

## LEGAL HERMENEUTICS IN REFORMING PREPARATION OF VILLAGE REGULATION: Case of Indonesia and Timor Leste

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**Abstract:** This study explores the formation and challenges of Village Regulations in three regions: Tabanan, Badung, and Denpasar. It addresses two core objectives: identifying the dynamics of village-level legislation and examining the application of legal hermeneutics in interpreting such regulations. The research combines normative and empirical legal methods, employing a qualitative descriptive analysis through the Statute, Conceptual, and Analytical approaches. The findings reveal persistent issues in the drafting process, particularly inconsistencies with the Ministry of Home Affairs Regulation No. 111 of 2014. These challenges stem from both technical and interpretive shortcomings. The study further emphasizes the importance of hermeneutical interpretation in maintaining normative consistency and avoiding conflicting legal provisions. Additionally, a comparative perspective is offered through an analysis of village governance in Timor-Leste, where village regulations are governed under Law No. 9 of 2016. This research contributes to the discourse on institutional reform and democratic resilience at the village level, highlighting the need for clearer legal frameworks and interpretive consistency in local governance.

**Keywords:** Legal Hermeneutics; Village Governance; Institutionalism; Democratic Resilience; Political Transition

### Introduction

Building Indonesia from the Periphery by Strengthening Regions and Villages Within the Framework of a Unitary State" is one of the goals featured in the Jokowi-JK Nawacita. Nawacita is a broad phrase derived from the Sanskrit words *nawa*

(meaning nine) and *cita* (meaning hope, agenda, or desire). The second *Nawacita* of President Jokowi's nine hopes/desires is to strengthen regions and communities. As planned, efforts to enhance the village were followed by the issuance of Law No. 6 of 2014 of the Republic of Indonesia Concerning Villages (UU No. 6 of 2014). UU

No. 6 of 2014 is a benchmark that oversees village change to build an autonomous and innovative village to form a self-governing community<sup>1</sup>, and it allows villages the authority to organize a government. In exercising its authority, the village government can create legal products within the village to promote certainty, justice, and benefits that serve the interests of the village.<sup>2</sup> One form of legal product in the village is the Village Regulations (*Perdes*). The *Perdes* was formed so that the policies created could make villages more independent, innovative, and prosperous, and have an impact on all levels of village society.

Village Regulations are legal documents in the Village due to an agreement with the Village Government and the Village Consultative Body (BMD). Law of the Republic of Indonesia Number 6 of 2014 concerning Villages (UU No. 6 of 2014) stipulates that "Village Regulations are statutory regulations stipulated by the Village Head after being discussed and agreed upon with the Village Consultative Body". This definition is also specified in Government Regulation Number 43 of 2014 concerning Regulations for Implementing Law Number 6 of 2014 Concerning Villages (PP 43/2014) and Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 111 of 2014 Concerning Technical Guidelines for Regulations in Villages (Permendagri 111/2014). The Village Government initiates Draft Village Regulations, but BMD may also propose

Draft Village Regulations. The community or community groups closely associated with the content material to be governed must be consulted on the draft Village Regulation.<sup>3</sup> The formation of village regulations (*Perdes*) is not merely a technical-legal exercise; it is deeply embedded in the institutional trajectories and democratic structures of local governance.<sup>4</sup> This study adopts a theoretical lens grounded in institutionalism, which emphasizes that institutions—both formal and informal—shape the behaviors of actors and constrain or enable policy outcomes. Of relevance is the concept of path dependency, wherein existing institutional arrangements exert a self-reinforcing effect, making reform difficult even in the face of inefficiency or normative failure.<sup>5</sup> In Indonesia, the highly formalistic structure of village regulation reflects a centralized path that can be traced back to New Order legal-administrative traditions,<sup>6</sup> while Timor Leste represents a more hybrid institutional trajectory, grounded in post-conflict decentralization and customary legitimacy.

From a democratic theory perspective, the study also draws on Juan Linz and Alfred Stepan's analysis of state-building and democratic consolidation, as well as Robert Dahl's model of polyarchy, to evaluate the

<sup>1</sup> Jiwa Utama, Tody Sasmita. "Impediments to Establishing Adat Villages: A Socio-Legal Examination of the Indonesian Village Law." *The Asia Pacific Journal of Anthropology* 21.1 (2020): 17-33, Doi: 10.1080/14442213.2019.1670240, pp. 23-25.  
<sup>2</sup> Arifin, Ridwan. 2022. "Capturing Various Ideas of Law and Justice in Indonesia and Global Perspective". *Lex Scientia Law Review* 6 (1), i-iv. <https://doi.org/10.15294/lesrev.v6i1.58480>.

<sup>3</sup> Dinata, Muhammad Ruhly Kesuma, et al. "Good governance and local wisdom in law enforcement." *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* (2022): 227-242.

<sup>4</sup> Rahmat, Diding, et al. "The Urgency of Administrative Law in Light of Ius Constituendum Regarding the Role of Village Heads." *Volksgeist: Jurnal Ilmu Hukum Dan Konstitusi* (2024): 53-67.

<sup>5</sup> Mujab, Sayful, and Nabila Luthvita Rahma. "Authority of the Chief of Village in the Customary Mediation of Marriage Disputes: Phenomenon in Madura, Indonesia." *De Jure: Jurnal Hukum dan Syar'iah* 14.2 (2022): 304-316.

<sup>6</sup> Hermanto, Bagus. "Deliberate legislative reforms to improve the legislation quality in developing countries: case of Indonesia." *The Theory and Practice of Legislation* 11, no. 1 (2023): 1-31.

role of local law in promoting participatory and accountable governance<sup>7</sup>. The creation and interpretation of Perdes can be seen as a test of local democratic capacity: to what extent do these legal instruments reflect deliberative participation, inclusiveness, and community control over authority? By embedding legal hermeneutics within institutional and democratic frameworks, this research seeks to illuminate how law serves not only as a tool of governance but also as a reflection of institutional resilience and democratic depth at the village level.

Village Regulations comprise material on the implementation of village authorities and further elaboration of higher laws and regulations that are prohibited from competing with the public interest and/or provisions of higher laws and regulations (Article 4 *Permendagri* 111/2014).<sup>8</sup> Because UU No. 6 of 2014 and its implementing rules do not govern the processes for developing Village Regulations, the guidelines for their formation must be based on Law No. 15 of 2019. Article 32 of *Permendagri* No. 111 of 2014 states unequivocally that the approaches for developing Village Regulations and Village Head Decisions must adhere to the provisions of Law No. 15 of 2019.

It is intriguing to research interpretation, which means that there is a circle in which the horizon function occurs, so that a complete understanding will always consider the three primary components: text,

context, and contextualization efforts.<sup>9</sup> Understanding is both a productive and reproductive activity, as it involves a role for the subject in the present. Hermeneutics is a progressive understanding, as we will see. These regulations are crucial not only for local governance but also for ensuring legal certainty, justice, and community participation in decision-making processes. Despite the availability of comprehensive guidelines, such as Government Regulation No. 43 of 2014 and Minister of Home Affairs Regulation No. 111 of 2014, the practice of forming Perdes remains fraught with challenges<sup>10</sup>. Many Village Governments still struggle to align their regulations with the required legal standards, often treating the formation of Perdes as a mere formality. These issues include a lack of technical capacity, improper formulation methods, and insufficient community involvement, all of which contribute to the development of ambiguous or conflicting norms. Prior research initially attempted to analyze the dynamics of creating village regulations based on the implementation of decentralization principles and the achievement of civil village governance, aiming to establish village regulations as a component of an independent village government. But once the Community Law was passed and the village rules were in place, a problem occurred.<sup>11</sup> This research differs in that it does not address the

<sup>7</sup> Fernando, Henky, Yuniar Galuh Larasati, Irwan Abdullah, Ismail Ismail, Ahmad Yunani, M Nastain, and Leanne Morin. 2024. "The Controversy of Indonesian Democracy Practices in The Post-Reform". *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 24 (2):159-77. <https://doi.org/10.30631/alrisalah.v24i2.1594>.

<sup>8</sup> Bedner, Adriaan, and Yance Arizona. "Adat in Indonesian Land Law: A Promise for the Future or a Dead End?." *The Asia Pacific Journal of Anthropology* 20.5 (2019): 416-434.

<sup>9</sup> Hermanto, Bagus, and Nyoman Mas Aryani. "Omnibus legislation as a tool of legislative reform by developing countries: Indonesia, Turkey and Serbia practice." *The Theory and Practice of Legislation* 9.3 (2021): 425-450, DOI: <https://doi.org/10.1080/20508840.2022.2027162>.

<sup>10</sup> Zakariya, Rizki. 2020. "Optimizing the Role of the BUM Desa in the Development of Rural Economy During the COVID-19 Pandemic". *Lex Scientia Law Review* 4 (2), 91-112.

<sup>11</sup> N Tresiana, N Duadji, and A Damayantie, "Deliberative Democracy Innovations at Citizen Level: Challenges of Local Government in Indonesia," *Lex Localis* 21, no. 4 (2023): 807-32, [https://doi.org/10.4335/21.4.807-832\(2023\)](https://doi.org/10.4335/21.4.807-832(2023)).

hermeneutic aspect of creating village regulations as a component of the existing dynamics of village regulations in Indonesia. Similar considerations apply to the second study, which focused on the Village Law, a technique for altering village governance that affects the creation of laws at the village government level.<sup>12</sup>

Previous research has focused mainly on *Perdes* in the context of decentralization, administrative reform, or local autonomy. However, a significant gap remains in analyzing the hermeneutic dimension in the formation of Village Regulations. Legal hermeneutics, which emphasizes interpretation based on text, context, and intention, is essential to ensure that these local legal instruments are not only legally valid but also socially meaningful and contextually appropriate.

This study addresses that gap by investigating how legal hermeneutics is applied—or should be applied—in the process of forming Village Regulations in the Province of Bali, particularly in Tabanan, Badung, and Denpasar. It seeks to clarify two key problems: What is the theoretical and normative basis for applying legal hermeneutics in the formation of Village Regulations? And how is the formation of *Perdes* practiced in Bali, and to what extent do these practices reflect hermeneutical principles?

By analyzing these questions, the study aims to contribute to a more reflective and legally grounded model for village legislation, offering insights into the intersection between legal interpretation, institutional design, and democratic governance at the grassroots level.

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<sup>12</sup> Jacqueline, V. E. L., Yando Zakaria, and Adriaan Bedner. "Law-making as a strategy for change: Indonesia's new Village Law." *Asian Journal of Law and Society* 4.2 (2017): 447-471., DOI: 10.1017/als.2017.21, p. 455.

## Method

This study adopts a qualitative legal research approach, combining normative legal analysis with empirical insights. The research is grounded in the micro-law tradition.<sup>13</sup>, as conceptualized by Mathias Siems, which emphasizes coherence and consistency in legal reasoning while linking legal texts to social realities. The normative dimension of the study employs a statutory approach by examining relevant regulations.<sup>14</sup>, including Law No. 6 of 2014 on Villages, Government Regulation No. 43 of 2014, Minister of Home Affairs Regulation No. 111 of 2014, and Law No. 15 of 2019 on the Formation of Legislation.

To explore the hermeneutical aspects of legal interpretation in the formation of Village Regulations, the study incorporates elements of legal hermeneutics theory. This involves interpreting legal texts through their textual<sup>15</sup>, contextual, and purposive dimensions, drawing from interpretive and systemic legal theories. A legal-historical approach is also employed to trace the evolution of village governance regulations and understand their institutional underpinnings.

In addition to normative analysis, this study gathers qualitative empirical data to validate and enrich its legal arguments. Primary data were collected through semi-structured interviews with village officials, members of the Village Consultative Body (BPD), and legal experts in the Province of Bali, specifically in the regencies of Tabanan,

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<sup>13</sup> Wibisana, Andri Gunawan. "Menulis di Jurnal Hukum: Gagasan, Struktur, dan Gaya." *Jurnal Hukum & Pembangunan* 49.2 (2019): 471-496.

<sup>14</sup> Siems, Mathias M. "Legal originality." *Oxford Journal of Legal Studies* 28.1 (2008): 147-164, DOI: <https://doi.org/10.1098/ojls/gqm024>.

<sup>15</sup> Siems, Mathias M. "The taxonomy of interdisciplinary legal research: Finding the way out of the desert." *Journal of Commonwealth Law and Legal Education* 7.1 (2009): 5-17.

Badung, and Denpasar<sup>16</sup>. These interviews provided insights into the practical challenges<sup>17</sup>, interpretation processes, and administrative behavior surrounding the formation of Perdes. The integration of doctrinal legal analysis with empirical field data allows this study to reflect both the formal legal structure and the lived realities of law at the village level. Data were analyzed using descriptive and qualitative techniques, focusing on patterns, inconsistencies, and interpretive frameworks applied in the drafting of Village Regulations. This combined approach enables a comprehensive understanding of how legal hermeneutics can be operationalized to enhance the legitimacy and effectiveness of village legislation in Indonesia.

## Results and Discussion

### Village Regulations: Dimensions Of Law Formation and Dynamics in Indonesian State Administration

Cicero, a Roman philosopher who lived from 106 to 43 BC, once said that "Ubi societas ibi ius," or "where there is society, there is law," applies. This statement demonstrates how laws that bind its members exist in every human community, more in terms of the state of life.<sup>18</sup> Therefore, the creation of legislation is required in a democratic legal system.<sup>19</sup> As one of the key components of

the national legal system, legislation is primarily created through the enactment of statutory rules.<sup>20</sup> The legal system and legal culture are two key factors related to the formation of law. The legal system comprises legal resources, institutions, buildings, and infrastructure, as well as human resources in the legal profession and legal administration. In the meantime, legal culture encompasses the legal framework for society, law enforcement, and state administration. As a result, legal processes are employed to resolve all disputes between citizens, state institutions, and other parties. Lawmaking, according to Steven Vago, is a complex and ongoing process that arises in response to various social pressures present in society. It's not always possible to pinpoint, quantify, or objectively assess the factors that affect how laws are made.<sup>21</sup> As a result, social science, interest organizations, and public opinion all have an impact on how laws are created, even at the local level in villages.

The creation of rules and laws, such as the creation of Perdes, must also adhere to normative criteria regarding formal requirements and be consistent with the hierarchy, as well as responsive to the practical features of democracy.<sup>22</sup> The legal principle is the heart of legal regulations, serving as the broadest foundation for the

<sup>16</sup> Hutchinson, Terry. "The doctrinal method: Incorporating interdisciplinary methods in reforming the law." *Erasmus L. Rev.* 8 (2015): 130-153, DOI: <https://doi.org/10.5553/ELR.000055>.

<sup>17</sup> Langbroek, Philip M., et al. "Methodology of legal research: Challenges and opportunities." *Utrecht law review* 13.3 (2017): 1-8.

<sup>18</sup> Salahuddin, Salahuddin, Surip Surip, and Muhammad Dong. "Proses Penyusunan Peraturan Desa (Perdes) Inisiatif Badan Permusyawaratan Desa di Desa Monta Baru Kecamatan Lambu Kabupaten Bima." *Jurnal Komunikasi dan Kebudayaan* 7.1 (2020): 113-131, p. 114.

<sup>19</sup> Arifin, Ridwan. 2022. "Justice and Equality: The Endless Question". *Lex Scientia Law Review* 6 (2), i-vi. <https://doi.org/10.15294/lesrev.v6i2.63799>.

<sup>20</sup> Astariyani, Ni Luh Gede, Mariko Hattori, and Willy Naresta Hanum. "The Validity of Sanctions Arrangements in Regional Regulations." *Journal of Human Rights, Culture and Legal System* 4, no. 3 (2024): 682-705..

<sup>21</sup> Hermanto, Bagus, Asrul Ibrahim Nur, and Made Subawa. "Indonesia parliamentary reform and legislation quality backsliding phenomenon: case of Indonesia post reformasi." *The Theory and Practice of Legislation* 12, no. 1 (2024): 73-99.

<sup>22</sup> Siboy, Ahmad, Sholahuddin Al-Fatih, Asrul Ibrahim Nur, and Nur Putri Hidayah. 2022. "Judicial Review in Indonesia: A Simplification Model". *Lex Scientia Law Review* 6 (2), 359-90. <https://doi.org/10.15294/lesrev.v6i2.54848>.



development of legal rules.<sup>23</sup> The legal principle encompasses values and ethical demands, serving as a bridge between legal rules and social ideals, as well as the moral views of society.

However, in practice, it appears that the formation of laws, including the creation of *Perdes*, cannot be carried out perfectly, and there is potential for legal defects.<sup>24</sup> An Old Latin proverb states that *summum ius, summa iniuria*, meaning the highest law represents the highest injustice.<sup>25</sup> This proverb implies that no matter how hard lawmakers try to formulate the law, they will ultimately fail to accommodate the ideals of the law. There are juridical and meta-juridical defects in the formation of law.<sup>26</sup> The village as an existential community unit has been recognized and regulated in Article 18 of the 1945 Constitution of the Republic of Indonesia (1945 Constitution), Law No. 23 of 2014 concerning Regional Government, and Law No. 6 of 2014<sup>27</sup>. Article 371(1) of Law No. 23 of 2014 stipulates that villages can be established within districts or cities.

Paragraph (2) determines that the town has the authority to follow the provisions of the laws and regulations. This article reflects the state's recognition of what is known as "village autonomy."

Therefore, *Perdes* is one of the legal products in the village that regulates the implementation of this authority and serves as an instrument for carrying out social and democratic transformation, formulating village community aspirations, and realizing good village governance. Therefore, the formation of *Perdes* should ideally be oriented to the values, interests, needs, preferences, and aspirations that grow in society. This will materialize if there is substantive participation as a prerequisite for a democratic political system. As a result, *Perdes* is also a form of embodiment of democracy in village governance, wherein the BPD, which serves as the village's elected representative, regulates social life to establish a peaceful and orderly community at the village level.<sup>28</sup> In general, numerous characteristics of effective village legislation include:

1. Orderly authority, which means that *Perdes* are formed following the authority given to the Village Head and BPD.
2. The substance/material of the *Perdes* is orderly, meaning that the material contained in the *Perdes* is material that constitutes the authority given to the village as stipulated in laws and regulations, including Law No. 6 of 2014 and PP No. 43 of 2014, *Permendagri* No. 114 of 2014, and *Permendagri* No. 44 of 2016 concerning Village Authority.

<sup>23</sup> Komaruddin, Koko. "Fairness in the distribution of land ownership in Indonesia based on Islamic law perspective." *Ijtihad: Jurnal Wacana Hukum Islam dan Kemanusiaan* 20.2 (2020): 211-234.

<sup>24</sup> Muhammad Mu'iz Raharjo, *Pokok-pokok dan Sistem Pemerintahan Desa: Teori, Regulasi, dan Implementasi*, (Jakarta: RajaGrafindo Persada, 2021), pp. 199-201.

<sup>25</sup> Hariyanto, Hariyanto, Muhammad Mutawalli Mukhlis, and Daud Risma. "The Role and Authority of the Deputy Regional Head According to Islamic Principles within the Framework of Regional Government Law." *JURIS (Jurnal Ilmiah Syariah)* 24.1 (2025): 13-27.

<sup>26</sup> Subawa, Made, et.al., *Aktualisasi Filsafat Ilmu Hukum Pancasila dalam Penguatan dan Pembenahan Pembentukan Undang-Undang di Indonesia*, (Ponorogo: Uwais Inspirasi Indonesia, 2023), pp. 68-69.

<sup>27</sup> Sukma, Rooslia, Hendrik Salmon, and Andress Deny Bakarbesy. "Efektivitas Tugas Camat dalam Melakukan Fasilitas Penyusunan Peraturan Desa dan Peraturan Kepala Desa." *TATOHI: Jurnal Ilmu Hukum* 1.6 (2021): 627-637, h. 630.

<sup>28</sup> Al Mukri, Alfiandra, and Sri Artati Waluyati. "Faktor-Faktor Penyebab Belum Efektifnya Peran Badan Permusyawaratan Desa Dalam Penyusunan Peraturan Desa (Studi Kasus Di Desa Seri Kembang Ii Kecamatan Payaraman Kabupaten Ogan Ilir)." *Jurnal Bhinneka Tunggal Ika* 5.1 (2018): 13-23, h. 4.

3. Orderly procedure, meaning that the formation of a good *Perdes* is carried out as stipulated in laws and regulations, starting from the planning, preparation, discussion, stipulation, promulgation, and dissemination stages.
4. Orderly implementation, meaning that after the *Perdes* has been promulgated, other steps still need to be taken so that it can be effectively implemented and enforced, namely socialization, the establishment of implementing regulations, and enforcement of the *Perdes*.
5. Orderly rules. This means that the formation of *Perdes* must follow applicable regulations in both technical and material terms.

According to the Preamble of the 1945 Constitution of the Republic of Indonesia, the *Perdes* serve as a development tool to enhance the welfare of villagers. Aside from that, it serves to establish and enforce village governance as well as control the social order to build a calm and orderly society.<sup>29</sup> *Perdes* are also required to carry out the synergy of village government, which is a government that can carry out community power changes as well as state responsibilities.<sup>30</sup> As a result, using *Perdes*, village development policies can be defined in line with community aspirations, then

created and decided in conjunction with the village chief and the BPD.<sup>31</sup>

### **Hermeneutics in Village Regulations: Observations on The Establishment of Village Regulation in Tabanan, Badung, and Denpasar**

The formation of village regulations that can be understood from the perspective of public policy formulation is a method that divides and analyzes the formulation into stages: identifying problems that arise and are included in the government agenda, formulating problems to take action, what attitude legislatures and other agencies take, how agencies implement policies, and finally how these policies are evaluated. A legal product that does not undergo a policy formulation process loses its content, whereas a policy process that does not undergo legal formalization is weak in its operational procedures.<sup>32</sup> This concept demonstrates that policy development must include problem formulation, policy agenda construction, alternative selection, and policy determination. It will be observed throughout the policy formulation stage that policy decision is based on the formulation in the form of arrangements as a tool for interpreting political demands.<sup>33</sup> To attain certainty, benefit, and justice. In legal theory, it is recognized that laws and regulations are one way in which legal norms are embodied, or physically manifested.<sup>34</sup> Which is the most

<sup>29</sup> Suartha, I. Dewa Made, I. Dewa Agung Gede Mahardika Martha, and Bagus Hermanto. "Innovation based on balinese local genius shifting alternative legal concept: towards indonesia development acceleration." *Journal of Legal, Ethical and Regulatory Issues* 24.7 (2021): 1-9.

<sup>30</sup> Yusa, I. Gede, Bagus Hermanto, and Ni Ketut Ardani. "Law Reform as the Part of National Resilience: Discovering Hindu and Pancasila Values in Indonesia's Legal Development Plan." *International Conference For Democracy and National Resilience (ICDNR 2021)*. Atlantis Press, 2021, 1-10, DOI: <https://dx.doi.org/10.2991/assehr.k.211221.001>.

<sup>31</sup> Jorawati Simarmata dan Damai Magdalena, 2015. "Kedudukan Dan Peranan Peraturan Desa Dalam Kerangka Otonomi Desa Berdasarkan Undang-Undang Nomor 6 Tahun 2014 Tentang Desa Dan Peraturan Perundang-Undangan Terkait ". *Jurnal Legislasi Indonesia* 12(3) (2015): 6.

<sup>32</sup> Gede Marhaendra Wija Atmaja, Ni Luh Gede Astariyani & Nyoman Mas Aryani, *Hukum Kebijakan Publik*, (Swasta Nulus, Denpasar, 2022), pp. 35-36.

<sup>33</sup> Hermanto, Bagus, "Opini Konstitusi - Refleksi Terhadap Perubahan Undang-Undang Pembentukan Peraturan Perundang-Undangan", *Majalah Konstitusi*, 184(2022): 8-10.

<sup>34</sup> Hermanto, Bagus, Made Subawa, Asrul Ibrahim Nur, Nyoman Mas Aryani, Rubén Martínez

effective way to express what is desired by legal norms in the context of this embodiment? Laws and regulations develop various categories.

Legal hermeneutics is fundamentally a means of analyzing legal writings or truly comprehending a normative document. The rule of law has two aspects: the explicit form of the legal text's sound and the implied form of the rule of law's idea. Legal hermeneutics is fundamentally a means of analyzing legal writings or comprehending normative norms. Every rule of law has two parts: the explicit part, which is the rule of law's language, and the implied part, which is the principle behind the rule of law. The use of interpretation as a way of discovering law (*rechtsvinding*) departs from the notion that judicial activity is logical.<sup>35</sup> The development of legal interpretation, which is carried out in a hermeneutic manner, is essentially the use of holistic legal interpretation. Legal hermeneutics is essentially a method of interpreting legal texts or understanding a normative text.

Legal hermeneutics is not a process that stands alone and is distinct from other legal discovery methods, because hermeneutics has existed since the beginning of time, even before humans existed. Each technique is grammatical interpretation, systematic interpretation, teleological interpretation, or historical interpretation.<sup>36</sup>, and so on, is part

of the hermeneutics that occurs in the fusion of horizons within the hermeneutical circle, which is carried out holistically within the framework of the interrelationships between text, context, and contextualization.<sup>37</sup>

Some principles to guide the interpretation of the meaning of legal texts, which are essentially centered on the hermeneutic circle<sup>38</sup>, namely hermeneutics works in three horizons, which are reflected in the field of law, the author's horizon is the context of the birth of legal texts (legal rules), the text horizon is legal rules, and the reader's horizon is the context of the application of the rule of law, or related to the text, the context in which the law was born and how the contextualization or application of the law is in the present and the future. In this process of understanding, each part can only be adequately understood in the context of the whole; otherwise, the whole can only be understood based on an understanding of the parts that make it up.<sup>39</sup> In the hermeneutic circle between rules and facts, namely the reciprocal process between regulations and facts, the reasoning is done from the facts of an event to the rules in the rule of law (he qualifies)<sup>40</sup>, then from the regulations of the law down to the facts of the incident (he interprets), and it happens

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Dalmau, and Ni Luh Gede Astariyani. "Legislative planning and quality of legislation: the case of Prolegnas in Indonesia lawmaking." *The Journal of Legislative Studies* (2025): 1-29..

<sup>35</sup> Massier, Ab. "Penanganan Permasalahan Bahasa Dalam Pembinaan Hukum Indonesia." *Jurnal Hukum & Pembangunan* 31.3 (2017): 207-215, DOI: 10.21143/jhp.vol31.no3.1297.

<sup>36</sup> Hermanto, Bagus. "Discover future prospect of Indonesia criminal law reform: Questioning adat criminal law existence, Material and Formal Legislation, and Constitutional Court Decision Frameworks." In *Paper was presented at International*

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*Seminar Udayana University and University of Melbourne*, vol. 17, pp. 1-20. 2021.

<sup>37</sup> Made Subawa, et.al., *Dinamika Filsafat Ilmu Hukum Pancasila: Ontologi dan Aksiologis Sumber dari Segala Sumber Hukum di Indonesia*, (Ponorogo: Uwais Inspirasi Indonesia, 2023), pp. 75-76.

<sup>38</sup> Dahlan, Moh. 2018. "The Hermeneutics Of Authentic Jurisprudence Of Gus Dur In Indonesia". *Al-Risalah: Forum Kajian Hukum Dan Sosial Kemasyarakatan* 17 (01):11-27. <https://doi.org/10.30631/alrisalah.v17i01.18>.

<sup>39</sup> Rahayu, Triwati, and Suryadi Suryadi. "Feasibility of the book" *Ragam Bahasa Hukum*" as an Indonesian language teaching material in Law Study Program." *Bahasastra* 42.1 (2022): 86-94.

<sup>40</sup> Astariyani, Ni Luh Gede, et.al., *Hukum Perundang-undangan*, Denpasar: Udayana University Press, 2025.



over and over again until a solution is found. Hermeneutical interpretation requires accuracy of understanding (*subtilis intellegendi*), the accuracy of interpretation (*subtilis explicandi*), and accuracy of application (*subtilis applicandi*). Every event of legal text interpretation occurs in the process of a hermeneutic circle in which two horizons of view meet, namely the horizon of the interpretandum (legal text) and the horizon of the interpreter.<sup>41</sup>

Hermeneutical interpretation takes place within the framework of interrelationships between grammatical understandings, namely based on the meaning of the word in the context of the sentence, the legal rule is understood in the context of the historical background of its formation about the goals to be realized which determine the contents of the positive legal rule (to learn the *ratio-legis* his) as well as in the context of relations with other positive legal rules (systematic), and contextually referring to factors of social reality and economic reality (sociological) by referring to worldviews, religion, and fundamental cultural and human values (philosophical) in projections into the future (futurological). Legal interpretation is developed hermeneutically, which is essentially the use of holistic legal interpretation. Legal hermeneutics is fundamentally a means of analyzing legal writings or comprehending normative norms.<sup>42</sup> Every event of legal text interpretation occurs within the context of a hermeneutic circle, in which two frames of vision collide: the *interpretatum* horizon and

the interpreter horizon.<sup>43</sup> The combination of these two horizons can produce a new understanding for interpreters about the legal rules contained in legal texts.

In this regard, by examining the five examples of village regulations in this section, it becomes clear that there are village regulations to implement regional regulations, village regulations based on statutory authority, and village regulations as ordered by statutory regulations. Village regulations are established based on the authority granted by Article 8, paragraph (2) of Law Number 12 of 2011. Village regulations are based on the existence of legal hermeneutics to carry out Government Affairs, which are the authority of the Region. Village Regulations are legal documents in the Village, established through an agreement between the Village Government and the Village Consultative Body (BMD). Law of the Republic of Indonesia Number 6 of 2014 concerning Villages (UU No. 6 of 2014) stipulates that "Village Regulations are statutory regulations stipulated by the Village Head after being discussed and agreed upon with the Village Consultative Body". This definition is also specified in Government Regulation of the Republic of Indonesia Number 43 of 2014 concerning Regulations for Implementing Law Number 6 of 2014 concerning Villages (PP 43/2014) and Regulation of the Minister of Home Affairs of the Republic of Indonesia Number 111 of 2014 concerning Technical Guidelines for Regulations in Villages ( *Permendagri* 111/2014). The Village Administration initiates the Village Regulation draft, but the BMD can also submit Village Regulation Drafts. The draft Village Regulation must be consulted with the community or

<sup>41</sup> Susilo, Agus Budi. "Penegakan Hukum yang Berkeadilan dalam Perspektif Filsafat Hermeneutika Hukum: Suatu Alternatif Solusi terhadap Problematika Penegakan Hukum di Indonesia." *Perspektif* 16.4 (2011): 214-226, DOI: <https://doi.org/10.30742/perspektif.v16i4.84>.

<sup>42</sup> Mardian Wibowo, *Kebijakan Hukum Terbuka dalam Putusan Mahkamah Konstitusi: Konsep dan Kajian dalam Pembatasan Kebebasan Pembentuk Undang-undang*, (Jakarta: RajaGrafindo Persada, 2019), pp. 8-15.

<sup>43</sup> Astariyani, Ni Luh Gede, and Made Nurmawati. "Drafting the Substance Materials of the Regional Regulation of Badung Regency on Public Service." *Udayana Journal of Social Sciences and Humanities* 1.1 (2017): 42-45.

community groups directly related to the content material to be regulated.<sup>44</sup>.

The Village Regulation contains material on implementing village authority and further elaboration on higher laws and regulations (Article 4 *Permendagri* 111/2014). Because it is prohibited to conflict with the public interest and/or higher statutory provisions, the draft Village Regulation which contains the Village Revenue and Expenditure Budget (APB Desa), levies, spatial planning, and village government organizations must receive an evaluation from the Regent before being enacted into a Village Regulation (Article 69 of Law No. 6 of 2014). Formation of Village Regulations requires special expertise for the Village Government and BMD as well as the same understanding as the village community, which is following the legal principles and standard formation techniques stipulated in the Law of the Republic of Indonesia Number 15 of 2019 concerning Amendments to Law Number 12 of 2011 concerning the Formation of Legislation (Law No. 15 of 2019). UU No. 6 of 2014 and its implementing regulations do not regulate techniques for forming Village Regulations; therefore, the guidelines for their formation must refer to Law No. 15 of 2019. Article 32 of *Permendagri* No. 111 of 2014 firmly stipulates that the techniques for drafting Village Regulations and Village Head Decisions follow the provisions of Law No. 15 of 2019.

In this case, the tendency of village regulations formed in the Tabanan, Badung, and Denpasar areas to apply legal hermeneutics in the form of grammatical interpretation, systematic interpretation, teleological and sociological interpretation, restrictive interpretation, and anticipatory

interpretation is evident. Village regulations produced through grammatical interpretation are interpretations of the legal provisions of words based on the use of ordinary language and/or juridical usage. Systematic interpretation involves interpreting a provision of legal regulation by linking it to the provisions of other articles within the same legal framework. The judge determines the meaning or significance of the provisions of the rule of law by considering the declared objective of adopting village regulations, while also considering the growth of society through a teleological or sociological interpretation. Anticipatory interpretation is a type of interpretation in which a judge seeks the meaning of a legal provision based on ideals that are still ideas in the draft village laws, to decide cases with far-reaching consequences and address future issues. Restrictive interpretation, also known as narrow interpretation, occurs when statutory regulations are limited to only what is specified explicitly in these regulations.

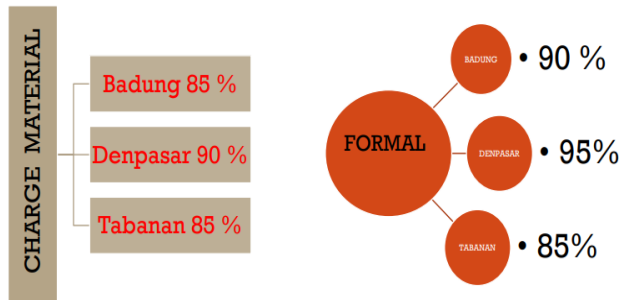
The results of the research are based on a legal basis and hermeneutics type of authority, referring to the Regulation of the Minister of Villages, Development of Disadvantaged Regions, and Transmigration of the Republic of Indonesia Number 1 of 2015 concerning Guidelines for Authority Based on Origin Rights and Village-Scale Local Authority, that in Chapter V Village Retribution Article 22 (1) confirms that Village is forbidden to take any retribution for the services provided to the community and paragraph (2) confirms administrative services as referred paragraph (1): a. cover letters; b. recommendation letters; and c. declaration letters. Regarding this, with 10 samples of village regulations, materially and formally studied from a hermeneutic perspective, there are issues of "contrary to the public interest" and "contrary to higher

<sup>44</sup>. Astariyani, Ni Luh Gede, Bagus Hermanto, Rosino da Cruz, and Fifiana Wisnaeni. "Preventive and evaluative mechanism analysis on regulatory and legislation reform in Indonesia." *Law Reform* 19, no. 2 (2023): 248-269.

laws and regulations", with the following visualization:

**Figure 1. Sample of 10 Village Regulations in Badung, Tabanan, and Denpasar City Regencies, 2022**

### FROM 10 SAMPLE VILLAGE RULES MATERIAL DAN FORMAL



Source: processed from research on three regencies/cities in Bali province, 2022

Thus, these issues affect two significant aspects: **first**, the competence of village rule makers to comprehend the charge material, and **second**, villages must analyze and clarify after the village rule drafters.

Dili District is the capital of the country of Timor Leste and the center of government, the city of Dili in September 1999 after the United Nations (UN) announced the results of the opinion poll which was won by the pro-independence group, 75% of this city was destroyed by the TNI and pro-integration militias so that Important infrastructure such as government buildings, educational and health facilities were damaged so that after the transitional government formed by the UN and local Timor Leste leaders in preparation for the restoration of independence, an emergency program was created such as the construction of health, education and office facilities to revive activities in the city. Dili District is led by a District Administrator, administratively divided into six sub-Districts, previously only four sub-Districts (sub-district level), 48 Tribes (village level), and 234 Aldeia (village level). The sub-

districts included in the Dili district administration are:

1. Vera Cruz Sub-District
2. Cristo Rei Sub-District
3. Dom Aleixo Sub-District
4. Nain Feto Sub-District
5. Metinaro Sub-District
6. Atauro Sub-District (Island)

The importance of villages in national life must be recognized and emphasized, primarily through the development of a legal framework that enables community organizations to meet community expectations. In this way, villages can contribute to the values that live and thrive in communities with which authorities have traditionally associated. Given that the State is preparing to establish a Local Authority, which will have its material, human, and financial resources, as well as democratic legitimacy, it seems necessary to redefine the role of villages, as regulated in Law Number 9 of 2016 concerning Villages.

The regulatory paradigm regarding Villages/Sucos in Timor-Leste from an authority perspective appears to have three functions. In carrying out their respective duties, Sucos have the authority to encourage the resolution of conflicts that arise between members, uphold the principle of equality, and promote and defend the village as a fundamental element of the cultural identity of the Timorese people.

About the authority to regulate legal decisions and the implementation of regulated powers. Without reducing the regulated authority, Suco also carries out the authority delegated to him by the Regional Government bodies, through inter-administrative contracts for the delegation of authority, in this case, which is, of course, based on legal hermeneutics. The regulated powers cannot be exercised to the detriment of national programs and plans approved by Central Government bodies or Regional Government bodies.

In implementation related to the formation of statutory regulations at the village level, it is based on authority, which provides villagers with the opportunity to determine and regulate matters related to village governance.

Through efforts to clarify the legal framework of each Suco responsibility and the adequacy of these responsibilities towards its administrative capacity as well as strengthening its legitimacy and authority, namely through implementing changes to procedures for appointing members of community bodies and implementing guarantees of greater transparency in the activities that will be developed public interest in their respective communities.

The formation of Village Regulations in Bali—specifically in Tabanan, Badung, and Denpasar—reflects an institutional disconnect between legal formalism and the socio-political context of village governance. While Law No. 6 of 2014 and Ministerial Regulation No. 111 of 2014 establish a formal legal framework, their practical application remains fraught with significant challenges. First, procedural formalism dominates the regulation process, where *Perdes* are often drafted as bureaucratic obligations rather than as instruments of participatory governance. Village governments typically lack the legal literacy and interpretive capacity necessary for substantive lawmaking. Second, the absence of hermeneutic engagement results in a rigid application of legal texts. Drawing from Gadamer's concept of the fusion of horizons, legal interpretation should emerge from a dialogical process between the text, its historical context, and the contemporary local reality.<sup>45</sup> However, in Bali, legal

drafting often replicates statutory language verbatim without adapting the text to local values or needs. This results in village laws that are formally valid yet normatively hollow and vulnerable to legal inconsistencies.

A comparative examination with Timor Leste—where village governance is regulated by Law No. 9 of 2016—provides essential insights into alternative institutional designs.<sup>46</sup> The comparison between Bali (Indonesia) and Timor-Leste reveals key divergences in how village regulations are constructed, interpreted, and legitimized. Although both systems aim to enhance grassroots governance, their legal foundations, interpretive cultures, institutional environments, and social embeddedness differ significantly, resulting in contrasting outcomes in terms of effectiveness and legitimacy.

**First, Legal Foundation.** Indonesia's regulatory framework for village governance is formalized through **Law No. 6 of 2014** and further elaborated in **Ministerial Regulation No. 111 of 2014**, which provides detailed procedural requirements for drafting and enacting village regulations (*Perdes*). This legislative architecture reflects a centralized legal tradition aimed at uniformity and standardization across diverse regions. In contrast, **Timor-Leste's Law No. 9 of 2016 provides a broader and more flexible legal framework that acknowledges local variations** and accommodates traditional structures of authority.

While Indonesia's framework is technically more robust, its rigidity often becomes a barrier to local adaptation. Timor Leste's

<sup>45</sup> Wulandari, Cahya, Esmi Warassih Pujirahayu, Edward Omar Sharif Hiariej, Muhamad Sayuti Hassan, and Juan Anthonio Kambuno. 2022.

"Penal Mediation: Criminal Case Settlement Process Based on the Local Customary Wisdom of Dayak Ngaju". *Lex Scientia Law Review* 6 (1), 69-92. <https://doi.org/10.15294/lesrev.v6i1.54896>.

<sup>46</sup> Mukhlis, Muhammad Mutawalli, et al. *Perbandingan Hukum Tata Negara*. Jakarta: PT Adikara Cipta Aksa, 2025.

more general legislation allows greater room for contextual interpretation and local input, contributing to regulations that are more consistent with communal values and expectations.

**Second, Legal Interpretation.** Legal interpretation in Indonesia, particularly in Bali, tends to be **formalistic and top-down**, emphasizing textual fidelity and procedural compliance. This approach often results in village regulations that mirror national statutes without substantive engagement with the local context. By contrast, Timor-Leste adopts a more **contextual and culturally embedded approach**, where customary norms, oral traditions, and communal consensus inform the interpretation of law.

This divergence is significant. The Indonesian model prioritizes legal uniformity, often at the expense of local relevance and context. In contrast, the Timorese model fosters pluralism, allowing village regulations to resonate more deeply with community values and lived realities. In effect, Timor-Leste operationalizes a form of **legal hermeneutics**, where interpretation is dialogical and grounded in cultural experience.

**Third, Institutional Capacity.** Indonesia's institutional landscape is **fragmented and uneven**. Some villages have access to legal advisors or university partnerships, while others lack even a basic understanding of regulation drafting. There is little consistency across districts, and oversight mechanisms are often limited or ineffective. Although Timor Leste's **institutional capacity is generally weaker**, it is usually **buttressed by customary institutions**, such as traditional councils (*Lisan* or *Chefe do Suco*), which provide continuity and social legitimacy.

Thus, while Indonesia possesses greater formal resources, Timor-Leste benefits from stronger informal institutions that fill gaps in governance capacity. These customary

structures serve as both adjudicatory and deliberative bodies, allowing local law to be formed and enforced with a high degree of community engagement.

**Fourth, Community Participation.** In Bali, the process of village regulation formation is **typically procedural and passive**. While laws require consultation, in practice, community involvement is often tokenistic. Meetings may be held, but feedback is rarely integrated into the final regulation. In contrast, Timor-Leste's process is **deliberative and participatory**. Communities engage in sustained dialogue, often through traditional assemblies, and final decisions reflect negotiated consensus. This distinction aligns with **deliberative democratic theory** (Habermas, 1996), which emphasizes the normative legitimacy of decisions arrived at through reasoned public discourse. Timor Leste's participatory mechanisms allow law to be shaped by the people it governs, whereas Indonesia's technocratic procedures tend to alienate local stakeholders from the legal process.

**Fifth, Regulatory Outcome.** The outcome of these differing processes is stark. In Bali, village regulations are typically **legally valid but socially detached**—they meet formal criteria but lack community ownership or enforceability. In Timor-Leste, village laws are often **culturally integrated and locally legitimate**, even if they fall short of technical legal standards. As such, Timor-Leste's regulations may be less polished on paper but are more likely to be respected and implemented in practice.

This contrast highlights a significant tension between the legal form and the **normative function**. Indonesia's emphasis on legality often neglects the importance of legitimacy, whereas Timor-Leste's approach prioritizes cultural congruence and social enforceability.

Indonesia's main challenges lie in **technocratic bias** and **low legal literacy** at the village level. Overreliance on templates



and inadequate training can result in the production of subpar regulations. In Timor-Leste, the challenges are different: **institutional fragility** and **limited administrative capacity** pose significant barriers to consistent implementation and legal development.

Yet the response to these constraints also differs. Indonesia attempts to resolve complexity through standardization; Timor Leste compensates for weak institutions by leveraging communal trust and traditional legitimacy. Both systems face vulnerabilities, but their approaches to governance reflect different assumptions about authority, community, and the role of law.

Although Timor-Leste faces institutional fragility, its village laws often carry greater normative legitimacy due to their foundation in community consensus and traditional knowledge systems. The integration of formal law and customary practices—commonly referred to as legal pluralism—produces village regulations that are both legally binding and socially embedded.

This study draws upon four central theoretical paradigms to critically evaluate the formation and legitimacy of village regulations in Bali (Indonesia) and Timor-Leste. These frameworks—legal hermeneutics, institutional diversity, institutional economics, and deliberative democracy—help to explain the differences in how legality and legitimacy are constructed across divergent political and cultural contexts.

*First, Legal Hermeneutics: Law as a Dialogical Process.* Hans-Georg Gadamer's philosophy of legal hermeneutics offers a compelling lens through which to critique the Indonesian approach to village regulation. Gadamer posits that understanding law is not merely a matter of applying rules to facts, but rather a dialogical engagement between the interpreter, the text, and the

socio-historical context from which both emerge. Legal texts are thus not self-sufficient; they acquire meaning only through the act of interpretation, which must account for changing horizons of understanding.

In the Indonesian case, particularly in Bali, village regulations are often drafted with strict adherence to procedural form, with little room for interpretive flexibility. This undermines the law's capacity to adapt to local realities and perpetuates a gap between the law as it is written and the law as it is applied in practice. Conversely, the Timorese approach—though less procedurally sophisticated—demonstrates a hermeneutic sensibility: village norms are interpreted in light of communal customs, historical memory, and shared values, thus reinforcing legal relevance and social cohesion.

*Second, Institutional Diversity and Rules-in-Use.* Elinor Ostrom's theory of institutional diversity emphasizes the distinction between rules-in-form—those officially codified by the state—and rules-in-use, which are organically developed through practice and interaction within a community. For Ostrom, sustainable and effective governance structures are those that empower local actors to co-produce rules that reflect local knowledge and adapt to contextual constraints.

In Indonesia, despite a comprehensive statutory framework for village governance, the actual implementation of *Perdes* is often weak due to the top-down imposition of rules that fail to resonate with the lived experiences of villages. In contrast, Timor Leste's reliance on customary practices and traditional deliberation aligns more closely with Ostrom's notion of polycentric governance. The legitimacy and effectiveness of Timor Leste's village regulations stem not from their legal precision but from their embeddedness in rules-in-use that

communities recognize, respect, and maintain.

*Third, Institutional Economics and Normative Alignment.* Douglas North's theory of institutional economics adds further depth to this analysis. North argues that institutions—defined as the formal and informal “rules of the game”—reduce uncertainty in human interaction by providing stable structures for expectations and behavior. Crucially, institutional effectiveness depends on the alignment between formal rules and prevailing social norms.

Indonesia's village regulations often suffer from a misalignment between legal norms and local behavior, resulting in ineffective enforcement and community disengagement. By contrast, Timor Leste's village laws, though less formally elaborate, gain traction through their congruence with customary moral orders and communal expectations. In this way, North's theory underscores the importance of normative compatibility in achieving durable institutional outcomes.

*Fourth, Communicative Legitimacy and Deliberative Democracy.* Finally, Jürgen Habermas's theory of communicative action and deliberative democracy situates legitimacy not in the sovereign command of law, but in the processes through which laws are justified and accepted by the public. In this model, legitimacy arises when affected parties participate in the rational deliberation of norms and rules that bind them.

Timor Leste's village deliberation processes, though informal, align with Habermas's emphasis on inclusion and rational discourse. Village councils and traditional gatherings serve as platforms for dialogue, moral reasoning, and communal decision-making. In contrast, the Indonesian village regulatory process—despite being formally democratic—often lacks substantive

deliberation and is executed in a technocratic and procedural fashion, distancing the law from those it governs.

*Fifth, Synthesis: Legality vs Legitimacy.* Together, these theoretical perspectives illuminate a central tension in the comparative findings: the disjunction between legality and legitimacy. Indonesia's village law framework reflects a formal-legal rationality rooted in Weberian bureaucracy. While this ensures regulatory consistency, it often fails to capture the normative realities of rural governance. Timor-Leste, on the other hand, exemplifies a legitimacy-based model, where communal values and participatory processes constitute the foundation of legal authority.

Although Timor-Leste lacks institutional resources and legal infrastructure, it arguably achieves greater compliance and social legitimacy due to the integration of law with lived community experience. In this sense, the Timorese model affirms the theoretical claim that legal systems must be not only normatively valid in form but also normatively acceptable in function.

In light of the comparative findings and theoretical perspectives discussed above, the following policy recommendations are proposed: *first, Integrate Hermeneutic Training in Legal Drafting.* Village officials and BPD members should be trained not only in legal drafting techniques but also in methods of legal interpretation that consider social, cultural, and historical context. *Second, Institutionalize Community Deliberation in Regulatory Processes.* A participatory approach—such as Timor-Leste's deliberative village consultations—should be formally adopted. Structured public dialogues should precede the finalization of all *Perdes*. *Third, Promote Hybrid Legal Models.* The Indonesian government should recognize and integrate customary legal norms where they do not conflict with national law.

A hybrid model would enhance legitimacy and compliance at the village level. *Fourth, Strengthen Regional Legal Assistance Mechanisms.* District-level governments should provide continuous legal assistance and mentorship to ensure the technical accuracy and contextual appropriateness of Perdes.

This study finds that legal success in village governance depends less on regulatory presence and more on interpretive depth and community legitimacy. While Indonesia boasts a sophisticated legal architecture for decentralization, the lack of a hermeneutic approach and contextual sensitivity renders many village regulations ineffective. In contrast, Timor-Leste illustrates that community-rooted interpretations and pluralistic legal frameworks can foster stronger institutional resilience. Therefore, a paradigm shift is needed—from procedural legality to participatory hermeneutics—where law is not only made by the people but also made sense of with the people.

## Conclusion

This study has examined the formation of village regulations through the lens of legal hermeneutics and institutional analysis, comparing the regulatory practices of Bali (Indonesia) and Timor-Leste. It has been demonstrated that while Indonesia has established a highly formalized legal framework for village governance, its implementation is often technocratic, procedurally rigid, and disconnected from local realities. In contrast, Timor Leste—despite facing institutional constraints—demonstrates a culturally embedded, participatory approach to regulation that aligns more closely with community norms and traditional governance structures. These findings highlight the tension between legal validity and social legitimacy, as well as the crucial role of legal interpretation in bridging that divide.

The broader implication of this research is that the legitimacy of local governance depends not solely on formal legal procedures but on the capacity of institutions to interpret, adapt, and embed legal norms within local social fabrics. The integration of legal hermeneutics, institutional theory, and democratic practice offers a valuable theoretical foundation for understanding village regulation not just as a legal product, but as a dynamic instrument of community empowerment. However, this study is not without limitations. It relies on qualitative analysis and selects regional cases; further comparative research across diverse provinces and post-conflict contexts could enrich and validate the findings. Future inquiries may explore how village legal formation evolves under political decentralization, how legal training or co-production with civil society might enhance regulatory quality, and how the application of hermeneutic principles might inform broader efforts toward inclusive and context-sensitive governance reform.

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