JLPH: Journal of Law, Politic and Humanities
E-ISSN: 2962-2816
P-ISSN: 2747-1985
https://dinastires.org/JLPH dinasti.info@gmail.com +62 811 7404 455
DOI: https://doi.org/10.38035/jlph.v7i1
https://creativecommons.org/licenses/by/4.0/
Received: 12 Oktober 2026 | **Revised:** 15 Oktober 2026 | **Accepted:** 13 November 2026

Village Head Tenure under Indonesian Law No. 3 of 2024: Limits on Power and Public Accountability

Romadhan Lubis[1], Marfuah[2]
[1]Universitas Pasir Pengaraian, Rokan Hulu, Riau, Indonesia, romadhanlubis@upp.ac.id
[2]Universitas Pasir Pengaraian, Rokan Hulu, Riau, Indonesia, marfuah.mf97@gmail.com

Corresponding Author: romadhanlubis@upp.ac.id[1]

Abstract: The extension of village heads' terms to eight years raises questions about continuity and public accountability. Earlier studies have combined legal politics and public benefit reasoning, but their operational relationship with transitional mandates and oversight requires further development. This article examines tenure limits, evaluates policy justification, and develops an accountability framework through doctrinal research using statutory, case, and conceptual approaches. Materials include the Village Law, its 2024 amendment, and Constitutional Court decisions on transition and Aceh. Norm mapping, grammatical and systematic interpretation, and prescriptive evaluation distinguish a longer individual term from a shorter cumulative ceiling under the general regime. Application depends on tenure histories, completed elections, and territorial scope. Benefits and risks cannot be established from duration alone. The contribution is a conditional public benefit framework connecting mandate protection with usable information, lawful scrutiny, reasoned responses, and documented follow-up. Oversight should preserve institutional continuity without creating informal removal mechanisms. Policy justification requires traceable accountability, while empirical effects require further evaluation.

Keywords: Village Head, Tenure Limits, Legal Politics, Public Benefit

INTRODUCTION

Changes to village head tenure place village law within a problem more complex than a choice between stable government and regular leadership turnover. Law No. 3 of 2024 extends an individual term to eight years while limiting service to a maximum of two terms. These changes operate in different directions: citizens must wait longer to evaluate leaders through elections, whereas the cumulative ceiling under the general regime becomes shorter. The expression "term extension" therefore does not fully describe the amendment's normative consequences (Republic of Indonesia, 2024, arts. 39, 118).

This distinction matters because total time in office and the interval before citizens can replace an incumbent measure different things. An official may face a shorter overall service limit while enjoying a longer individual term before another election. Reducing the cumulative

ceiling does not itself address the longer interval between electoral checks. Conversely, extending an individual term does not establish that all tenure restrictions have disappeared. Combining these measures without distinguishing their functions risks oversimplifying the policy.

From the perspective of legal politics, the central question is how the chosen duration can be justified to the people receiving public services. Legal politics examines the relationship between state policy, regulatory instruments, and intended objectives. Islamiyati and Hendrawati (2019) describe it in terms of policies for creating and implementing law to achieve state objectives. This perspective is used here to examine the connection between continuity of government and tenure regulation, without assuming that officials' interests necessarily coincide with village interests.

Development continuity requires time, but time is not its only condition. Competent personnel, documented planning, reliable financing, and corrective mechanisms also shape the implementation of public programmes. If the principal problems concern administration and coordination, a longer term may leave those problems unresolved. Likewise, leadership turnover need not require the cancellation of previously agreed programmes. Distinguishing institutional continuity from personal incumbency provides a starting point for assessing the policy's justification.

Previous studies provide an important foundation. Luthfy (2019) compares tenure restrictions across village government legislation and identifies the weakening of limits on power associated with a three-term arrangement. Pambudhi (2023) examines proposed extensions through constitutionalism, particularly leadership renewal and the prevention of abuse. Ramadani et al. (2024) reaffirm the importance of tenure limits for constitutional democracy in villages. These studies strengthen the basis for evaluating power, but do not fully resolve the relationship between eight-year terms, transitional arrangements, and oversight following the amendment.

The closest study is Qoiriya and Junaidi's (2025) article in El-Dusturie, which already combines legal politics and *maṣlaḥah mursalah* in analysing village head tenure. Combining these perspectives cannot therefore constitute an independent claim to novelty. The present article engages with that study while developing a different emphasis: distinguishing term duration from the number of terms, protecting completed electoral mandates, and designing traceable accountability. The reference follows the title and both authors shown in the published PDF.

This discussion must also accommodate legal developments after 2024. Constitutional Court Decision No. 92/PUU-XXII/2024 concerns the interpretation of transitional provisions, while Decision No. 40/PUU-XXIII/2025 demonstrates the significance of Aceh's special arrangements for *keuchik*, or village heads (Constitutional Court of the Republic of Indonesia, 2025a, 2025b). Government Regulation No. 16 of 2026 has also been issued to implement the Village Law (Badan Pemeriksa Keuangan, 2026). These developments show why tenure analysis cannot stop at a single sentence in Article 39. Appointment, oversight, and regulatory adjustment operate within several interacting legal frameworks.

Internationally, debates about tenure limits concern reelection incentives and accountability. Ferraz and Finan (2011) show, in Brazilian local government, that reelection eligibility can influence corrupt behaviour. Their findings caution against assuming that fewer opportunities to remain in office necessarily improve performance. However, evidence concerning Brazilian mayors cannot be treated as a measure of the effects of Indonesia's village head tenure reform. Differences in authority, enforcement, and political competition must be considered.

Evidence closer to the Indonesian setting appears in Bazzi et al.'s (2024) study of village leadership turnover. Their research links leadership changes with bureaucratic change

and service responsiveness. Its relevance is that turnover may produce institutional benefits. It does not estimate the effects of the tenure amendment introduced by Law No. 3 of 2024. The study is therefore used as supporting evidence about possible mechanisms, rather than as a measurement of the new policy's outcomes.

Three questions guide this article. How should changes in term duration and term limits be interpreted alongside transitional provisions and Constitutional Court decisions? How can legal politics and *maṣlaḥah mursalah* evaluate policy justification without treating anticipated benefits as demonstrated outcomes? How can oversight sustain accountability during longer terms while respecting institutional authority and regional particularities? These questions structure the discussion and determine the conclusions.

The objective is to develop a legal construction that distinguishes applicable rules, normative assessment, and recommendations for reform. The proposed contribution is a conditional public benefit framework, connecting policy justification with electoral mandate protection, information access, oversight capacity, and lawful follow-up. This framework is the author's analytical proposal, rather than a statutory concept or a statistically validated measure. Its novelty lies in the relationships among its components and the operationalisation of accountability, rather than a claim that extended tenure has never previously been criticised.

METHODS

This study employs doctrinal legal research with statutory, case, and conceptual approaches. Its object is the legal construction of village head tenure restrictions and their normative relationship with oversight and public interest protection. The findings consist of legal propositions and institutional recommendations, rather than causal estimates of effects on corruption, development, or conflict. This distinction reflects the need for doctrinal research to explain its materials, reasoning, and grounds for conclusions transparently (Hutchinson & Duncan, 2012).

Primary legal materials comprise Law No. 6 of 2014 and its relevant amendments under Law No. 3 of 2024, together with Constitutional Court Decisions Nos. 92/PUU-XXII/2024 and 40/PUU-XXIII/2025. Constitutional provisions inform the analysis of the rule of law, popular sovereignty, legal certainty, and recognition of regional particularities (Republic of Indonesia, 1945, arts. 1, 18B, 28D). Government Regulation No. 16 of 2026 is used only as regulatory context, based on official metadata and an abstract in the legal documentation database of the Audit Board of Indonesia; detailed provisions not examined in the full text are not inferred (Badan Pemeriksa Keuangan, 2026).

Literature was purposively selected for four analytical needs: limits on power, doctrinal methodology, maṣlaḥah mursalah, and evidence on local government accountability. Searches used the initial manuscript title, author names, regulation and decision numbers, and terms including village head tenure, constitutionalism, electoral accountability, and village leadership turnover. The initial source search was updated through 6 October 2026 and supplemented by a targeted search of Journal of Juridische Analyse on 11 October 2026. It was not a systematic review of all publications; no comprehensive bibliometric coverage or absolute novelty is claimed.

Materials were collected from legislation portals, the Constitutional Court website, journal publishers, and university repositories. References were checked for authorship, title, year, subject, and relevance to the propositions supported. Sources merely repeating other publications were not treated as primary evidence where the original was available. Election cost figures and claims about welfare changes lacking verifiable support were excluded. The analysis therefore does not extend its scope by introducing unsupported data.

Analysis proceeded through four stages. Norms were first mapped by individual term duration, maximum terms, transition, and oversight. Grammatical interpretation identified the

subjects, conditions, and consequences of each provision. Systematic interpretation connected tenure provisions with other rules and relevant judgments. Finally, prescriptive evaluation assessed policy reasons against limits on power and public benefit. Recommendations are presented as proposed improvements, rather than as obligations already imposed by law.

The case approach distinguishes operative rulings from applicants' requests and parties' submissions. Judicial reasoning is used within the issues actually decided. A judgment on transition is not treated as invalidating all eight-year terms. Similarly, rejection of the *keuchik* challenge does not establish that every national tenure policy received the same constitutional assessment. This approach limits conclusions to the scope of judicial examination.

Argument quality is maintained by matching each finding to its source and type of claim. Descriptive statements identify a rule or study; normative assessments explain their premises; recommendations specify actors, instruments, and authority limits. No interviews, village observations, surveys, respondent coding, or field triangulation were conducted. The tables and figure organise legal analysis rather than report population measurements. Accordingly, this study does not determine whether governance in any particular village has improved or deteriorated.

RESULTS AND DISCUSSION

Two Dimensions of Tenure Limits and Protection of Electoral Mandates

Term Duration and the Limits of Cumulative Calculations

Article 39 requires a distinction between units of time and opportunities to hold office. The original Village Law provided six-year terms and a maximum of three terms, while the 2024 amendment provides eight-year terms and a maximum of two. These yield general cumulative ceilings of eighteen and sixteen years respectively (Republic of Indonesia, 2014, 2024). The figures describe the abstract design of the two regimes; they do not determine the entitlement of every official during transition. Table 1 provides the distinctions used in the subsequent analysis.

Table 1. Dimensions of Village Head Tenure Limits

Dimension	Original 2014 regime	2024 amendment	Analytical implication
Individual term	6 years	8 years	Longer interval between electoral checks.
Maximum terms	3	2	Fewer opportunities to serve again.
General cumulative ceiling	6 × 3 = 18 years	8 × 2 = 16 years	Not a formula for every transitional case.
Individual circumstances	Examine tenure history	Read Article 118 with relevant judgments	Dates and election status guide application.

Source: Author's analysis of Article 39 of the Village Law and its 2024 amendment. Transitional cases are not reduced to simple multiplication

The general cumulative ceiling can be expressed as $T = d \times p$, where T denotes maximum years under the general regime, d the duration of one term, and p the maximum number of terms. Thus, $T_{old} = 6 \times 3 = 18$ years, and $T_{new} = 8 \times 2 = 16$ years. This is an arithmetic illustration of the legal design. It excludes dismissal, replacement during a term, specific judgments, and individual transitional circumstances, and cannot independently justify an appointment decision.

Reducing the cumulative ceiling by two years does not cancel the addition of two years to an individual term. The changes operate at different points. The cumulative ceiling controls total service across an official's career, whereas individual term duration determines when citizens next have an opportunity to vote. Focusing only on the ceiling overlooks less frequent

electoral correction; focusing only on duration overlooks the restrictive effect of fewer permissible terms.

This distinction changes the appropriate form of criticism. The relevant question is whether accountability remains adequate during a longer electoral interval, rather than whether all restrictions have disappeared. A defence based only on reduced total service is equally incomplete. Policymakers must explain how citizens retain access to corrective mechanisms during a term. Both positions therefore lead to the relationship between authority, reporting, scrutiny, and lawful consequences for established violations.

Marfuah and Elfiani (2026) argue that formal legality alone is insufficient to sustain constitutional ethics and effective checks on power. Their analysis concerns national constitutional practice rather than village tenure. Applied here as a normative perspective, it supports examining how extended terms are accompanied by integrity, public justification, and opportunities to scrutinise decisions, without treating the amendment itself as proof of unconstitutional conduct.

The electoral interval is not a period without accountability. Administrative responsibilities, service obligations, and oversight continue throughout a term. The issue is whether these mechanisms provide assessable information and meaningful responses. Reports produced merely for archiving may not enable citizens to evaluate decisions. The democratic concern is consequently the public's capacity to maintain control between elections, as well as the frequency of elections themselves.

Transitional Rules as a Distinct Legal Problem

General calculations must be separated from the transition between regimes. Article 118 differentiates groups according to their previous terms and status when the amendment took effect, including serving village heads and elected candidates awaiting inauguration (Republic of Indonesia, 2024, art. 118). Individual decisions therefore require a chronological examination of inauguration dates, previous terms, officeholding status, and completed election processes. A uniform calculation may overlook the circumstances decisive to applying the rule.

Administratively, this examination should produce an auditable decision file containing previous appointment documents, the applicable legal basis, tenure history, and reasons for the decision. This recommendation does not itself establish an official's entitlement to additional service. Its function is to ensure that each decision leaves a record of reasoning that can be examined if challenged. Legal certainty requires an intelligible basis for the decision as well as a formal instrument recording it.

Decision No. 92/PUU-XXII/2024 establishes an important boundary for transition. The Constitutional Court conditionally interpreted Article 118(e) so that it does not apply to villages that had already conducted elections under Law No. 6 of 2014 (Constitutional Court of the Republic of Indonesia, 2025b). The focus is protection of completed electoral processes, rather than removal of the eight-year arrangement in Article 39. Distinguishing these objects prevents legal interpretation from depending on headlines or the interests of one party.

A related implementation problem is identified by Elfiani and Yuniarti (2026), who distinguish the binding authority of constitutional judgments from institutional arrangements for legislative follow-up. Their study does not examine village head tenure. Its relevance here is analytical: a transitional decision should record how the applicable judgment has been implemented. This comparison supports traceable compliance without importing their proposed legislative mechanisms into village administration as existing legal duties.

The analytical principle drawn here is that tenure reform must respect democratic acts that have already created legal positions for others. Incumbent continuity is not the only interest deserving protection. Elected candidates and citizens who have voted also have interests in

implementing the result. Public benefit assessment must include the uncertainty borne by these groups, even when it cannot readily be assigned a monetary value.

Protecting electoral mandates also shows that stability means more than retaining an incumbent. A government may appear personally stable while remaining normatively unstable if valid decisions are repeatedly postponed. Conversely, turnover under clear procedures may strengthen confidence in the rules. Continuity should therefore be assessed through procedural regularity and certainty of rights. This understanding connects tenure limits with the public benefit assessment developed below.

National Generalisation and Aceh's Special Arrangements

Regional particularities provide another reason to avoid generalisation. In Decision No. 40/PUU-XXIII/2025, the Court rejected a challenge to *keuchik* tenure provisions in the Law on the Governing of Aceh (Constitutional Court of the Republic of Indonesia, 2025a). Its reasoning on legislative authority and Aceh's special context indicates that the Village Law amendment cannot automatically establish an identical tenure structure throughout Indonesia. The decision is used here to identify an application boundary, not to determine every later development in Aceh's regulation.

The local implication concerns the design of recommendations. Transparency, reasoned decisions, and complaint access may be shared concerns, but institutional forms, official titles, and legal powers require adjustment. Proposals for the Village Consultative Body, known as BPD, under the general regime do not automatically apply to institutions governed by special legislation. National recommendations need room for this adjustment; otherwise, proposals intended to improve certainty may generate conflicts of authority.

Government Regulation No. 16 of 2026 also requires caution when relying on earlier implementing rules. Official metadata records its entry into force on 27 March 2026 and the repeal of Government Regulation No. 43 of 2014 and amendments identified in its regulatory status (Badan Pemeriksa Keuangan, 2026). Because the full provisions of the new regulation were not examined, the procedural recommendations below remain institutional proposals requiring alignment with its detailed rules. This preserves current regulatory context without inventing technical powers or article numbers.

The first finding is therefore the need for a four-part reading of duration, maximum terms, transition, and territorial scope. Each addresses a different issue and cannot substitute for the others. Together, they place officials' interests alongside citizens' rights and the applicable legal structure. Enactment establishes a regulation's legal force, but does not by itself settle every constitutional question. Evaluation of a particular provision must follow the relevant object, grounds, and review mechanism.

Legal Politics and Conditional Public Benefit

Institutional Continuity as a Policy Objective

Legal politics is used to assess the fit between the problem identified and the instrument chosen. If programmes remain unfinished, the next question is whether the obstacle concerns leadership time, planning quality, budget conflict, or weak implementation. Only by separating these possible causes can additional time be assessed rationally. A sound policy argument explains why a particular instrument is needed, what alternatives exist, and how the public can determine whether the objective has been achieved.

Normative analysis can evaluate the completeness of this reasoning without claiming to measure impact. An efficiency argument, for example, should identify the costs to be reduced, those bearing them, and possible additional oversight costs. Fewer elections over a given period do not necessarily produce net savings. Administrative, inspection, and dispute resolution costs also require consideration in subsequent research. This article therefore

excludes average village election cost figures without identifiable data sources, geographic coverage, and budget years.

The same principle applies to conflict reduction. Conflict may arise during elections but also when aspirations lack channels during ordinary government. Delaying an election does not necessarily remove its underlying causes. The more useful questions concern citizens' ability to object, obtain responses, and examine the distribution of development benefits. If these channels weaken, apparent calm might reflect fewer opportunities to express dissatisfaction. This is an analytical possibility, not a reported condition in any particular village.

Development continuity should be embedded in records, procedures, and organisational capacity. Programmes with clear objectives, implementation records, and traceable financing can be evaluated consistently by both outgoing and incoming leaders. A village head's success can thus be assessed partly through the capacity to leave functioning institutions behind. This orientation reduces dependence on a single individual and provides a fairer basis for evaluating the benefits of longer terms.

The Role of Maṣlaḥah Mursalah in Legal Reasoning

Maṣlaḥah mursalah provides an ethical perspective for examining whether an asserted public benefit genuinely serves the community. Umar (2017, pp. 148–150) discusses conditions for its use, including its relationship with the objectives of Islamic law, the public interest, and limits on merely speculative or sectional benefits. His account also recognises differences among scholars. This article therefore does not attribute one simplified checklist to all thinkers or assume that additional tenure automatically constitutes an essential necessity.

Public benefit is used as a supplementary evaluative concept, not as a source of administrative power replacing legislation. An official cannot extend or terminate another person's tenure merely by invoking benefit. Such action still requires a legal basis, competent authority, procedure, and opportunity for review. This distinction prevents ethical reasoning from justifying disregard for rights. In a plural society, policy reasons should also be expressed through publicly assessable interests, including services, fairness, and protection of public assets.

The concept is operationalised through four connected questions. Is the objective clearly stated and directed towards citizens' interests? Is there a plausible mechanism connecting additional time with that objective? Can risks to less powerful groups be reduced? Are there ways to evaluate and improve implementation? These questions are the study's analytical construction. They are neither a literal translation of an Islamic jurisprudence text nor a constitutional test already established by the Court.

Conditional public benefit describes the implication of these questions. A policy may pursue a defensible objective while its justification remains dependent on implementation and rights protection. Where benefit evidence is unavailable, the appropriate conclusion is that the justification remains insufficiently tested, not that no benefit can exist. Likewise, the existence of risks is not proof that every village has experienced harm. Assessment can remain critical without exceeding the available evidence.

Table 2 links normative questions to the evidence needed for evaluation. It does not assign a pass or fail score to any village. Instead, it shows that stability, efficiency, and public benefit require clearer indicators before they can function as conclusions. Separating criteria from measured outcomes is essential because this study has no field dataset for performance assessment. The table also connects conceptual analysis with the oversight proposals developed in the next section.

Table 2. Criteria for Evaluating Conditional Public Benefit

Criterion	Evaluation question	Evidence required	Inference limit
Public objective	Whose interests and which problem?	Objectives, citizen priorities, and instrument justification.	A good objective does not prove a good outcome.
Instrument fit	How does additional time help?	Implementation records and alternative policy comparisons.	Correlation does not establish causation.
Rights protection	Are electoral mandates and access protected?	Election records, decisions, and objection routes.	Assumed efficiency cannot alone justify sacrificing rights.
Distribution of benefit	Can underrepresented groups gain access?	Service distribution and experiences across groups.	A forum's existence does not establish inclusion.
Policy correction	Does a problem lead to assessable follow-up?	Problem registers, responses, recommendations, and resolution status.	Report volume is not a success measure.

Source: Author's evaluative framework. The table does not report village measurements or empirical scores

Assessing International Evidence within Its Context

Electoral accountability research suggests that tenure restrictions and official behaviour do not have a simple, uniform relationship. In Ferraz and Finan's (2011) study, reelection eligibility is one mechanism associated with constraints on local officials. The conceptual lesson is that an official no longer facing an election may encounter different incentives. This does not justify unlimited tenure. It raises the question of how oversight should complement electoral incentives when reelection opportunities diminish or end.

For villages, differences between first and final terms deserve evaluation. During a first term, the prospect of reelection may influence behaviour. During the final term, that relationship changes, giving other accountability mechanisms greater significance. This is an institutional hypothesis derived from the literature, not an observation of Indonesian village heads after the amendment. Its normative implication is that transparency and scrutiny should not depend solely on expectations of future electoral competition.

Bazzi et al. (2024) offer a complementary perspective through their study of Indonesian village leadership turnover and local bureaucratic performance. Their findings on responsiveness indicate that turnover may produce benefits as well as disruption. However, their data and research design differ from an evaluation of eight-year terms. Their study is not used to calculate the loss attributable to an additional two years. It supports considering leadership renewal when defining the objectives of continuity.

Together, these sources avoid a false choice between absolute stability and the most frequent possible turnover. Governments need time to complete their work, while citizens need means to correct policy direction. A defensible design explains how both needs are addressed. Once tenure is legally established, attention can focus on governance during the term. When legislation is evaluated, documented implementation can inform whether duration and term limits should be maintained or revised.

Contribution to Previous Research and Limits of the Claim

This article differs from previous research in its analytical emphasis. Constitutionalism provides a premise for evaluating constraints on power, while public benefit reasoning requires assessable justifications. The analysis goes beyond a general call for stronger supervision by specifying documents, evaluators, opportunities to respond, and limits on consequences. Its contribution is a more operational accountability design, although the quality of implementation requires empirical testing.

This position also limits the novelty claim. Earlier research has already combined positive law and public benefit reasoning (Qoiriya & Junaidi, 2025). The contribution proposed

here is specific and contestable: distinguishing two temporal dimensions of tenure, integrating protection of transitional electoral mandates, and translating public benefit into an accountability chain. That claim should be evaluated through the argument and its sources, rather than through a new label without analytical substance.

The second finding is that normative justification and impact evidence must be distinguished but connected. Justification explains the objectives and reasons for selecting an instrument; impact evaluation examines whether expected changes occurred. Doctrinal research can identify gaps in justification and propose indicators, but cannot replace empirical evaluation with certainty. The conditional public benefit framework maintains this connection by requiring oversight and willingness to revise policy where evidence does not support its premises.

Accountability during Longer Terms of Office

Clarifying Institutional and Citizen Roles

Oversight begins with functions recognised by the Village Law. The BPD has roles concerning village regulations, representation of public aspirations, and supervision of village head performance. Rights to request explanations and obtain information provide a foundation for accountability (Republic of Indonesia, 2014, arts. 55, 61, 68, 82, as amended in 2024). The BPD should not be described as an independent external audit institution. Its position must be explained within village governance, while administrative and financial examination by other bodies follows their respective powers. Table 3 distinguishes these roles.

Table 3. Strengthening Accountability within Lawful Authority

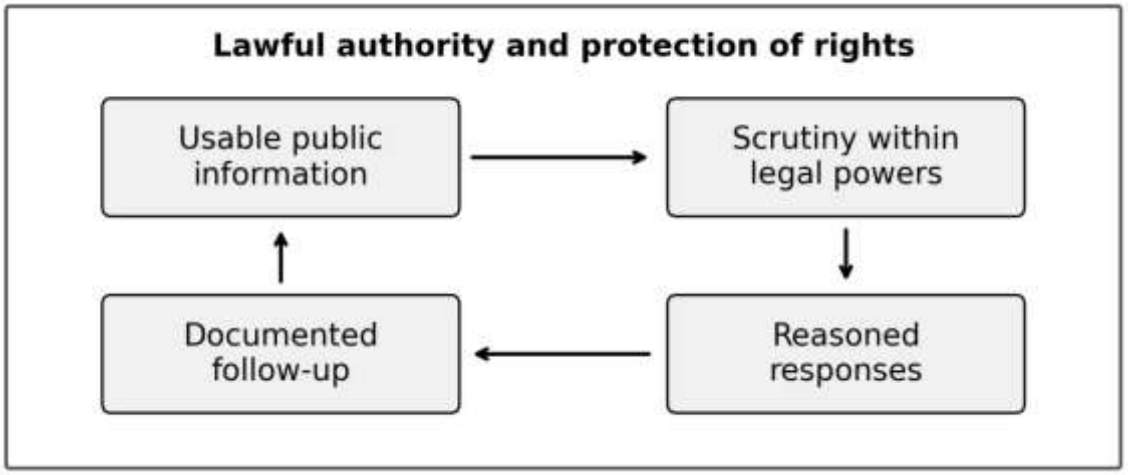
Component	Principal actor	Proposed arrangement	Status and boundary
Information	Village government	Summaries of plans, implementation, changes, and access routes.	Operationalises disclosure; protect personal data.
Performance oversight	BPD within its powers	Questions, review records, and reasoned recommendations.	BPD is not an external auditor or court.
Complaints	Lawfully designated handler	Registration, classification, responses, and referrals.	Proposed format creates no new legal powers.
Administrative examination	Local government or competent body	Risk-based examination and lawful follow-up.	Not every complaint establishes a violation.
Midterm review	Institutions within their powers	Thematic examination of priorities during the eight-year term.	Supplementary proposal, not reelection or automatic dismissal.
Continuity	Village government and relevant bodies	Programme archives and follow-up status for handover.	Preserves institutional knowledge through turnover.

Source: Author's synthesis based on Village Law provisions concerning BPD functions and information rights. Operational proposals require alignment with current implementing regulations

Table 3 distinguishes existing legal foundations from implementation arrangements proposed in this study. Complaint tracking, follow-up matrices, and thematic reviews are suggested operational forms, rather than formats already mandatory for every village. Their adoption requires consideration of current implementing rules and local capacity. Formats can remain flexible while serving the same purposes: assessable information, opportunities to raise objections, and reasons for follow-up decisions.

Lubis and Elfiani (2025) analyse village regulations as legal instruments for exercising village authority, including authority based on origin rights and matters of village scale. This provides a relevant institutional context for the proposed oversight arrangements. The present article infers that any operational format must be matched to a competent legal instrument; the cited study does not establish a power to alter statutory tenure through a village regulation.

Figure 1 shows the relationship among these elements. Accountability is represented as a recurring process connecting information, scrutiny, responses, and corrective follow-up. Lawful authority bounds the entire process. Dissatisfaction with policy does not automatically permit dismissal, and complete documentation does not itself establish fair services. The figure is an analytical framework for organising evaluation, rather than a new institution or a replacement for existing legal procedures.



Source: Author's conceptual model. Arrows indicate procedural follow-up, not empirically established causal relationships

Figure 1. Accountability within the Conditional Public Benefit Framework

Making Public Information Usable

The first step is to make government information understandable to citizens. Technical documents remain necessary, but summaries of activity objectives, budgets, expenditure, locations, and reasons for changes help the public assess decisions. Effective disclosure depends on usefulness rather than the number of uploaded pages. Villages may provide digital documents and directly accessible copies. Channel selection should consider literacy, connectivity, and opportunities to seek explanations without personal proximity to officials.

Public summaries should distinguish plans, implementation, and outcomes. Budget absorption shows expenditure but does not establish that community needs were met. Conversely, delay does not necessarily prove abuse because legitimate obstacles may exist. Good information provides reasons, allowing citizens to assess decisions without either accepting every report or suspecting every action. Explanations improve oversight while protecting officials against unsupported judgments.

Disclosure must also protect information inappropriate for unrestricted publication. Publishing complaint information, for example, does not require exposing complainants' identities or service recipients' personal details. Citizens need information about the problem, examination status, and relevant follow-up. Identifying information may need restriction for protection and legal compliance. Transparency should not become a means of social pressure against complainants or people whose wrongdoing has not been established.

Scrutiny and Documented Responses

The second step is to turn information into scrutiny guided by clear questions. The BPD can examine consistency with agreed decisions, unanswered aspirations, and reasons for changing priorities. Local government administrative examination follows its own procedures and standards. These functions can complement each other when documents are organised and powers are respected. Effective supervision requires a division of work that avoids repeated, identical requests with unclear purposes or follow-up.

The third step is to provide documented responses. Oversight recommendations should be linked to village government explanations indicating acceptance, modification, reasoned rejection, or referral to a competent institution. Success is not measured by the number of recommendations. A more useful measure is whether problems receive attention and decision reasons remain open to examination. Administrative deadlines must be established through competent instruments; this article does not create an unsupported mandatory national deadline.

The fourth step is to record follow-up. If an activity is corrected, the record should identify the change and its justification. If a problem cannot be resolved at village level, the file should record referral to the competent authority. If a complaint lacks sufficient evidence, administrative closure still requires an understandable explanation. This distinguishes oversight from complaint collection and helps succeeding administrations identify resolved matters and outstanding work.

For eight-year terms, the study proposes a thematic midterm review to supplement routine monitoring. Topics can reflect risk and community priorities, including service access, development implementation, or earlier recommendations. The review is not a new election or an additional condition for retaining office. Its purpose is to improve programmes while implementation time remains, rather than postponing evaluation until problems accumulate at the end of the term.

The proposed review must not replace reporting and forums already required by law. Conducting scrutiny only once every four years would create an excessive gap. Thematic review should deepen routine information, rather than reduce accountability frequency. The word “audit” must also correspond to the responsible actor and lawful authority. Community deliberation may examine priorities or service experiences without becoming a financial audit carrying equivalent legal consequences.

Capacity and Institutional Continuity

Procedures alone do not guarantee implementation capacity. Village institutions and citizens may struggle to read budgets, understand powers, or formulate relevant questions. Capacity building should therefore focus on concrete tasks: reading plans, comparing implementation, recording responses, and identifying referral routes. Training confined to general principles may not change practice. Support should provide sample records and opportunities to use them in real matters within the participants’ authority.

Conflicts of interest also require attention. Those conducting oversight may have family relationships, business interests, or involvement in decisions under review. Recording and managing these connections can make the basis of evaluation more transparent. This proposal does not imply that particular social relationships necessarily produce violations. Village networks are close, and not every connection can be avoided. The objective is to prevent proximity from excluding others from information or fair treatment.

The model does not require every village to create a new application or institution. Additional structures may increase costs without improving corrective capacity. Simple registers, properly retained records, and accessible review schedules can provide practical starting points. Technology is useful where it improves traceability and usability. Implementation should proceed in stages suited to available administrative and budget capacity, with success assessed through the ability to understand information and act on it.

Continuity also requires transferring institutional knowledge when village heads or oversight personnel change. Recommendations, complaint status, and programme records should belong to institutional archives rather than individual officeholders. This reconnects oversight with the developmental continuity discussed earlier. Transferable records allow leadership renewal without losing accumulated knowledge. Archiving is thus one condition for

preserving services through democratic succession, rather than an administrative task detached from democracy.

Local Application and the Study's Contribution

Locally, the framework can guide questions about governance in villages under the general regime, including those in Riau. No field research in Rokan Hulu or another locality is claimed. Application should begin by identifying regional regulations, BPD capacity, information facilities, and available complaint routes. For Aceh and other specially regulated settings, institutional and legal arrangements must be examined before the proposed operational forms are adopted.

The third finding is that oversight must form a complete relationship rather than a list of activities. Disclosure without scrutiny, scrutiny without responses, and responses without follow-up each leave accountability gaps. The chain must operate within lawful authority and rights protection. The article's specific novelty is the integration of duration and term-limit distinctions, transitional mandate protection, and conditional public benefit into this traceable accountability design. It enables continuing evaluation of longer tenure without creating informal removal mechanisms; its practical contribution is traceable reasoning and follow-up, not a promise to eliminate all village governance problems.

CONCLUSIONS AND RECOMMENDATIONS

Conclusion

Village head tenure reform has two distinct dimensions: a longer individual term and a lower maximum number of terms under the general regime. Its application also requires attention to transitional rules, completed election results, and territorial legal scope. The sixteen-year calculation cannot determine every individual case. The judgments on transition and *keuchik* tenure demonstrate the importance of the object, timing, and territorial reach of a rule in establishing legal certainty.

Legal politics and *maṣlaḥah mursalah* support the requirement that policy justifications serve citizens and remain open to examination. They do not establish that additional tenure necessarily benefits or harms every village. The proposed conditional public benefit framework connects objectives, mechanisms, rights protection, and evaluation. It treats development continuity as an institutional quality capable of surviving succession while recognising leadership renewal and possible differences between first-term and final-term incentives.

Accountability during a term should connect understandable information, scrutiny within lawful powers, reasoned responses, and documented follow-up. Strengthening the BPD and citizen access should be accompanied by administrative support, conflict of interest management, and durable archives. Thematic midterm review can supplement routine oversight without becoming a new election or an automatic dismissal mechanism. Implementation must reflect current regulations and regional institutional particularities.

Limitations

The study is limited by its materials and inferential scope. Doctrinal analysis can identify normative relationships and weaknesses in reasoning, but cannot quantify benefits or harms attributable to eight-year terms. Purposive literature selection does not guarantee coverage of all relevant studies. Government Regulation No. 16 of 2026 is considered through official general information rather than an article-by-article examination of its full text. The findings should therefore be used as an evaluative framework and input to regulatory development, not as a verdict on any village's performance. The use of Lubis and Elfiani

(2025) and Elfiani and Yuniarti (2026) is confined to propositions stated in their publisher-hosted abstracts because their full texts were not retrievable during this supplementary check.

Recommendations

Government and policymakers should develop standards for traceable oversight and evaluate tenure changes using adequate implementation evidence. Local governments should document the reasons for transitional decisions and treat completed elections in accordance with applicable law. Future research should examine the relationships among tenure duration, access to correction, and service quality, directing attention towards the exercise of power as well as its duration.

Longitudinal research could connect tenure histories with service quality, document access, complaint resolution, and oversight follow-up. Comparisons should account for fiscal capacity, territorial characteristics, personnel education, and initial village conditions. Changes after 2024 cannot automatically be attributed to tenure because other policies and conditions may change simultaneously. Evaluations need credible comparison groups and explicit identification limitations, avoiding the replacement of normative assumptions with weak correlations.

Qualitative studies could complement these measurements by examining the experiences of citizens seldom present in deliberations, BPD members requesting explanations, and officials handling complaints. Questions could address access barriers, explanations of decisions, and the influence of social relationships on willingness to object. Such research requires appropriate ethics procedures and participant protection. These are proposals for future study, not claims that interviews, respondent samples, or citizen experience findings have already been collected.

Author Contributions

Romadhan Lubis is the sole named author responsible for the conceptual framework, legal interpretation, scholarly argument, and manuscript content.

AI Disclosure Statement

ChatGPT assisted with manuscript restructuring, language editing, English translation, source and document checks, citation formatting, and preparation of the conceptual figure. No field observations, interviews, or survey data were generated. The author remains responsible for verifying the legal analysis, references, originality, and final manuscript before submission.

REFERENCES

Badan Pemeriksa Keuangan. (2026). PP No. 16 Tahun 2026 tentang peraturan pelaksanaan Undang-Undang Nomor 6 Tahun 2014 tentang Desa [Official metadata, abstract, and regulatory status]. JDIH BPK. https://peraturan.bpk.go.id/Details/349409/pp-no-16-tahun-2026

Bazzi, S., Hilmy, M., Marx, B., Shaukat, M., & Stegmann, A. (2024). *It takes a village election: Turnover and performance in local bureaucracies* (Policy Research Working Paper No. 10920). World Bank. https://documents1.worldbank.org/curated/en/099537409192440647/pdf/IDU1974525 3b1b1061406e199e91bfb83d7c7d47.pdf

Constitutional Court of the Republic of Indonesia. (2025a, August 14). Putusan Nomor 40/PUU-XXIII/2025 [Decision No. 40/PUU-XXIII/2025]. https://www.mkri.id/public/content/persidangan/putusan/putusan_mkri_13030_17551 60190.pdf

Constitutional Court of the Republic of Indonesia. (2025b, January 3). Putusan Nomor 92/PUU-XXII/2024 [Decision No. 92/PUU-XXII/2024]. https://s.mkri.id/public/content/persidangan/putusan/putusan_mkri_11367_1735878624.pdf

Elfiani, F., & Yuniarti, R. (2026). Penguatan kepatuhan konstitusional (constitutional compliance) terhadap putusan Mahkamah Konstitusi dalam pembentukan undang undang di Indonesia [Strengthening constitutional compliance with Constitutional Court decisions in Indonesian lawmaking]. *Journal of Juridische Analyse, 5*(02), 46–51. https://doi.org/10.30606/joja.v5i02.5005

Ferraz, C., & Finan, F. (2011). Electoral accountability and corruption: Evidence from the audits of local governments. *American Economic Review, 101*(4), 1274–1311. https://doi.org/10.1257/aer.101.4.1274

Hutchinson, T., & Duncan, N. (2012). Defining and describing what we do: Doctrinal legal research. *Deakin Law Review, 17*(1), 83–119. https://doi.org/10.21153/dlr2012vol17no1art70

Islamiyati, & Hendrawati, D. (2019). Analisis politik hukum dan implementasinya [Analysis of legal politics and its implementation]. *Law, Development and Justice Review, 2*(1), 104–117. https://doi.org/10.14710/ldjr.v2i1.5139

Lubis, R., & Elfiani, F. (2025). Kedudukan peraturan desa dalam sistem hukum peraturan hirarki perundang-undangan di Negara Republik Indonesia [The position of village regulations within Indonesia's legislative hierarchy]. *Journal of Juridische Analyse, 4*(01), 94–110. https://doi.org/10.30606/joja.v4i01.3330

Luthfy, R. M. (2019). Masa jabatan kepala desa dalam perspektif konstitusi [Village head tenure from a constitutional perspective]. *Masalah-Masalah Hukum, 48*(4), 319–330. https://doi.org/10.14710/mmh.48.4.2019.319-330

Marfuah, & Elfiani, F. (2026). Krisis etika konstitusional dalam praktik ketatanegaraan Indonesia kontemporer [The crisis of constitutional ethics in contemporary Indonesian constitutional practice]. *Journal of Juridische Analyse, 5*(01), 78–90. https://doi.org/10.30606/joja.v5i01.4532

Pambudhi, H. D. (2023). Tinjauan diskursus perpanjangan masa jabatan kepala desa berdasarkan ajaran konstitusionalisme [Village head tenure extension discourse from the perspective of constitutionalism]. *Wijaya Putra Law Review, 2*(1), 25–46. https://doi.org/10.38156/wplr.v2i1.82

Qoiriya, R. A., & Junaidi, A. (2025). Perpanjangan masa jabatan kepala desa dalam Undang-Undang Nomor 3 Tahun 2024 tentang Desa perspektif politik hukum dan maṣlaḥah mursalah [Village head tenure extension under Law No. 3 of 2024 from the perspectives of legal politics and maṣlaḥah mursalah]. *El-Dusturie, 4*(1), 48–63. https://doi.org/10.21154/eldusturie.v4i1.10866

Ramadani, D. A., Ansorullah, Davega, A., & Desta, A. A. (2024). Urgensi pembatasan masa jabatan kepala desa dalam perspektif demokrasi konstitusional [The urgency of village head tenure limits from the perspective of constitutional democracy]. *Limbago: Journal of Constitutional Law, 4*(3), 340–348. https://doi.org/10.22437/limbago.v4i3.34860

Republic of Indonesia. (1945). Undang-Undang Dasar Negara Republik Indonesia Tahun 1945 [The Constitution of the Republic of Indonesia of 1945].

Republic of Indonesia. (2014). Undang-Undang Nomor 6 Tahun 2014 tentang Desa [Law No. 6 of 2014 on Villages]. State Gazette No. 7, Supplement No. 5495. https://jdih.kemenkeu.go.id/api/download/fullText/2014/6TAHUN2014UU.html

Republic of Indonesia. (2024). Undang-Undang Nomor 3 Tahun 2024 tentang Perubahan Kedua atas Undang-Undang Nomor 6 Tahun 2014 tentang Desa [Law No. 3 of 2024 on the second amendment to Law No. 6 of 2014 on Villages]. State Gazette No. 77, Supplement No. 6914. https://peraturan.go.id/files/uu-no-3-tahun-2024.pdf

Umar, M. N. (2017). *Al-Mashlahah al-Mursalah: Kajian atas relevansinya dengan pembaharuan hukum Islam [Al-Mashlahah al-Mursalah: Its relevance to Islamic legal reform]*. Turats. https://repository.ar-raniry.ac.id/12470/