise arrangement.

5. Making Conclusions

Making conclusions or concluding is a stage to draw conclusions from the process carried out by researchers in this study which will produce an answer to the researcher's questions contained in the problem formulation. Conclusions come from facts or logical relationships and contain answers to the questions posed in the formulation of the problem. Overall answers focus on the scope of the question and the number of answers is adjusted to the number of formulas for the problem posed. The conclusion is the final process of data processing, so that the researcher provides a brief statement that represents the explanation of the results of the researcher

regarding the selection of village community institutions based on Article 68 of Law Number 6 of 2014.

H. Data analysis method

The data that has been collected by the researcher at the researcher's place are then analyzed to answer the problems in the research. The data analysis method that the researcher uses is descriptive qualitative. Qualitative descriptive is to present data and information from research which is then analyzed using several conclusions as the findings of the research results. Data processing or analysis process, the researcher first presents the data obtained from the field or from interviews, then the interpretation and interpretation of the data is carried out by referring to theoretical references related to or related to the research problem.⁴⁷

⁴⁷ Bahder Johan Nasution, *Legal Science Research Methods* (Bandung: CV Mandar Maju, 2008), p. 174.

BAB IV

RESULTS AND DISCUSSION

A. Objective Conditions of Research Location

1. General description

This research was conducted in Labuahan-Lalar Village, Taliwang District, West Sumbawa Regency to be precise in several RTs selected by the researcher for sampling, including:

1. Muhajirin Hamlet : RT 03
2. Dusun Wara B : RT 05
3. Toroh Hamlet : RT 01
4. Bangsal Hamlet : RT 03

Labuhan Lalar Village is one of the coastal villages located in the administrative area of Taliwang sub-district, West Sumbawa Regency which has an area of 3,640 hectares consisting of 1,458 hectares of sea and 17 hectares of land for residential areas and the rest is mountains and shrubs. Labuhan Lalar village has climatic conditions with rainfall of 1,090 mm, the number of rainy months 5 months the average temperature is 21 oc and is at an altitude of 60 masl. The other seasonal calendar is the 2 months of Transition and the 5 months are the dry season.

Labuhan Lalar Village has a population of around 3210 souls consisting of 1576 men and 1634 women with the number of Heads of Families 834. Labuhan Lalar Village has a distance of 12 - 12.5 km to the District and District Capital with a travel

time of about 30 minutes. The provincial capital is 132 km away and takes 6 hours.

The boundaries of Labuhan Lalar Village are as follows:

North : Telaga Bertong Village, Kec. Taliwang

East : Manemeng Village, Kec. Brang Ene and Lalar Liang Village, Kec.

Taliwang

South : Dasan Anyar Village, Kec. Jereweh

West : Alas Strait Sea

As a coastal village, Labuhan Lalar Village has a coastline of 3.71 km with a sea area of 1,458 hectares. The land area of Labuhan Lalar Village reaches 2,460 km². Most of the area is mountains with a steepness of up to 60%. Only about 17 hectares of the village area is a residential area for 5 hamlets consisting of Muhajirin Hamlet, Toroh Hamlet, Bangsal Hamlet, Wara 'A Hamlet, and Wara' B Hamlet⁴⁸

2. History of Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency

Since the establishment of Labuhan Lalar Village, there have been various periods of government leadership which began when an agreement was made for immigrants from the Bone, Banjar, Bugis, Mandar and Makassar (South Sulawesi) and Ende (NTT) tribes to appoint Dato 'Ribandang Mangkurat or the title Daeng Datu from Bone as the Village Head (Kapitah) as well as being crowned the Customary Head. After Daeng Datu's leadership ended, the next village head was Muhammad Ali or as Daeng Lesso from Tambora.

⁴⁸ Village Medium Term Development Plan (RJPM Desa) Labuhan-Lalar Village 2019-2025

After Muhammad Ali ended, Labuhan Lalar Village was led by Kapitah Abdul Mannan or the title Daeng Manna '. After Daeng Manna died, the Kapitah was then led by Daeng Muhseng. After Daeng Muhseng ended the Kapitah was then led by Daeng Zainal or the title Daeng Nenang. Followed by the next Kapitah is M. Nur Yusuf or the designation Mbo Nu '.

In line with the Government policy, the term and status of the Kapitah was replaced by the Village Head who was assisted by his daily Implementer who was called the Village Head, now called the Dusun Head. The Labuhan Lalar village government is then led by Caco Boka (or as Puah Guru).

Then Daeng Hasan Sabri replaced Caco Boka as the Village Head. Due to the problem, he only served 3 years, then continued by A. Haris. S as the Village Head cardholder. The next village head is Fatawari EA for 2 periods. Because there was a problem, Fatawari EA only carried out its duties for 7 years. Subsequently replaced by A. Haris. S as Chief Executive Officer of the Village. Henceforth, Labuhan Lalar Village was led by M. Muradi HA accompanied by A. Haris. S as Village Secretary. After his leadership ended, Labuhan Lalar Village was then led by A. Latief. MY for 8 years. After that, Khairurrazikin was accompanied by A. Haris. S as Village Secretary. After Brother Khairurrazikin's leadership ended, further leadership was assumed by Brother Ansyarullah. For some reason, his tenure of leadership only lasted for four years and was continued by the Acting Village Head M. Husni Thamrin, S.IP and the Acting Village Head Munir, S.Kep.

3. Demographics

Labuhan Lalar Village consists of 5 hamlets and 20 RTs with a population of 3210 people. It is one of the villages in Taliwang District, West Sumbawa Regency.

The boundaries of Labuhan Lalar Village, Taliwang District are as follows:

North : Telaga Bertong Village, Kec. Taliwang

East : Manemeng Village, Kec. Brang Ene and Lalar Liang Village, Kec. Taliwang

South : Dasan Anyar Village, Kec. Jereweh

West : Alas Strait Sea

The population of Labuhan Lalar Village in 2020 reached 3210 people consisting of 1576 men and 1634 women with 834 families. The details are as follows:

a. Total Population by Religion

In terms of religion and belief, the people of Labuhan Lalar Village have various ethnicities but all Labuhan Lalar villagers are predominantly Muslim.

b. Total Population by Education Level

The level of education affects the quality of human resources. The Village development process will run smoothly if the community has a high enough level of education. Judging from statistical data, the low level of public education is a problem that must be resolved immediately, especially in building public awareness

of the importance of education. Population data according to education level can be seen in the following table:⁴⁹

⁴⁹ Village Medium Term Development Plan (RJPM Desa) Labuhan-lalar village 2019-2025

Table 4.1

Total Population Based on Marital Status As of June 30, 2020

NUMBER OF POPULATION BY MARRIAGE STATUS AS OF JUNE 30, 2020

VILLAGE / KELURAHAN: LABUHAN LALAR

KECAMATAN: TALIWANG

NO	NAME OF DUSUN / LINGK	MARITAL STATUS		
		SINGLE	MARRY	DIVORCED
1	WARA 'A.	372	313	6
2	WARA 'B	418	362	13
3	WARD	393	329	13
4	TOROH	351	306	17
5	MUHAJIRIN	316	298	5
AMOUNT		1850	1608	54

..... 2020

Head of Sub-District

(_____)

Table 4.2

Total Population by Education Level

No.	Level of education	Total population	Ket
1	/ not yet school	407	
2	bell has not yet finished primary school / equivalent	347	
3	graduated SD / equivalent	1269	
4	ior High School / equivalent	449	
5	ior high school / equivalent	659	
6	Diploma I / II	0	
7	Diploma III / Bachelor Degree	10	
8	Diploma IV / Strata I	66	
9	ta II	3	

10	ta III	0	
AMOUNT		3210	

Source: Labuhan-Lalar RJPMDes Design 2019-2025

c. Total Population by Livelihood

As one of the coastal villages in West Sumbawa Regency, Labuhan Lalar has the potential to be developed to be more advanced and able to compete. The quality of the fish caught by fishermen is proof that Labuhan Lalar Village has excellent potential which is produced every day through the fisheries sector. Every day, Labuhan Lalar Village is visited by travelers or people who cross the main road in this village. Therefore, we need to unite and move together between the community and the government as well as institutions in the village to always work together to maintain conduciveness so that a sense of security and comfort is guaranteed in building this village we love.

Most of the residents of Labuhan Lalar Village depend on the fishery sector for their living. Although not all of them work as fishermen, the economy of the people of Labuhan Lalar Village is very much influenced by a strong maritime life style. With a strategic geographical position, since the past, Labuhan Lalar Village has been considered a village that has a fairly advanced trade sector compared to other coastal villages. Data according to people's livelihoods can be seen in the following table:

TABLE 4.3**Total Population by Livelihood**

No.	Type of work	Gender		amount
		L	P	
1	Not yet / Not working	400	279	679
2	Housekeeper	0	544	544
3	Student / student	340	351	691
4	Retired	2	0	2
5	Civil Servants (PNS)	7	6	13
6	Indonesian National Army (TNI)	0	0	0
7	Indonesian Police (POLRI)	5	0	5
8	Trading	15	15	30
9	Farmers / Planters	20	13	33
10	Livestock	10	0	10
11	Fishermen / Fisheries	380	0	380
12	General employees	25	15	40

13	Employee / Honorary	25	35	60
14	Freelance	150	23	173
15	Farm / plantation workers	10	10	20
16	Fishermen / fisheries workers	50	25	75
17	Stockman	5	5	10
18	Housemaid	0	17	17
19	Bricklayer	30	0	30
20	Carpenter	25	0	25
21	Tailor	3	5	8
22	District / City DPRD Members	1	0	1
23	Lecturer	0	0	0
24	Teacher	15	25	40
25	Doctor	0	1	1
26	Midwife	0	2	2
27	Nurse	0	1	1
28	Pharmacist	0	0	0
29	Driver	10	0	10

30	Traders	50	75	125
31	Village apparatus	4	3	7
32	Village head	1	0	1
33	Entrepreneur	87	15	102
34	Other work	50	25	75
AMOUNT		1720	1490	3210

Source: Labuhan-Lalar Village RJPM Design 2019-2025 page: 10

4. Social Circumstances

The majority of the inhabitants of Labuhan Lalar Village are fishermen. The problem that often arises relating to the livelihoods of the population is the limited employment opportunities that are in accordance with the level of population development as stated in the district regional development planning. West Sumbawa. Another thing that needs to be considered in village development is making efforts to expand job opportunities by strengthening capital and facilitation as capital for business development, especially in the productive economy.

The level of poverty in Labuhan Lalar Village which is still high means that Labuhan Lalar Village has to look for other opportunities that can support the improvement of the community's economic level. The number of Ormas activities in Labuhan Lalar Village such as RT, LPMD, PKK, Youth Organization, Youth

Mosque, Posyandu, Farmers Group, Livestock Group, and Fishermen Group are village assets that are useful as media for conveying information in every village development process to the community.

Table: 4.4

Number of Education and Health Facilities

No	Types of Educational Facilities	Jlh	No.	Types of Health Facilities	Jlh
1	Kindergarten building	1	1	Poekesdes	1
2	SLB Building	0	2	Posyandu / Polindes	4
3	SD building	1	3	Pustu	1
4	Junior High School Building	0	4		
5	High School Building	0	5		

Source: Labuhan-Lalar RJPMdes Design 2019-2025 page: 11

5. Economic Situation

The wealth of natural resources in Labuhan Lalar Village is very supportive both in terms of economic development and in the socio-cultural field.

Village income is the total amount of village revenue recorded in the APBDes for each budget year. The Sources of Village Income include:

- a. Source of village funds:

1. village funds
2. allocation of village funds
3. The revenue sharing from regency regional tax is at least 10% for villages and part of the regency retribution is allocated to villages which is a proportionate share for each village;
4. The share of the central and regional financial balancing funds received by the district for villages which is proportionally distributed for each village which is the allocation of village funds;
5. Financial assistance from the government, Provincial Government and Regional Government in the framework of implementing Government affairs;
- b. Financial assistance from the Government, Provincial Government and Regional Government as referred to in point 5 is channeled through the village treasury;
- c. Sources of Village Income that are owned and managed by the Village are not allowed to be taken over by the Government, Provincial Government and Local Government.

The village assets include:

1. typical village land
2. village buildings managed by the village
3. other property belonging to the village
6. Village Facilities and Infrastructure

The development of village communities is expected to be self-sourced (independence) and development development must have an impact on balanced social, economic and cultural changes in order to improve the quality of life of rural communities for the better. The facilities and infrastructure in Labuhan Lalar Village are as follows:

a. Health Infrastructure

1. Pustu : 1 person
2. Integrated Healthcare Center : 4 people
3. Poskesdes : 1 person
4. village midwife : 2 persons
5. Village nurse : 1 person

b. Education Infrastructure

1. TK / Paud : 1 unit
2. SD : 1 unit
3. Junior High : 0 Units
4. High school : 0 Units
5. TPA / TPQ : 4 unit

c. Other Public Infrastructure

1. Worship place : 5 unit
2. Field : 2 unit
3. MCK : 4 unit

The management of facilities and infrastructure is a sustainable stage that begins with the process of preparing the community to be able to continue managing development programs independently. This preparation process requires community involvement so that the community is able to produce rational and fair development decisions and is increasingly aware of their rights and obligations in development, is able to meet their own needs, and is able to manage various potential existing resources in order to improve their welfare.

Things that need to be considered to achieve success at this stage are:

- a. Non-governmental organizations are the main factors driving the development process,
- b. Planning in a participatory, open and democratic manner in planning development and community activities. Able to build partnerships with various parties to raise various resources in order to carry out the development process,
- c. The competence of local government has increased so that it is more responsive in efforts to improve the welfare of the community, among others, by providing funds and assistance.
- d. The existence of a facilitator / consultant at the request of the community or local government according to the expertise needed by the community in planning development activities so that the community is able to build partnerships with

various parties to mobilize various resources in order to carry out the development process.

6. Labuhan-Lalar Village Government Organization Structure

As described in Law no. 06 of 2014 that in the Village there are three categories of Village institutions that have a role in village governance, namely: Village Government, Village Consultative Body and Village Community Institutions. The Law states that the administration of government affairs at the village level (village administration) is carried out by the Village Government and the Village Consultative Body. This Village Government is carried out to regulate and manage the interests of the local community based on local origins and customs which are recognized and respected in the government system in this country. The Village Government or what is referred to by another name is the Village Head and Village Officials as elements of the Village administration. The Village Head has the task of carrying out government affairs, development, and society. The Village Apparatus, hereinafter, is the assistant to the Village Head which includes the Village Secretariat, Technical Implementers and Territorial Implementers. The Village Secretariat is tasked with assisting the Village Head in the administrative field of the Village Government which is led by the Village Secretary and is divided into 3 affairs, namely financial affairs, planning affairs and administrative and general affairs. The Technical Implementer consists of three Sections, namely the Government section, the Welfare section and the Services section. Furthermore, the Regional

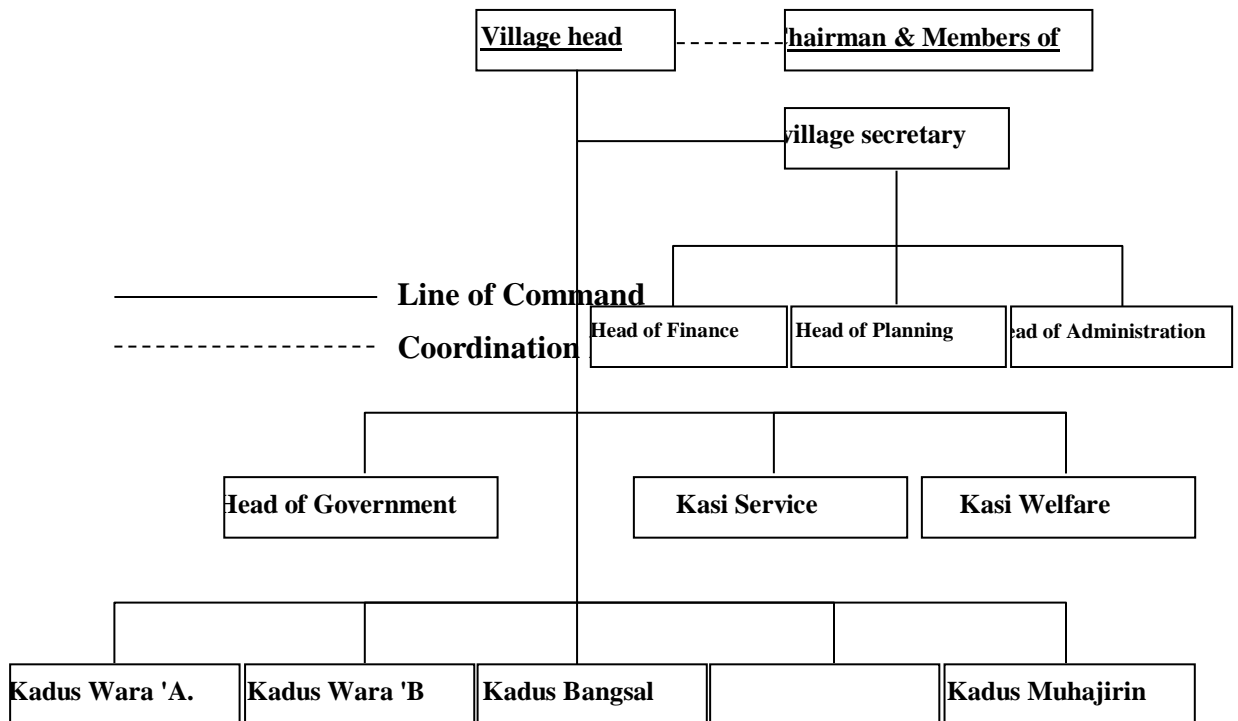
Implementers consist of 5 Hamlets led by the Hamlet Head. The Village Secretariat is tasked with assisting the Village Head in the administrative field of the Village Government which is led by the Village Secretary and is divided into 3 affairs, namely financial affairs, planning affairs and administrative and general affairs. The Technical Implementer consists of three Sections, namely the Government section, the Welfare section and the Services section. Furthermore, the Regional Implementers consist of 5 Hamlets led by the Hamlet Head. The Village Secretariat is tasked with assisting the Village Head in the administrative field of the Village Government which is led by the Village Secretary and is divided into 3 affairs, namely financial affairs, planning affairs and administrative and general affairs. The Technical Implementer consists of three Sections, namely the Government section, the Welfare section and the Services section. Furthermore, the Regional Implementers consist of 5 Hamlets led by the Hamlet Head.

The Village Consultative Body (BPD) is an institution that embodies democracy in the administration of Village governance as an element of Village government administration. The Village Consultative Body functions to establish Village regulations together with the Village head, to accommodate and channel community aspirations. BPD serves as an element of Village administration. BPD members are representatives of the residents of the village concerned based on regional representation which is determined by way of elections or deliberation and consensus.

To carry out responsibilities in work, a sub-district organizational structure is created, which includes the division of tasks, authorities and responsibilities.

Picture of the Organizational Structure and Administration of Labuhan Lalar

Village Administration



7. Condition of Government Institutions

The Government Institution in Labuhan-Lalar Village has a Village Government apparatus which number of people and the institutional apparatus is:

Table 4.5

Name of Labuhan-Lalar Village Government Official

No.	Name	Position
1	Rahmanuddin	Village head
2	Ridho is divine	Village Secretary
3	Wari Suryadi, S.Pd.	Head of Government
4	Agus Alfian	Kasi Welfare
5		Kasi Service
6	Raniwati	Head of Finance
7	Samsul Bahri	Head of Planning
8	Khaerani, S.Pd.	Head of Administration & General Affairs
9	Jayadi Ismail	Kadus Wara 'A.
10		Kadus Wara 'B
11	Sapruddin TL	Kadus Bangsal

12	Hasanuddin	Kadus Toroh
13	Yon Anwar	Kadus Muhajirin

Table 4.6

Name of the Village Consultative Body Labuhan-lalar

No.	Name	Position
1	Farhan, AR	Chairman of the BPD
2	Farid Harja	Deputy Chairman of the BPD
3	Zulkifli, S.Kep.	BPD Secretary
4	Marsono	BPD members
5	Kamaluddin S	BPD members
6	Ahyar Rasidin	BPD members
7	Mastari, S.Pd.	BPD members

8. Village Community Organization

1. Neighborhood Association

Table 4.7

Name of the Head of the Neighborhood Association of Labuhan-Lalar Village

NO	Name	Position
1.	Bunyamin.As	Head of RT 01 Dsn Wara'A
2.	Rustamadi	Head of RT 02 Dsn Wara'A
3.	Agus Salim	Head of RT 03 Dsn Wara'A
4.	Dedi Irawan	Head of RT 04 Dsn Wara'A
5.	Maulidin Afriandi	Head of RT 01 Dsn Wara'B
6.	Abd. Gani	Head of RT 02 Dsn Wara'B
7.	Saifullah	Head of RT 03 Dsn Wara'B
8.	Agus Kurniawan	Head of RT 04 Dsn Wara'B
9.	Suparman	Head of RT 01 Dsn Bangsal
10.	Junaidi	Head of RT 02 Dsn Bangsal
11.	Ahmad Meki	Head of RT 03 Dsn Bangsal
12.	Thank you	Head of RT 04 Dsn Bangsal
13.	Hasbullah	Head of RT 05 Dsn Bangsal

14.	M Nur	Head of RT 01 Dsn Toroh
15.	A. Razak. S	Head of RT 02 Dsn Toroh
16.	A. Latif, M	Head of RT 03 Dsn Toroh
17.	Rosidin	Head of RT 04 Dsn Toroh
18.	Ahmad Yadi	Head of RT 01 Dsn Muhajirin
19.	Mustarihin	Chairman of RT 02 Dsn Muhajirin
20.	Alimuddin Bondan	Head of RT 03 Dsn Muhajirin

2. Youth organization

Table 4.8

Name of the Youth Organization

Chairman of the Youth Organization		Adi Amrullah, S.Pd.	
Secretary		Rudi Khardiansyah, S.Hut.	
Treasurer		Khoirunnisa, S.Pd.	
	Division	Position	Name of Division Manager
1.	Secretariat	Chairman	Heri Ansyari

		Member	Suriyati
2.	Public relations	Chairman	Rahmat Inayat, ST
		Member	Suryadi Atmaja
3.	Community Welfare Services	Chairman	Anisa Fitri, A.Md AK
		Member	Darmala Agustina
4.	UEP development	Member	Abdul Muin, ST
		Member	Warosatul Ambiya
5	Cultural Arts Education	Ketu	Anisa Anggraini, S.Pd.
		Member	Rosdiana Putri
6.	Sports	Chairman	Sukarman, S.Pd.
		Member	Taufaul Insani, S.IP.

7.	Spirituality	Chairman	Lailannisa
		Member	Indra Dwi Herfiansyah
8.	Environment	Chairman	Sandi Saputra, SM.
		Member	Saifuddin, S.Si.

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B. Analysis and Discussion

This chapter describes the results of research that has been conducted in Labuhan-Lalar Village, Taliwang District, West Sumbawa Regency. Research results are primary and secondary data from research. Primary data for the study were obtained from interviews with several informants who were related parties, such as the Village Head and the Head of the RT or their Representative and the Local Community. The informants interviewed by the researchers in this study were 9 people consisting of 1 village head, 4 RT heads from every hamlet, 4 community members in each RT environment.

⁵⁰ The village medium term development plan (RJPM Desa) Labuhan-Lalar Village 2019-2025

Table 4.9

List of Research Informants

No.	Name	Information
1	Rahmanuddin	Head of Labuhan-Lalar Village
2	Alimuddin Bondan	Chairman of RT 03 Dusun Muhajirin
3	Prosperous	Head of RT 01 Dusun Toroh
4	Gufron	Head of RT 5 Dusun Wara B
5	Ahmad Meki	Head of RT 03 Dusun Bangsal
6	Agustono	Head of community of RT 03 Dusun Muhajirin
7	Rahmat Hidayat., ST	Community of RT 01 Dusun Toroh
8	Suriyati	Community of RT 05 Dusun Wara B

9	Abdullah Ak	Community RT 03 Dusun Bangsal
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Source: Primary Data, 2020

1. How is the Election of Village Community Institutions (RT) in Labuhan-Lalar Village, Taliwang District.

As we know, the local government has been granted Regional Autonomy which is stated in the Laws and Regulations Number 23 of 2014 Article 2 Paragraph 6 which reads:

"Regional autonomy is the right, authority and obligation of an autonomous region to regulate and manage government affairs and the interests of local communities in the system of the Unitary State of the Republic of Indonesia".⁵¹

In essence, regional autonomy is given to the people as a legal community unit which is given the authority to regulate and manage government affairs by themselves according to the aspirations and interests of the community as long as it does not conflict with the national legal order and other public interests. This authority is given from the central government to the regional government and in its implementation it is carried out by the regional head and the regional people's representative council (DPRD) and assisted by regional apparatus organizations (OPD). So the Central Government has given the right to local governments to take care of their own households but cannot break out of national laws. in this case the

⁵¹ Laws and Regulations Number 23 of 2014 Concerning

rights of the community in the election of village social institutions (Rukun Tetangga) have been regulated in several regulations

Permendagri Number 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions.

Article 3:⁵²

(1) LKD was formed or the Village Government and Community Initiative

Regional Regulation Number 14 of 2019 concerning Guidelines for West Sumbawa Development Planning

Article 1:⁵³

(20) Village Community Institutions, hereinafter referred to as LKD, are social institutions established on the initiative of the community according to the needs and as partners of the village government in empowering the community.

Article (68) letter d, Article (3) paragraph 1, and Article (1) paragraph 20 have explained that the community is entitled and has the right to elect the Head of Rukun Tetangga in a village. Rukun neigh is one type of LKD which is located at the bottom of the village government structure and closest to the community. This institution exists on the initiative of the local community.

⁵² Permendagri No. 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions

⁵³ West Sumbawa Regional Regulation No. 14 of 2019 concerning Guidelines for West Sumbawa Development Planning

In the Election of Village Social Institutions (RT) in Labuhan-Lalar Village Unlike the previous years, in 2020 with the new village head being appointed and serving as well, the implementation of this LKD (Rukun Tetangga) Election where the Village Head uses his own or direct voting rights Appoint and select members of the LKD (RT) by their own choice and vote without giving the community the right to give their own choice to the candidate for the RT head. Following are the responses from the resource persons interviewed by researchers regarding

a. Process or Chronology of Village Social Institution (RT) selection

1) Mr. Rahmanuddin as the Head of Labuhan-Lalar Village

"I flashback back to the government before I had this mechanism, namely the election of the head of the RT by the community, but I saw that before I became the village head I saw it in the community even though they themselves chose the head of the RT but a month after that it had been changed meaning it did not suit them. I took the right to choose the head of the RT myself. indeed the Village Government initiated or granted Community rights in the Election of Village Community Institutions. Why did I do that election itself, I took an oath of office too. because I am afraid that if an election is held by the community itself, within the scope of the RT the majority of voters from the nominating family will win this election because of the votes from the family itself. Because the position of village head is a political position, elected politically. And also the RT in the previous administration, in fact, was not originally from the village of labuhan-lalar but migrants from other areas who later married a labuhan-lalar person. in the Election for the Head of the RT yesterday. I gave them a letter of dismissal, and there were also those who resigned themselves."⁵⁴

2) Mr. Alimuddin as Chairman of RT 03 Dusun Muhajirin

"The initial process of selecting the RT head by the Village Head I was summoned to the village office and given the SK and directly inaugurated at the village office,

⁵⁴ Rahmanuddin, Wawanara (Labuhan-Lalar, 13 October 2020)

*after I was inaugurated I immediately gathered the RT 03 community to ask if they agreed with me to become the elected Head of RT 03. By the village head. and with this direct election on the part of the community There are those who agree and some do not.*⁵⁵

3) Mr. Makmur as the Head of RT 01 Dusun Toroh

*"At first I was a motorcycle taxi driver, where my job was from morning to evening at the market taking passengers. coincidentally, in the election of the head of the Kemerin RT there was no deliberation. In the afternoon when I returned home suddenly on the table there was a statement letter as the Head of RT 01 Dusun Toroh and I was also surprised because there was no initial notification and I immediately got a SK to become the Head of the RT. and I said to the village head, "don't be the head of the RT, find something else." Like it or not, we have to accept because we've been appointed by the village head.*⁵⁶

4) Mr. Gufron as Chairman of RT 05 Wara B

*"In the election for the head of the RT yesterday. Initially I was summoned to the Village Office, I was immediately given a SK and the village head said, "I choose you as the head of the RT in Apung Wara B "I also happened to be the winning team in the RT here".*⁵⁷

5) Mr. Ahmad Meki as Chairman of RT 03 in Bangsal hamlet

*"Initially I was in the relationship between the village head and I was appointed directly by the village head himself to be the head of RT 03 dusun bangsal. Then I was called to the village office to take a SK. And the response of the majority of the community does not agree with "and because the majority community does not agree with this, I find it difficult to carry out the duties of the village government, for example, like yesterday's healthy village competition, we need cooperation in cleaning the alleys but only a few people take to the field.*⁵⁸

6) Agustono as the Community of RT 03 in the Muhajirin Hamlet

*"In yesterday's RT head election, the head of the RT was directly elected by the village head, after the village head gave the SK to the RT, after that the village government invited the RT 03 community meeting after the RT head received the SK but yesterday there were people who did not agree with it.*⁵⁹

⁵⁵ Alimuddin, Interview (Labuhan-Lalar, 17 October 2020)

⁵⁶ Makmur, Interview (Labuhan-Lalar 15 October 2020)

⁵⁷ Gufron, Interview (Labuhan-Lalar 17 October 2020)

⁵⁸ Ahmadi Meki, Interview (Labuhan-Lalar 14 October 2020)

⁵⁹ Agustono, Interview (Labuhan-Lalar, 17 October 2020)

7) Rahmad Hidayat ST as Community RT 01 in Toroh Hamlet

"Because we are within the scope of RT 01 in Toroh, we still have a family, so communication is good with everyone, so being elected by the village head is not a problem. However, referring to the regulatory reference, the mechanism must be carried out directly by the community and the community is also entitled to give rights in the election of the head of this RT, because previously the Head of the RT was also directly elected by the community."⁶⁰

8) Suriyati As the community of RT 05 Wara B

"When the head of RT 05 Wara B was elected I was surprised why there was no election, without the first consultation with the community because the previous government had an election, and if the government chose him as the head of the RT and according to the Government how else we have to follow orders from the village government."⁶¹

9) Abdullah Ak as Community RT 03 Dusun Bagsal

"So a few days before the appointment or election of the head of our RT the community had a discussion with people who are competent in this field, and they said they agreed that the election of the head of the RT was directly elected by the community, but the village head had already chosen the head of the RT because of political policies regarding policies. village head in the election for the head of this RT. As a rule, things like this are not allowed, we as a community in this matter strongly do not condone the direct election of the RT head by the village head, and after the issuance of the decree we, the community is indifferent to the village program."⁶²

From some of the opinions from the interviews presented by some of the sources above, we can conclude that the process or chronology of the selection of LKD (RT) in Labuhan Lalar Village, Taliwang District, West Sumbawa Regency, the village head is very powerful in exercising the prerogative right to elect the RT head without deliberation with the environmental community RT. The Village Government must initiate or give the community the right to choose who will become the Leader

⁶⁰ Rahmat Hidayat ST, Interview (Labuhan-Lalar, 15 October 2020)

⁶¹ Suriyati, Interview (Labuhan-Lalar, 17 October 2020)

⁶² Abdullah Ak, Interview (Labuhan-lalar, 14 October 2020)

of the Head of the Neighborhood Association in accordance with the wishes of the community itself. Because the existence of the Head of the RT actually has a big role in the community in terms of fostering social life in the community and in the running of the Village Government Program.

In the Election of Village Social Institutions (Rukun Tetangga) where the community is given the right to elect its own leader, this election is through deliberation with the community or the head of the RT neighborhood family. because one of the manifestations of the implementation of the people's sovereignty in the context of administering the government, namely the recognition of the people to take an active role in determining the form of government administration. the people are sovereign to determine and choose according to their aspirations to whom they believe most trusted and able to carry out their aspirations.⁶³ As for the Community's Rights in the Election of Village Community Institutions (RT) as stated in Article 68 of Law Number 6 of 2014 concerning Villages, namely:

Article 68:

(1) Community Entities:

d) Select, be selected, and / or set to be:

1. Village head

2. Village Officials

⁶³ Mohamad Rohli, 'the right to vote of citizens as a means of exercising people's sovereignty in elections', Kompasiana, 2020.

3. Members of the Village Consultative Body; or

4. Members of Village Community Institutions

Labuhan-Lalar Village consists of 5 hamlets, namely: Bangsal Hamlet, Toroh Hamlet, Muhajirin Hamlet, Wara A Hamlet, Wara B Hamlet. which in this hamlet is pure who elects the head of the Rukun Tetangga, full of the hearts of the environmental community itself. As we know, members of the Village Social Institutions are mentioned in Permendagri No. 18 of 2018, namely RT.

No one in the Permendagri and Perda West Sumbawa has yet explained the detailed process regarding the selection of the Village Community Institution (RT) because in Labuhan-Lalar Village following the process of selecting the RT head from the previous years where each hamlet head gathered each RT Community and

voting is a right guaranteed in the constitution as stated in the decision of the Constitutional Court Number 011-017 / PUU-I / 2003 which states, "considering, that the constitutional rights of citizens to vote and be elected (right to vota and right to candidate) are guaranteed by the constitution, laws, and international conventions, the limitation, storage, elimination and abolition of the said rights constitute a violation of the rights of citizens. and besides that, Law number 30/1999 on Human Rights (HAM) regulates the right to vote as stated in article 43 which states, "every citizen has the right to be elected and to vote in general elections based on equal rights through direct voting. , public, free, secret, honest, and fair in accordance with the provisions of laws and regulations. in the 1945 Constitution, "sovereignty is in the

hands of the people and is exercised according to the constitution. from the provision "sovereignty is in the hands of the people, is that the people have sovereignty, responsibilities, rights and obligations to democratically elect a leader who will organize the government in order to manage and serve all levels of society, as well as elect people's representatives to oversee the running of the government. Therefore, voting in elections is a right for citizens. thus, as a right, can be used or not used. from the provision "sovereignty is in the hands of the people, is that the people have sovereignty, responsibilities, rights and obligations to democratically elect a leader who will organize the government in order to manage and serve all levels of society, as well as elect people's representatives to oversee the running of the government. Therefore, voting in elections is a right for citizens. thus, as a right, can be used or not used. from the provision "sovereignty is in the hands of the people, is that the people have sovereignty, responsibilities, rights and obligations to democratically elect a leader who will organize the government in order to manage and serve all levels of society, as well as elect people's representatives to oversee the running of the government. Therefore, voting in elections is a right for citizens. thus, as a right, can be used or not used.⁶⁴

Indonesia is a democratic country which is an ideological and factual statement that cannot be denied. As a democratic country, it can be seen from the enactment of general elections (Election) every five years, starting from the district and city levels.

⁶⁴ <https://mkri.id/index.php?page=web.Berita&id=9724>

The current democracy is a democracy that is able to increase the political participation of the community so that it can be an answer to every national problem. In general elections, it is an important moment to carry out every pillar of democracy, because democracy for the Indonesian nation is a state structure that is most appropriate to human dignity that respects and guarantees the fulfillment of human rights (HAM).

b. Impact of Village Community Institution (RT) Selection by the Village Head

Selection of the Village Community Institution (RT) in Labuhan-Lalar Village, which consists of 5 hamlets, only 1 hamlet gives all the rights of residents in the election for the head of this RT, but in 4 hamlets there are those who use their voting rights and some are not given the right to vote because the election is directly appointed by the village head himself. The rights of citizens or the community in elections or voting in elections should not be underestimated, because the role of the RT Chair in the community is very important, if the community is not given the right to elect the RT head and the village head chooses the RT head by himself, then when an activity is held by the village government will not run smoothly, as the response from the source said, namely:

"Look, deck, because the head of the village has chosen someone who is divorced to become the head of the RT, while we are not invited to discuss / deliberate. We also don't want to interfere if there are village activities involving the RT environment community, for example, I told you yesterday when there was a healthy village competition in welcoming the Republic of Indonesia's Independence Day it involved the RT community, which in this competition decorated and painted the streets etc. We, RT residents, don't want to step down because the RT head was

not us who chose it, but the village head. The head of our RT never invited us to negotiate about what competitions involved RT residents, we were confused. ⁶⁵

The explanation given by Mr. Abdullah Ak was related to the importance of choosing the RT head by deliberation, that the people of Labuhan Lalar village, especially those in Bangsal Hamlet, Toroh Hamlet, Muhajirin, and Wara B know more about and understand the criteria for the RT leader or head they will be. voting in the election of the Village Social Institution (RT) and the opportunity to vote using this deliberation has been taken over directly by the village head of Labuhan-Lalar who directly elects the RT head without consulting the local community. and the impact of this direct election by the village head, the local environmental community becomes indifferent to the programs organized by the village,

c. Public Knowledge About the Election Regulations of LKD (RT)

Legislation as written law which tends towards positivism, is made consciously by the institution that has the authority for it. In the course of its enactment, written law does not run in line with the values that live and develop in society, or is unable to keep up with the development of society, the weaknesses of such written law.

The Prevailing Laws as written law which are given the form from the start are expected that in their implementation they will provide legal certainty. based on the fact that a written law contains many weaknesses, but also has advantages compared to unwritten law. the role of statutory regulations is increasingly important

⁶⁵ Abdullah Ak, Interview (Labuhan-Lalar, 14 October 2020)

as a demand for the principle of legality as one of the characteristics of a rule of law. In the modern Welfare State, when planning plans, laws and regulations are increasingly used as a framework for the plan itself, and as a guiding instrument in implementing the plan. according to Aan Seidmen⁶⁶ that without the existence of a Law, the changes that have occurred as proposed or predicted by the government, have occurred accidentally and are only intuitive.

Bagir Manan⁶⁷ presents the function of laws and regulations, namely internal and external functions

a. Internal Functions

This function is more related to the validity of the laws and regulations referred to in the legal system. Internally, the Prevailing Laws carry out the following functions:

1. law creation function (recht chepping)
2. legal reform function
3. integration function
4. legal certainty function

b. External Functions

1. Function Change
2. Stabilization Function
3. Convenience Functions

⁶⁶ Aan Seidmenn et.all., Formulation of a Bill in the Change of a Democratic Society: A Guide to Making a Draft Law, ELIPS, 2001 p. 17

⁶⁷ In Hamzah Halim, Practical Ways to Arrange and Design Regional Regulations (A Theoretical and Practical Study (Dissertation of The Theoretical Conception Manual towards empirical articulation), media group planning plan, 2009, pp, 60-65

The function of statutory regulations as stated by Bagir Manan above, describes / relates to the organs authorized to make statutory regulations, the law has been planned, is needed to achieve the desired goals, confirms the power environment of a legal rule (legislation), serves as an instrument of change (engineering) society.

Aan Seidmen, saw the function of the law as a legal system and its influence on behavior patterns. according to Seidmen⁶⁸ the functions of the law are:

- a. As an effective statement of policy in this aspect, it is stated that in the end the government will only have a choice, namely to implement its policies through laws, there are two reasons for the government to translate its policies into laws which are expected to be able to answer various people's behavior and various interests that are not only applies to society but also to the government, especially in legitimacy. therefore laws are needed to govern and demand legitimacy.
- b. law as an important step for the State in efforts to change behavior. The statutory regulations are prepared by the compilers to create an environment that supports the development process, so the most important task of laws is to provide directions for new or expected goals.

the function of statutory regulations as stated by Seidmenn, emphasizes that statutory regulations contain government policies to be achieved, to answer various interests of the community and especially as a means of legitimacy for the government to run government. as the response from the sources said, namely:

⁶⁸Aan Seidmenn, et.all. Loc.Cit

"In my opinion, these regulations are important so that we have a basis for doing something, so that we are protected by these regulations."⁶⁹

There are several regulations governing the Selection of Village Community Institutions, namely:

- a) Article 68 Paragraph 1 letter d of Law Number 6 Year 2014 concerning Villages
- 1) Village Communities Have the Right:
 - d) select, be selected, and / or determined to be:
 1. Village Head
 2. Village Officials
 3. Members of the Village Consultative Body, or
 4. Members of Village Community Institutions
- b) Article 1 paragraph 20 Regional Regulation of West Sumbawa Regency Noor 14 of 2019 concerning Guidelines for Village Development Planning
- 20) Village Community Institution, hereinafter referred to as LKD, is a community organization formed on the initiative of the community according to the needs as a partner of the village government in empowering the community.

In Labuhan-Lalar Village, there are still many who do not know the legal basis for selecting village community organizations (LKD). As stated by the interviewees:

"I don't know, bro, if there is a regulation regarding the election of the head of the RT who is elected by the community, I know from the past that the head of the RT is still elected by the head of the RT environment. It is only now that the election

⁶⁹ Gufron, Interview (Labuhan-Lalar, 17 October 2020)

*of the Head of the RT is directly elected by the village head and the community is also elected, so these 2 models are sis.*⁷⁰

based on the results presented by Pak Latief that there are still many people who do not know the legal basis that regulates community rights in the selection of neighborhood community organizations (LKD). and in the village of labuhan-lalar, there are two models in the election, namely the first one being directly elected by the village head and elected by the community in a particular RT.

2. The implementation of the selection of village community institutions (RT) in accordance with Siyasah Dusturiyah's views.

Siyasah Dusturiyah is a part of siyasah fiqh which discusses the problems of State legislation. and also discussed, namely the concepts of the constitution (constitutional constitution of a State) and other histories of legislation in a country), legislation (how to formulate legislation), democratic institutions and shura which are important pillars in these laws. and it also discusses the concept of rule of law in siyasah and the reciprocal relationship between the government and citizens must be protected.⁷¹ The problems that exist in Siyasah Dusturiyah are the relationship between the leader on the one hand and the people on the other as well as the institutions in society.⁷² These institutions include institutions at the central level to

⁷⁰ Interview, Agustono (Labuhan-Lalar, 17 October 2020)

⁷¹ Muhammad Iqbal, *Fiqh Siyasah Intellectualization of Islamic Political Doctrine* (Jakarta: Prenada Media Group, 2014), p. 177.

⁷² A. Djazuli, *Fiqh Siyasah Implementation of the benefit of the people in the signs of sharia* (Jakarta: Kencana Prenada Group, 2007), p. 47.

institutions at the lowest level, such as in villages. Institutions in the village that support the village government are called village community organizations. Village community organizations are partners of the village government in carrying out their activities in the village.

Fiqh siyasah dusturiyah can be divided into several parts, namely:⁷³

1. The field of Siyasah tasri'iyah includes the issue of ahlu hali wal aqdi, the representation of people's problems. relations between Muslims and non-Muslims in one country, such as constitutions, laws, implementing regulations, regional regulations, and so on.
2. The field of Siyasah tanfidiyah, includes matters of Imamat, issues of bai'ah, wizarah, waliy al-ahadi, and others.
3. The field of Siyasah qadlaiyah, including judicial matters.
4. The area of Siyasah Idariyah, including administrative and personnel matters.

as for the concept of a rule of law in siyasah dusturiyah, including (1) Constitution; (2) Legislation; (3) Ummah; (4) Shura and democracy. according to al-mawardi, siyasah dusturiyah is to discuss the seven main points of the discussion, namely: (1) People's Issues; (2) Imamat, its rights and obligations; (3) waliyul ahdi; (4) bai'ah; (5) representatives; (6) wizarah and comparison; (7) the principle of please help. the above principles are based on the arguments taken from the Koran, hadiths

⁷³ A. Djazuli, Fiqh Siyasah Implementation of the benefit of the people in the signs of sharia (Jakarta: Kencana, 2004), p. 55.

and the products of *ijtihad*. *ijtihadiyah* arguments that are used as a basis for fighting on the following rules which means:

"The policies of a leader concerning the interests of the people must follow the principles of benefit".⁷⁴

The *Siyasah Dusturiyah* Principles include:

1. Principle of Sovereignty

The Principle of Sovereignty is the highest power in a State. absolute and legal sovereignty belongs to Allah. This sovereignty is practiced and entrusted to *mausia* as the caliph on earth. in the study of constitutional theory and state order, the word sovereignty is a key word that has always appeared and been a matter of debate throughout history. Sovereignty in the classical view cannot be separated from the concept of the State. and without sovereignty what is called the State does not exist, because it is soulless.⁷⁵

2. Principles of Justice

The principle of justice is found in the Al-Quran Surah an-nisa verses 58 and 135. as this principle can also be found in Surah As-Shura 15. The principle of justice is the main key to the administration of the State. justice in law requires every citizen to be equal before the law. When the Prophet Muhammad started to build Medina, he started by building a joint commitment with elements of society living in Medina from various ethnicities and religions.

⁷⁴ Abdul Mujib, *Principles of Fiqh Science* (Jakarta: Kalam Mulia, 1994), p. 61.

⁷⁵ Jimly Asshiddiqie, *Indonesian Constitution and Constitutionalism* (Jakarta: Sinar Grafika, 2011).

3. Principles of Deliberation and Ijma '

The principle of Deliberation is found in the Koran in Sura Al-Imran: 159. and the Principle of Deliberation is also found in Surah As-Shura: 38. Shura and Ijma 'is a decision-making process in all social affairs carried out through consensus and consultation with all parties. The leadership of the State and government must be enforced based on the consent of the people through fair, honest and trustworthy elections.

In the selection of Village Community Institutions (RT) which took place in Labuhan-Lalar Village where the head of the RT was chosen directly by the village head, this was a form of incompatibility with the Principle of Deliberation and Ijma in the Siyasa Dusturiyah Principle. because in the Principle of Deliberation and Ijma, the leadership of the State and government must be enforced based on the consent of the people through fair, honest and trustworthy elections. and the Village Head also did not consult with village officials at all, let alone with the RT community in Labuhan-Lalar Village.

4. Principle of Eq

The principle of equality is found in Al-Quran Al-Hujarat: 10 and Surat Al-Hujarat: 13. The verse above clearly proves that the recognition of Islam for the existence of plurality in the socio-cultural community however, Islam does not tolerate the notion of pluralism if what is meant is the truth of the relativity of all religious teachings or religions or all religions. because Allah closed the verse with

the sentence "Surely the most noble person among you with Allah is the most Taqwa". This means that the parameters of goodness and basic truth are religion, not reason, let alone feelings.

5. The principle of the rights and obligations of the State and the people

The principle of the rights and obligations of the State and the people is found in the Qur'an, surah an-nisa: 59. All citizens are guaranteed certain basic rights. According to Subhi Mahmassani in his book *Arkan Huquq al-insan*, some of the rights of citizens that need to be protected are guarantees of personal security, dignity and property, freedom to express opinions and gather, the right to get proper education, medical and health services, and security. to carry out economic activities.

6. The principle of amar ma'ruf nahi is evil

The principle of amar ma'ruf munkar is found in Al-Quran Sura Al-Imran: 104 "And let there be among you a group of people who seduce goodness, thoroughly to the Ma'ruf and prevent from evil, they are the lucky ones" .

Amar ma'ruf nahi munkar is a check and balancing mechanism in the Islamic political system. This system is an institution in *ahlu halli wal aqdi* (Parliament), *wilayat at hisbah* and *wilayat al qadha* '. a leader in the view of the majority of Islam (Sunni) is not a saint (Ma'shum) therefore very likely to be criticized and advised.

According to Al-Baghadi, they named them *ahl al-ijtihad*. however, all refer to the notion of "a group of community members who represent the ummah (people) in determining the direction and policies of the government for the benefit of their

lives. In line with this understanding, Abdul Hamid al-ansari stated that the Shura council that compiles ahl al-shura is a means used by the people or their people's representatives to discuss social problems and the benefit of the people. thus it is actually the people who have the right to determine their fate and determine who they will elect or appoint as head of the state in accordance with the general benefit they want.⁷⁶

in a more popular term that was used at the beginning of Islamic rule on this subject is ahl-al shura. at the time of the fourth caliphate, especially during the time of "Umar" this term refers to the meaning of several senior friends who carried out deliberations to determine policies and choose a successor to the head of the state. they are six senior friends who conduct deliberations to determine who will replace him after he dies.⁷⁷

In this case, it is concluded that in choosing a leader by conducting deliberations because in fact the community has the right to vote or deliberate to elect their leader because the Rukun Tetangga is the leader at the lowest level in the village who is directly close to the community. as expressed by one of the sources interviewed by the researcher, namely "

"The head of the RT is closest to us because they are in the same environment as our neighborhood. In the previous election for the head of the RT, we also cast a vote in the RT Head election deliberation. I am also surprised that this year we were

⁷⁶ Ibid, p. 58

⁷⁷ Muhammad Iqbal, Contextualization of Doctrine... p. 160

not given the right or allowed to vote to choose who is the leader of our Rukun Tetangga. not the village head who knows the nature of our RT head who knows better. "⁷⁸

This opinion explains that here the community has not been given the right to vote in the election of the Village Community Institution, namely Rukun. In *Siyasah Dusturiyah*, there are conditions and mechanisms for choosing *ahl al-hall wal'aqd*.

As for the legal requirements of *Ahl al-hall wal'aqd* according to *Al-Mawardi* are:⁷⁹

1. fair with all the conditions
2. knowledge that enables him to know who is entitled to become an Imam (Caliph) in accordance with legal Criteria
3. insight and wise attitude that enabled him to choose who was the most appropriate to become an Imam (caliph), and most effective, and most skilled in managing all interests.

The *Siyasah* scholars formulated their views on *Ahl al-hall wal'aqd* according to them. These caliphs, through four different election methods, were chosen by Islamic leaders to become heads of the state. Furthermore, this election was followed by the general oath of allegiance (*bay'ah*) of the Islamic ummah towards the elected caliph. *Al-Mawardi* outlined the differences in opinion of the scholars regarding how

⁷⁸ Abdullah Ak, Interview (Labuhan-Lalar, 14 October 2020)

⁷⁹ Imam *Al-Mawardi*, *Al-ahkam al-sulthaniyah* the laws of state administration in Islamic law (Jakarta: Darul Falah, 2006), p. 3.

many Ahl al-hall Wal'Aqd could be said to represent the people's choice to appoint the head of the state. According to him, some scholars view that the election of the new head of state is valid if it is carried out by jumhur Ahl al-hall Wal'aqd. in other opinion, it is sufficient to only be elected by five members of Ahl al-hall Wal'aqd. Likewise with the election of Uthman ibn Affan who was chosen by five senior friends. this opinion according to Al-Mawardi,

From some of the opinions in Siyasah Dusturiyah's view in the selection of village community institutions, the RT is not in accordance with the Fiqh Siyasah Dusturiyah view because in the election of the head of the RT, the village head is directly elected without involving the community or discussing with the community about who will be the head of the RT. because in Siyasah Dusturiyah's view, the election of the head of state alone must involve the Jumhur Ulama.

BAB V

CLOSING

A. Conclusion

From the results of the analysis and discussion above, the conclusion from the selection of village community institutions based on Permendagri Number 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions in Labuhan-Lalar Village are:

1. Selection of Village Community Institutions (RT) in Article 3 Paragraph 1 of Permendagri Number 18 of 2018 concerning Village Social Institutions and Village Traditional Institutions has not been implemented. The Village Social Institution (RT) Selection Process in Labuhan-lalar Village has not been implemented because the Village Community Institution (RT) selection is selected only by the Village Government not with community partners. This is inconsistent with Permendagri Number 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions . Because the election process is only carried out by the government, namely the village government does not involve the community in the election for the head of this RT. Supporting and inhibiting factors for Village Community Institution Selection (RT), namely: Supporting Factors in the Selection of Village Community Institutions (RT) is when the RT Chair Election Process is carried out in accordance with Peremendagri and the West Sumbawa Regional Regulation Then the Program from the Village Government will be carried out well,

because the Chairperson RT is selected through deliberation. And the RT head can embrace the community in his environment well.

2. The Implementation of Village Community Institution (RT) Election is Not In Accordance with the View of Fiqh Siyasah Dusturiyah because in Fiqh Siyasah Dusturiyah because every decision-making process in all social affairs is carried out through consensus and consultation with all parties.

3. Suggestion

The conclusions that have been described above, there are several suggestions that can be taken, namely as follows:

1. The Village Head should carry out the Election by observing the Legislation and giving Rights to the Community in the Village Community Institution (RT) Election Process in accordance with Permendagri Number 18 of 2018 and West Sumbawa Regional Regulation by providing training on functions and objectives to the Head of the RT so that the Head of the RT has a say good performance in his Government when selected.
2. The community should not elect the RT head just because he is a family and the majority of voters are family, thus making the RT head candidate win the election, even though he is not actually a person.

BIBLIOGRAPHY

BOOK:

- Al-Mawardi, Imam, *Al-ahkam al-sulthaniyah hukum-hukum penyelenggaraan negara dalam syariat islam*. Jakarta: Darul Falah, 2006
- Arikunto, Suharsimi. *Prosedur Suatu Pendekatan Praktek*. Jakarta: Rineka Cipta, 2012.
- Askin, Zainal, Amiruddin *Pengantar metode peneltian hukum*. Jakarta: Raja Grafindo Persada, 2004.
- Askin, Zainal, Amiruddin, *Pengantar metode penelitian hukum*. Jakarta: Raja Grafindo Persada
- Asshiddiqie, jimly, *Konstitusi dan konstutualisme Indonesia*. Jakarta: Sinar Grafika, 2011.
- Djazuli, A, *Fiqh Siyasah Implementasi kemaslahatan umat dalam rambu-rambu syaria*. Jakarta:Kencana, 2004
- Gadjong, Sandi agus salim. *Pemerintah daerah*. Bogor: Ghalia Indonesia, 2013.
- Gaffar, afan, Syaukani, Rasyid, M Ryass *Otonomi daerah dalam Negara kesatuan*. Yogyakarta:Pustaka belajar, 2003.
- halim, hamzah, *Cara Praktis Menyusun dan Merancang Peraturan Daerah (Suatu Kajian Teoritis dan Praktis (Disertasi Manual Konsepsi Teoritis menuju artikulasi empiris*. Jakarta: Kencana prenatal media group, 2009
- Huda, Ni'matul. *Otonomi daerah, filosofi, sejarah perkembangan dan problematika*. Yogyakarta: Pustaka Belajar, 2010.
- Huda, Ni'matul. *Perkembangan hukum tata Negara perbedaan dan gagasan penyempurnaan*. Yogyakarta: FH UII Press, 2014.
- Huda, Ni'matul. *Problematika pembatalah peraturan daerah*. Yogyakarta: FH UII Press, 2017
- Iqbal, Muhammad, *Fiqh Siyasah Konsektualisasi Doktrin Politik Islam*. Jakarta: Prenada Media group, 2014
- Kaloh. *Mencari bentuk otonomi daerah*. Jakarta: Rineka Cipta, 2011.
- Manan, Bagir. *Menyongsong fajar otonomi daerah*. Yogjarta: PSH FH UII, 2015

- Marzuki, M Laica. *Berjalan-jalan di ranah hukum*. Jakarta: sekretariat jenderal mahkamah konstitusi RI, 2006.
- Marzuki, Peter Mahmud. *Penelitian hukum*. Jakarta: Kencana, 2010.
- Mujib, Abdul, *Kaidah-Kaidah Ilmu Fikh*. Jakarta: Kalam Mulia, 1994
- Nurbuko, Cholid, Achmadi, Abu *Metodologi Penerlitan*. Jakarta: Bumi aksara, 2003.
- Nurcholis, hanif. *Pertumbuhan dan Penyelenggaraan Desa*. Jakarta: Erlangga,2011.
- Rencana pembangunan jangka menengah desa (RJPM Desa) Desa Labuhan-lalar 2019-2025
- Santoso, Lukman. *Hukum pemerintah daerah*. Yogyakarta:Pusataka Belajar, 2012.
- Sarjono, Soekanto. *Penelitian hukum normative*. Jakarta:Rajawali Pers,2006.
- Seidmenn, aan, *Penyusunan Rancangan Undang-Undang Dalam Perubahan Masyarakat yang demokratis: Sebuah Panduan untuk membuat Rancangan Undang-Undang, ELIP.*, 2001
- Shant, dellyana. *Konsep Penegakan hukum*. Yogyakarta: Liberty,
- Sirajuddin. *Hukum administrasi pemerintah daerah*. Malang: Setara Press, 2016.
- Sukanto, Soerjono. *Pengantar penelitian hukum*. Jakarta: Universitas Indonesia (UI) Press,2006.

Constitution:

Law Number 32 of 2004 concerning Regional Government

Law Number 6 of 2014 concerning Villages

Government Regulation Number 72 of 2005 concerning Villages

Permendagri Number 18 of 2018 concerning Village Community Institutions and Village Traditional Institutions

West Sumbawa Regional Regulation Number 14 of 2019 concerning Guidelines for Village Development Planning.

INTERNET:

[https://id.m.wikipedia.org/wiki/pem Selection](https://id.m.wikipedia.org/wiki/pem_Selection)

<https://rw4padangsari.wordpress.com/tentang-rt-rw/>

<http://repository.iainbengkulu.ac.id/3861>

<https://respositori.uin-alauddin.ac.id/11461/1/merkmit%20sSmile%20di%20desa%20bellapunranga.pdf>

<http://digilib.esaunggul.ac.id?public/UEU-Master-2580->

[Thesis% 20 Satisfaction% 20 Service% 20Community.pdf](Thesis%20Satisfaction%20Service%20Community.pdf)

ATTACHMENT

A. Research Letter



PEMERINTAH KABUPATEN SUMBAWA BARAT
KECAMATAN TALIWANG
DESA LABUHAN LALAR

Jalan Raya Labuhan Lalar Nomor : 001 HP 082 339 392 382
Kode pos 84355 Email : desa_labuhanlalar@gmail.com

SURAT REKOMENDASI

Nomor 300 / *646* 2001 / VIII / 2020

Yang bertanda tangan di bawah ini :

Nama : **RAHMANUDDIN**
Jabatan : Kepala Desa

Dengan ini memberikan Rekomendasi kepada :

Nama : WIDYA ANGGRIANI D.
NIM : 17230097
Fakultas : Syariah
Prodi : Hukum Tata Negara

Bahwa yang bersangkutan benar akan melakukan Pra-Research di wilayah Desa Labuhan Lalar guna menyelesaikan tugas akhir (skripsi) dengan judul :

The Selection of Village Social Institutions (RT) in the Labuhan Lalar Village, Taliwang, West Sumbawa (Study Impementation of Article68 of Law Number 6 of 2014 and article 1 Paragraph 20 of Sumbawa Regional Regulation).

Sehubungan dengan yang dimaksud, *rekomendasi* ini diberikan sebagai kelengkapan administrasi.

Demikian Surat Rekomendasi ini dibuat dan untuk dapat dipergunakan sebagaimana mestinya

Labuhan Lalar, 19 Agustus 2020

Kepala Desa Labuhan Lalar





Interview with Mr. Ahmad Meki as the head of the ward 03 hamlet of the ward regarding the selection of a village community institution in the village of Labuhan Lalar



Interview with Mr. Rahmanuddin as the Village Head as the issuer of the RT Head Election Decree



Interview with Mr. Alimuddin Bondan as the head of the RT 03 hamlet of Muhajirin regarding the actions of the village head in the election of the RT head in Labuhan-Lalar village



Interview with the head of RT 01 hamlet Toroh regarding the policies of the village head in selecting the chairman RT in Labuhan-Lalalr Village



interview with agustono, resident of RT 03 muhajirin hamlet regarding the village head's policy in selecting the RT head in Labuhan-Lalar Village



nterview with the rahmat hidayat, ST residents of RT 01 Toroh hamlet regarding the village head's policy in the election of the RT head in Labuhan-Lalar Village



interview with Ms. Suriyati community of household 03
Residents of Wara Bregarding the policy of the village head in
selecting the RT head in Labuhan-Lalar Village

