



and the instrumentalization of law for political gain (Vel & Bedner, 2021; Buehler, 2022). Legal frameworks intended to ensure fair and transparent elections – such as Government Regulation No. 43 of 2014 and Permendagri No. 112 of 2014 – are sometimes undermined by manipulation at the local level, resulting in procedural injustices and disputes. The disjunction between written law and lived reality shows that the law itself becomes a political arena rather than an impartial instrument of justice. In such contexts, democracy tends to become procedural, losing its substantive essence of representing the people’s will (Haryanto, 2023). This condition is not unique to Indonesia, as similar challenges are found in other decentralized democracies where political elites adapt legal institutions for personal or factional interests (Hadiz & Robison, 2022). Consequently, the tension between law and politics has become a defining feature of Indonesia’s village-level democracy.

The case of Parigi Village in Takkalala Subdistrict, Wajo Regency, exemplifies how local democracy can become entangled in complex legal and political dynamics. The village head election there triggered disputes that revealed structural weaknesses in both governance and legal enforcement, including elite interference, vote manipulation, and biased resolution processes. Field observations and preliminary reports suggest that the neutrality of the election committee and oversight bodies was often compromised by personal or political alliances. Moreover, traditional norms and adat institutions that historically functioned as mediating mechanisms were sidelined or politicized by competing factions. This interplay between formal law and informal power reflects the broader struggle to balance justice, legitimacy, and social cohesion within village democracy (Zainuddin et al., 2025). When legal institutions lose their neutrality, the legitimacy of local governance erodes, and conflict can escalate into social fragmentation (Vel, 2022). Therefore, the Parigi case provides a critical lens to understand how democratic ideals may falter when law becomes a tool of political legitimization.

This study seeks to analyze the interrelation between legal dynamics and political interests in the resolution of village head election disputes in Parigi Village, Wajo Regency. It explores how the law, rather than functioning as a neutral arbiter, may serve as an extension of political power in local settings. By focusing on the mechanisms of dispute settlement, this research aims to reveal the asymmetry between normative legal frameworks and their actual implementation in the field. Furthermore, it examines how local political actors influence, reinterpret, and sometimes distort legal processes to consolidate authority. The findings are expected to provide insights into the challenges of sustaining grassroots democracy within Indonesia’s decentralized political system. In doing so, this research contributes to the broader debate on socio-legal pluralism and local governance in post-Reformasi Indonesia (Bedner & Vel, 2023). Ultimately, it argues that genuine democracy at the village level requires more than elections – it requires the integrity of law as a moral and institutional safeguard of public trust.

## LITERATURE REVIEW

### 1. Local Democracy

Local democracy represents the practical embodiment of democratic principles within the smallest administrative units, where citizens directly participate in governance and leadership selection. In Indonesia, the 2014 *Village Law* institutionalized participatory governance by granting villages authority over leadership elections, budgeting, and local development (Aspinall, 2025). This shift transformed the village into a political arena where power is negotiated through networks of kinship, clientelism, and social capital rather than formal institutions alone (Berenschot, 2021). Studies demonstrate that *Pilkades* (village head elections) have become a testing ground for Indonesia’s democratic deepening, revealing both the inclusiveness and fragility of grassroots politics (Buehler, 2022). Despite being

designed as transparent and competitive contests, village elections are often influenced by transactional politics and patronage systems (Berenschot, 2018). Such dynamics show that the village is not merely an administrative extension of the state but an autonomous site of democratic experimentation (Aspinall, 2025). Hence, local democracy at the village level reflects Indonesia's broader challenge of reconciling procedural fairness with the sociopolitical realities of rural life (Berenschot, 2021).

## 2. Socio-Legal Pluralism in Electoral Disputes

Socio-legal pluralism explains how multiple normative systems—state law, administrative regulations, and customary (adat) norms—intersect and coexist within one governance framework. In Indonesia's villages, this pluralism becomes particularly evident when election disputes arise, as both formal and informal authorities claim jurisdiction over justice (Vel & Bedner, 2021). While national laws such as *Permendagri No. 112/2014* prescribe procedural mechanisms for resolving *Pilkades* disputes, customary norms often dictate local expectations of fairness and reconciliation (Bedner & Vel, 2023). The coexistence of these systems creates opportunities for negotiation but also enables selective use of legal forums by powerful actors seeking legitimacy (Vel & Bedner, 2021). Scholars argue that legal pluralism can enhance democratic responsiveness when balanced, yet risks reinforcing inequality when co-opted by political elites (Bedner & Vel, 2023). In practice, this hybridity often produces ambiguity about which authority—state or customary—holds final power in adjudicating disputes (Vel & Bedner, 2021). Therefore, socio-legal pluralism offers a critical lens to analyze how law, power, and tradition interact in shaping justice and legitimacy in local elections (Bedner & Vel, 2023).

## 3. Political Legitimacy and Elite Capture

Political legitimacy, as conceptualized by Max Weber, refers to the public's recognition of authority as rightful and justified, grounded in both legal and moral acceptance. In the context of village head elections, legitimacy arises when the electoral process is perceived as fair, transparent, and free from manipulation (Berenschot, 2018). However, when elites use clientelism, vote buying, or bureaucratic interference to influence outcomes, formal legality no longer guarantees social legitimacy (Aspinall, 2017). Empirical research in Indonesia reveals that such *elite capture* converts the democratic process into an instrument of maintaining power networks rather than representing citizens' interests (Buehler, 2022). This distortion of democracy erodes trust in institutions and fosters social tension, particularly when legal recourse is perceived as biased (Sari, 2024). Consequently, the legitimacy crisis in *Pilkades* disputes is not only a legal failure but a political one, reflecting broader weaknesses in Indonesia's local governance structure (Berenschot, 2021). Building sustainable village democracy thus requires strengthening both legal impartiality and community-based mechanisms that ensure perceived fairness and moral authority (Aspinall, 2025).

## RESEARCH METHOD

This research adopts a qualitative design with a socio-legal and case study approach to explore the interplay between law and politics in the dispute of the village head election (*Pilkades*) in Parigi Village, Takkalala District, Wajo Regency, South Sulawesi. The qualitative design allows the researcher to capture the contextual meanings and lived experiences of local actors engaged in the election process, emphasizing depth over numerical generalization (Creswell & Poth, 2018). The case study method is appropriate because it focuses on a bounded system, namely a single event of electoral dispute that reflects complex institutional and cultural dynamics (Yin, 2018). The socio-legal perspective, in turn, views law not only as a normative framework but as a socially embedded phenomenon influenced

by power relations and community practices (Banakar & Travers, 2020). Through this dual lens, the study analyzes how the legal mechanisms governing Pilkades interact with political contestation and local governance structures. The research site, Parigi Village, was selected purposively because it represents a real and ongoing case of electoral dispute with active engagement of legal, political, and customary actors. The research was conducted from February to July 2024, aligning with the post-election dispute resolution period.

Data collection was carried out using three complementary techniques: in-depth interviews, participatory observation, and document analysis. The interviews involved twenty participants, including candidates, members of the election committee at the village and district levels, legal representatives, officials from the *Dinas Pemberdayaan Masyarakat dan Desa*, and community figures who observed or mediated the conflict. Semi-structured interviews were used to allow flexibility in probing participants' experiences and interpretations while maintaining thematic consistency. Participant observation was employed to capture behavioral patterns, social tensions, and interactions among rival groups during and after the election (Silverman, 2020). Document analysis covered primary legal materials, including national laws, regional regulations, court verdicts from the Makassar Administrative Court, and village-level administrative correspondence. Secondary data were obtained from academic journals, government reports, and credible news media to triangulate field findings and contextualize the dispute historically (Miles, Huberman, & Saldaña, 2014). Combining these methods ensured a comprehensive and multi-perspective understanding of the dispute as both a legal and political phenomenon.

Data analysis followed the interactive model proposed by Miles, Huberman, and Saldaña (2014), consisting of three main stages: data reduction, data display, and conclusion drawing with verification. In the reduction phase, interview transcripts, observation notes, and documents were categorized according to themes corresponding to the research questions. Data display involved constructing matrices, event chronologies, and narrative summaries that clarified relationships between law, politics, and legitimacy. Conclusions were drawn inductively, identifying patterns that revealed the influence of political actors on legal processes and vice versa. Triangulation of sources, techniques, and time strengthened the validity of interpretations and minimized researcher bias (Creswell & Poth, 2018). Ethical standards were strictly observed through informed consent, participant anonymity, and neutrality during data collection and analysis. Finally, the researcher maintained transparency by archiving all supporting materials for verification, ensuring that the study met international ethical standards for qualitative socio-legal research (Banakar & Travers, 2020).

## RESULTS

### 1. Socio-Political Profile of Parigi Village

Parigi Village is administratively located in Takkalala Subdistrict, Wajo Regency, South Sulawesi Province. The village covers an area of approximately 3.5 km<sup>2</sup> with a population of around 1,850 residents, most of whom rely on agriculture and fisheries as their primary livelihoods. Social relations in Parigi Village are predominantly communal, characterized by strong kinship ties and patron-client relationships.

This social structure significantly influences local political dynamics, particularly during the Village Head Election (*Pemilihan Kepala Desa*). The village government consists of the Village Head, village officials, and the Village Consultative Body (*Badan Permusyawaratan Desa*). Within the framework of local democracy, the Village Head Election represents a crucial political arena for determining leadership legitimacy and development direction. However, the strong influence of familial networks and local elites often blurs the boundary between democratic participation and elite domination.

## 2. Chronology of the Village Head Election Dispute

The Parigi Village Head Election was conducted in 2022 as part of the simultaneous village elections in Wajo Regency. Three candidates contested the election, with Candidate No. 2 declared the winner by the election committee, securing a narrow margin of 17 votes over Candidate No. 1. The result was immediately challenged by the losing candidate, who alleged various administrative violations, including double voting, the use of identification cards from outside the village, and partiality of the election committee.

The dispute was initially submitted to the regency-level election committee and subsequently escalated to the Regent of Wajo through the Office of Community and Village Empowerment (Dinas PMD). Although several administrative irregularities were identified, the Regent concluded that these violations were not substantial enough to invalidate the election result. Dissatisfied with this decision, the plaintiff pursued legal action by filing a lawsuit before the Makassar Administrative Court (Pengadilan Tata Usaha Negara). The prolonged dispute generated social tension within the village, disrupting governance and public services. This situation demonstrates how electoral disputes at the village level can have tangible consequences for administrative stability and social cohesion.

## 3. Actors Involved in the Dispute

The dispute involved multiple actors with overlapping legal and political roles. These included the competing candidates as the primary litigants, the village and regency election committees as administrative authorities, and the Regent of Wajo as the final decision-maker under administrative law. Security forces played a preventive role in maintaining public order, while traditional and community leaders acted as informal mediators.

Beyond formal institutions, local political elites and external political interests significantly influenced the dispute. Although village elections are formally non-partisan, political party networks at the subdistrict and regency levels were indirectly involved, indicating that village elections have become an extension of broader regional political competition.

## 4. Impact of the Dispute on Village Governance

The dispute had a direct impact on the effectiveness of village governance. During the litigation process, informal leadership fragmentation emerged, with some village officials demonstrating political bias. Administrative performance declined, village development programs were delayed, and public trust in the village government weakened.

Following the Administrative Court's decision rejecting the lawsuit, social tensions gradually subsided. Nevertheless, reconciliation required sustained efforts involving district authorities and customary leaders, highlighting that legal finality does not automatically resolve political and social divisions.

## DISCUSSION

### 1. Legal Dynamics in Resolving Village Election Disputes

Normatively, the settlement of village head election disputes is governed by Law No. 6 of 2014 on Villages and Minister of Home Affairs Regulation No. 72 of 2020. These regulations establish a tiered dispute resolution mechanism, culminating in the Regent's authority to validate election results. In the Parigi case, administrative procedures were formally followed, and the Administrative Court upheld the Regent's decision based on the principle of legality and administrative discretion. From a legal perspective, this reflects

compliance with procedural justice. However, the case also reveals the limitations of formal administrative law in addressing perceptions of substantive justice at the grassroots level. Legal correctness does not necessarily translate into social acceptance.

## 2. Local Political Influence and Electoral Conflict

Empirical findings indicate that local political dynamics played a decisive role in escalating the dispute. Financial support, voter mobilization, and symbolic political affiliations shaped voter behavior and post-election contestation. This aligns with Huntington's theory of political order, which emphasizes that political competition in developing societies often outpaces institutional capacity.

The Parigi election illustrates that village democracy is increasingly embedded within regional political power structures. As argued by Larry Diamond, democracy loses its substantive meaning when electoral competition is dominated by elite interests rather than fair participation and accountability.

## 3. Interaction Between Law and Politics in Legitimizing Village Government

The legitimacy of a village head derives from both legal validity and political acceptance. In Parigi, legal legitimacy was secured through a final court ruling, yet political legitimacy remained contested due to persistent social polarization. This condition demonstrates the dialectical relationship between law and politics: law provides formal authority, while politics determines effective governance.

Drawing on the theory of responsive law proposed by Nonet and Selznick, the case underscores the need for legal mechanisms that are sensitive to social realities. Administrative decisions must be complemented by inclusive political processes and post-election reconciliation to ensure sustainable governance.

## 4. Implications for Village Democracy and Governance

The Parigi dispute highlights structural challenges in village democracy, including weak electoral integrity, administrative bias, and elite intervention. Nevertheless, the existence of legal dispute resolution mechanisms indicates institutional progress in managing political conflict through peaceful means.

From a legal-political perspective, strengthening mediation mechanisms, enhancing committee neutrality, and fostering political maturity among villagers are essential to consolidating democratic governance at the village level. Village elections should not merely fulfill procedural requirements but must also promote social cohesion and democratic accountability.

## CONCLUSION

The dispute over the Village Head Election in Parigi Village illustrates that legal compliance alone is insufficient to ensure political stability and effective local governance. Although the administrative dispute resolution mechanism functioned in accordance with Law No. 6 of 2014 and Minister of Home Affairs Regulation No. 72 of 2020, the formal legality of the election outcome did not automatically generate broad social acceptance. This condition confirms that procedural justice, while essential, must be accompanied by substantive justice that resonates with community perceptions of fairness and inclusiveness.

From a political perspective, the case demonstrates how village elections have increasingly become arenas of local power contestation influenced by elite interests beyond the village structure. Informal political networks, kinship-based mobilization, and external political affiliations significantly shaped both the escalation and persistence of the conflict. As a result, village democracy risks being reduced to a formal electoral process devoid of its substantive democratic values, such as equal participation, accountability, and social

cohesion. This phenomenon underscores the fragility of democratic institutions at the grassroots level when political competition outpaces institutional and normative safeguards.

Ultimately, the interaction between law and politics in the Parigi Village election reveals a reciprocal yet tension-filled relationship. Legal decisions provide formal legitimacy, but political reconciliation and social acceptance determine the effectiveness of governance. Therefore, strengthening village democracy requires not only clear legal norms and judicial oversight but also responsive political strategies, including mediation, community-based reconciliation, and ethical electoral governance. Integrating legal certainty with political inclusiveness is essential to ensuring that village governance in Indonesia is both democratically legitimate and socially sustainable.

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