



Research Paper

# The Principle of Constitutionalism And The Reconstruction of Pancasila Village Governance Within Indonesia's Constitutional System

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## Abstract

*This article examines the interrelation between the principle of constitutionalism and the reconstruction of Pancasila Village governance within Indonesia's constitutional framework. As a constitutional state (rechtsstaat), Indonesia recognizes the supremacy of the Constitution while maintaining Pancasila as its fundamental ideological basis. The study analyzes how constitutional principles such as the rule of law, decentralization, and citizens' participation are manifested in the institutional design of Pancasila Villages as a local governance model that integrates democracy and social justice. Through a normative juridical approach, supported by relevant constitutional and statutory provisions, the paper argues that reconstructing the governance of Pancasila Villages must ensure harmony between constitutional guarantees and local wisdom. Strengthening constitutionalism at the village level not only reinforces democratic governance but also revitalizes Pancasila as a living norm within Indonesia's national legal system.*

**Keywords:** Constitutionalism, Pancasila Village, Indonesian constitutional system, local governance, rule of law.

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## I. Background

The concept of *Pancasila Village* (*Desa Pancasila*) has emerged as a state initiative to integrate Pancasila values into local governance, reflecting the vision of strengthening the ideological and constitutional foundation of Indonesia's public administration. This initiative seeks to promote the implementation of Pancasila's five principles: belief in God, humanity, unity, democracy, and social justice through participatory and accountable governance at the village level. It represents an effort to reconstruct the local governance model in line with the principle of constitutionalism, which demands that the exercise of power be limited by law, uphold accountability, and protect citizens' fundamental rights.<sup>1</sup>

Constitutionalism in Indonesia derives its legitimacy from the 1945 Constitution of the Republic of Indonesia, which establishes Indonesia as a state based on law (*rechtstaat*) rather than power (*machtsstaat*).<sup>2</sup> Article 1(3) of the Constitution explicitly affirms that Indonesia is a constitutional state, while Article 18 guarantees regional autonomy as part of the unitary system, ensuring that each region, including villages, may govern its own affairs within the framework of national unity.<sup>3</sup> In this context, the village is not merely an administrative extension of higher governmental structures but a constitutional entity endowed with autonomy, traditions, and rights recognized by the state.<sup>4</sup>

The legal framework governing villages has evolved significantly. Law No. 6 of 2014 on Villages, as amended by Law No. 3 of 2024, reaffirms the village's authority to regulate and manage local interests based on

<sup>1</sup>Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia* (Jakarta: Konstitusi Press, 2005), p. 45.

<sup>2</sup>The 1945 Constitution of the Republic of Indonesia, Preamble.

<sup>3</sup>*Ibid.*

<sup>4</sup>Constitutional Court of the Republic of Indonesia, Decision No. 3/PUU-VIII/2010 concerning the Review of Law No. 32 of 2004 on Regional Government.

community initiatives, customary rights, and local wisdom.<sup>5</sup> These amendments also strengthen the position of village governments in implementing sustainable development and national ideology at the local level. However, challenges persist, including overlapping regulations, limited institutional capacity, and a lack of synchronization between local autonomy and national governance standards.<sup>6</sup>

The National Medium-Term Development Plan 2025–2029, enacted through Presidential Regulation No. 12 of 2025, explicitly includes the development of *Pancasila Villages* as a strategic priority for promoting ideological resilience and inclusive governance.<sup>7</sup> This agenda is reinforced by the Badan Pembinaan Ideologi Pancasila (BPIP) through BPIP Regulation No. 1 of 2025, which outlines the institutional framework for mainstreaming Pancasila values across public policy sectors.<sup>8</sup>

From the standpoint of constitutionalism, these developments call for a reconstruction of village governance that not only embodies Pancasila's moral foundations but also adheres to the constitutional principles of legality, accountability, and human rights protection.<sup>9</sup> The Constitutional Court's Decision No. 92/PUU-XXII/2024, which reviewed the 2024 amendment to the Village Law, reaffirmed that village autonomy must operate within the framework of the rule of law and democratic accountability.<sup>10</sup> Thus, the *Pancasila Village* should not merely serve as a symbolic embodiment of state ideology but as a constitutional manifestation of justice, equality, and participatory democracy at the grassroots level.

Accordingly, this article examines the reconstruction of *Pancasila Village* governance as a means of realizing constitutionalism in Indonesia's governance system, aiming to align local autonomy with the fundamental principles enshrined in the 1945 Constitution.

## Discussion

### 1. The Principle of Constitutionalism in the Context of Pancasila-Based Local Governance

The development of the *Pancasila Village (Desa Pancasila)* as an innovative model of local governance represents a strategic constitutional effort to harmonize state ideology and governance within Indonesia's constitutional framework. This model not only embodies the state's ideological foundation *Pancasila* but also seeks to realize the constitutional principles of legality, accountability, and participation at the grassroots level. The manifestation of *Pancasila Village* aligns with Indonesia's long-term constitutional goal: the integration of moral and legal norms in the administration of power within a democratic state based on law.<sup>11</sup>

#### 1.1 Theoretical Foundation of Constitutionalism in Indonesia

Constitutionalism refers to the limitation of governmental power by law to ensure that state authority operates under legal norms and is accountable to the people.<sup>12</sup> In Indonesia, constitutionalism derives its normative force from the 1945 Constitution of the Republic of Indonesia, particularly Article 1 paragraph (3), which explicitly declares that "The State of Indonesia is a State based on law" (*Negara Hukum*).<sup>13</sup> This constitutional declaration affirms the supremacy of law (*rule of law*) as the guiding principle of governance.

However, Indonesia's constitutionalism is distinctive in that it is grounded in *Pancasila* a philosophical system that integrates moral, social, and spiritual values into the framework of state governance.<sup>14</sup> The fusion of *Pancasila* and the Constitution reflects an aspiration not only to establish legality but also to ensure that the exercise of power serves the collective welfare (*bonum commune*). The Fourth Amendment to the 1945 Constitution (2002) institutionalized this through the creation of independent bodies such as the Constitutional

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<sup>5</sup>Law No. 3 of 2024 on the Second Amendment to Law No. 6 of 2014 on Villages, State Gazette of the Republic of Indonesia Year 2024 No. 77.

<sup>6</sup>Ministry of Home Affairs of the Republic of Indonesia, *Village Governance Performance Evaluation Report* (2023).

<sup>7</sup>Presidential Regulation No. 12 of 2025 on the National Medium-Term Development Plan (2025–2029), State Gazette of the Republic of Indonesia Year 2025 No. 19.

<sup>8</sup>Badan Pembinaan Ideologi Pancasila (BPIP), Regulation No. 1 of 2025 on the Strategic Plan of BPIP (2025–2029), *State News of the Republic of Indonesia* Year 2025 No. 787.

<sup>9</sup>Satjipto Rahardjo, *Ilmu Hukum: Pencarian, Pembebasan, dan Pencerahan* (Bandung: Citra Aditya Bakti, 2004), p. 134.

<sup>10</sup>Constitutional Court of the Republic of Indonesia, Decision No. 92/PUU-XXII/2024 concerning the Review of Law No. 3 of 2024 on Villages.[langs](#)

<sup>11</sup>Jimly Asshiddiqie, *Konstitusi dan Konstitusionalisme Indonesia* (Jakarta: Konstitusi Press, 2005), p. 45.

<sup>12</sup>Jeremy Waldron, "The Rule of Law and the Importance of Procedure," *Nomos*, Vol. 50 (2009): 3–31.

<sup>13</sup>The 1945 Constitution of the Republic of Indonesia, Article 1 paragraph (3).

<sup>14</sup>Jimly Asshiddiqie, *Ideologi, Konstitusi, dan Negara Hukum* (Jakarta: Rajawali Pers, 2020), p. 17.

Court (Mahkamah Konstitusi) and the Judicial Commission (Komisi Yudisial) to ensure checks and balances in governance.<sup>15</sup>

Article 18B paragraph (2) of the Constitution also explicitly recognizes and respects the existence of “traditional and distinct regional administrative units,” including villages, as long as they remain consistent with the principles of the Unitary State.<sup>16</sup> Thus, the village (*desa*) has a constitutional position not merely as an administrative extension of the government but as an autonomous community unit (*self-governing community*) recognized and protected by the state.<sup>17</sup>

### 1.2 Pancasila as the Moral and Constitutional Foundation of Village Governance

The relationship between *Pancasila* and the Constitution is integrative; *Pancasila* provides the philosophical foundation, while the Constitution serves as its juridical embodiment.<sup>18</sup> The *Pancasila Village* concept, therefore, is not merely an administrative initiative but a constitutional manifestation of state ideology in local governance. Through *Pancasila Villages*, the government seeks to translate the five principles of *Pancasila* into governance practice belief in God, humanity, unity, democracy, and social justice at the village level.

The enactment of Law No. 3 of 2024 concerning the Second Amendment to Law No. 6 of 2014 on Villages further strengthens this vision.<sup>19</sup> This amendment emphasizes three key elements: (1) enhancing village autonomy, (2) integrating local development with national ideological goals, and (3) improving transparency and accountability mechanisms. Article 4 of the law affirms that village administration must be guided by *Pancasila* and the 1945 Constitution, thereby placing ideological conformity within the framework of legality.<sup>20</sup>

However, in practice, local governance faces multiple challenges. Reports by the Ministry of Home Affairs (2023) reveal that overlapping regulations, weak institutional capacity, and inconsistent implementation have hindered the realization of village autonomy.<sup>21</sup> In many cases, the application of *Pancasila* at the local level is symbolic rather than substantive, limited to slogans and ceremonial expressions without being internalized into governance processes.<sup>22</sup>

To address these issues, the Badan Pembinaan Ideologi Pancasila (BPIP) issued Regulation No. 1 of 2025 on the *Strategic Plan for 2025–2029*, which aims to institutionalize Pancasila values in all areas of public policy, including village governance.<sup>23</sup> Similarly, Presidential Regulation No. 12 of 2025 on the *National Medium-Term Development Plan (RPJMN) 2025–2029* includes *Pancasila Villages* as a national priority program for ideological strengthening and participatory governance.<sup>24</sup> These instruments reaffirm that the moral content of Pancasila must serve as the constitutional compass guiding the operation of local institutions.

### 1.3 Constitutionalism and the Rule of Law in Local Autonomy

The principle of *constitutional decentralization* underlies Indonesia’s regional and village autonomy system. Article 18 paragraph (1) of the Constitution mandates that regional governments have autonomy “as widely as possible” within the framework of the unitary state.<sup>25</sup> Nevertheless, autonomy must operate within the limits of national law and constitutional supervision to ensure coherence and unity of governance.

The Constitutional Court Decision No. 92/PUU-XXII/2024, which reviewed the constitutionality of the 2024 amendment to the Village Law, reaffirmed this balance. The Court ruled that village autonomy is constitutionally guaranteed but not absolute; it must adhere to the principles of accountability, legality, and the

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<sup>15</sup>Fourth Amendment to the 1945 Constitution of the Republic of Indonesia (2002).

<sup>16</sup>The 1945 Constitution of the Republic of Indonesia, Article 18B paragraph (2).

<sup>17</sup>Sutopo Eko, *Desa Membangun Indonesia* (Yogyakarta: FPPD Press, 2016), p. 27.

<sup>18</sup>Jimly Asshiddiqie, *Pengantar Ilmu Hukum Tata Negara* (Jakarta: Rajawali Pers, 2010), p. 101.

<sup>19</sup>Law No. 3 of 2024 on the Second Amendment to Law No. 6 of 2014 on Villages, State Gazette of the Republic of Indonesia Year 2024 No. 77.

<sup>20</sup>*Ibid.*

<sup>21</sup>Ministry of Home Affairs, *Village Governance Performance Evaluation Report* (Jakarta, 2023).

<sup>22</sup>Badan Pembinaan Ideologi Pancasila (BPIP), *Policy Evaluation Report on Ideological Implementation* (Jakarta, 2025).

<sup>23</sup>BPIP Regulation No. 1 of 2025 on the Strategic Plan 2025–2029, *State News of the Republic of Indonesia* Year 2025 No. 787.

<sup>24</sup>Presidential Regulation No. 12 of 2025 on the National Medium-Term Development Plan (2025–2029), *State Gazette of the Republic of Indonesia* Year 2025 No. 19.

<sup>25</sup>The 1945 Constitution of the Republic of Indonesia, Article 18 paragraph (1).

unity of the Republic.<sup>26</sup> The decision also emphasized that excessive central control could undermine the spirit of autonomy, while unregulated decentralization could threaten national coherence.<sup>27</sup>

This judicial interpretation reinforces that *Desa Pancasila* must embody the balance between local independence and constitutional supervision. Local governance practices should promote participatory democracy and accountability while remaining consistent with national law. The Law No. 30 of 2014 on Government Administration provides a procedural foundation for ensuring administrative accountability at the local level, including mechanisms for public participation and dispute resolution.<sup>28</sup>

However, challenges persist due to limited legal literacy and institutional capacity in many villages. The Ministry of Villages (2024) notes that only about 45% of villages have effective governance structures capable of implementing financial accountability and community deliberation procedures.<sup>29</sup> As such, the reconstruction of *Pancasila Village* governance must also include institutional strengthening, legal education, and the establishment of integrated monitoring systems.

#### 1.4 The Role of Pancasila in Strengthening Constitutional Culture

Constitutionalism cannot be sustained without a robust constitutional culture—a collective understanding and respect for constitutional principles embedded in societal behavior.<sup>30</sup> In Indonesia, *Pancasila* plays a central role in fostering this culture. Each principle of *Pancasila* corresponds to a constitutional dimension: belief in God promotes moral governance, humanity guarantees rights and dignity, unity preserves the state's integrity, democracy encourages deliberation, and social justice ensures equality.

Through the *Desa Pancasila* framework, these principles are operationalized into participatory planning, transparent budgeting, and inclusive decision-making. The RPJMN 2025–2029 explicitly positions *Pancasila Villages* as “ideological laboratories” for cultivating constitutional awareness (*kesadaran konstitusional*) at the grassroots.<sup>31</sup>

However, the success of *Pancasila Villages* depends on the synchronization of legal frameworks and the internalization of constitutional values within society. The government's ongoing efforts through BPIP, the Ministry of Home Affairs, and the Ministry of Villages aim to establish models of governance that integrate legal, ethical, and cultural dimensions.

Ultimately, *Pancasila-based constitutionalism* at the village level represents Indonesia's attempt to realize the ideals of a *democratic and law-based welfare state* (*negara hukum yang demokratis dan berkeadilan sosial*). The challenge lies in transforming *Pancasila* from a symbolic ideology into a living constitutional practice that ensures justice, participation, and human dignity across Indonesia's villages.

## II. Reconstructing the Governance Framework of Pancasila Villages within Indonesia's Constitutional System

The reconstruction of village governance rooted in the principles of *Pancasila* represents a fundamental constitutional transformation in Indonesia's state administration. It is not merely an institutional adjustment but rather a constitutional reconfiguration of how the state actualizes the principles of democracy, social justice, and participatory governance within the smallest unit of sovereignty—the village (*desa*). This reconstruction requires the reorientation of the concept of constitutionalism, which traditionally emphasizes limitation of power, into an Indonesian context that combines legal rationality, moral values, and ideological identity.

### 1. The Constitutional Framework of Village Autonomy in Indonesia

The 1945 Constitution of the Republic of Indonesia (*Undang-Undang Dasar Negara Republik Indonesia Tahun 1945*, hereinafter UUD 1945) recognizes local governance as an inseparable part of the Unitary State of the Republic of Indonesia (NKRI). Article 18 paragraph (1) explicitly provides that “the Unitary State of the Republic of Indonesia shall be divided into provinces and regencies/municipalities, each with its own local government, which shall regulate and manage its own affairs according to the principles of autonomy and the duty of assistance.”<sup>32</sup> This provision forms the constitutional foundation for the existence of autonomous

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<sup>26</sup>Constitutional Court of the Republic of Indonesia, Decision No. 92/PUU-XXII/2024 concerning the Review of Law No. 3 of 2024 on Villages.

<sup>27</sup>*Ibid.*

<sup>28</sup>Law No. 30 of 2014 on Government Administration, State Gazette Year 2014 No. 292.

<sup>29</sup>Ministry of Villages, Development of Disadvantaged Regions, and Transmigration, *Annual Governance Report 2024* (Jakarta, 2024).

<sup>30</sup>Jon Elster, “Forces and Mechanisms in the Constitution-Making Process,” *Duke Law Journal* 45, no. 2 (1995): 364–396.

<sup>31</sup>Bappenas, *Presidential Regulation No. 12 of 2025*, Annex III, Strategic Priority 5.

<sup>32</sup>The 1945 Constitution of the Republic of Indonesia, Article 18(1).

local entities, including villages, as public legal communities with the right to manage their own affairs within the framework of state law.

The enactment of Law No. 6 of 2014 on Villages (*Undang-Undang Nomor 6 Tahun 2014 tentang Desa*) reaffirmed the dual nature of the village as both a self-governing community (*self-governing community*) and an integral part of the state's governmental structure. The law emphasizes village sovereignty within the boundaries of national unity and constitutional supervision. However, as practice has evolved, the implementation of village autonomy revealed structural asymmetries between central supervision and local initiative, leading to institutional tension and occasional misuse of authority at the village level.

Responding to these challenges, the Second Amendment to the Village Law through Law No. 3 of 2024 introduced crucial reforms aimed at strengthening good governance, accountability, and leadership legitimacy in the village system. Among the key revisions were the extension of the village head's tenure to eight years and enhanced mechanisms of community participation and transparency. The amendment also integrates Pancasila-based development indicators into the evaluation of village performance, signaling a clear ideological dimension to the reconstruction process.

This development aligns with Article 1 paragraph (3) of the UUD 1945, which declares Indonesia as a "rule-of-law state" (*negara hukum*). In this sense, constitutionalism in Indonesia cannot be limited to Western liberal notions of power limitation but must be reinterpreted as a dynamic synthesis of legality, morality, and social justice. The village, therefore, becomes the constitutional arena where the moral foundations of the state embodied in Pancasila are operationalized through participatory and inclusive governance.

## 2. The Ideological and Legal Dimensions of Pancasila Village Reconstruction

The concept of *Desa Pancasila* (Pancasila Village) emerges as an institutional manifestation of Pancasila within local governance. According to the Badan Pembinaan Ideologi Pancasila (BPIP), this model seeks to create villages that not only achieve economic progress but also reflect the values of unity, social justice, and deliberative democracy (*musyawarah mufakat*) in governance.<sup>33</sup> The BPIP Regulation No. 1 of 2025 on the Strategic Plan 2025–2029 explicitly identifies "the institutionalization of Pancasila values within governance systems, including the village level," as a national strategic priority.<sup>34</sup>

From the constitutional perspective, the reconstruction of Pancasila Village governance serves as a concrete step toward integrating ideological legitimacy into administrative structures. In Western constitutionalism, the emphasis lies primarily on separation of powers and the protection of individual rights. In contrast, Indonesian constitutionalism is characterized by the synthesis of *rechtsstaat* (legal state) and *Pancasila state*, combining legal formalism with moral-communitarian principles.<sup>35</sup> This synthesis reflects the nation's aspiration to build a governance system grounded in mutual cooperation (*gotong royong*), social welfare, and participatory justice.

The reconstruction process also gains reinforcement from the 2025–2029 National Medium-Term Development Plan (RPJMN), as stipulated in Presidential Regulation No. 12 of 2025. The RPJMN identifies the "development of Pancasila Villages" as a strategic agenda for strengthening ideological resilience and community welfare at the grassroots level. This regulation integrates constitutional and developmental objectives by aligning state ideology with local governance mechanisms.

However, the challenge lies in translating these constitutional and ideological principles into measurable administrative instruments. For instance, while the 2024 amendment to the Village Law introduces ideological indicators, the operational criteria for assessing Pancasila-based governance remain underdeveloped. Without clear guidelines, there is a risk that the ideological dimension becomes symbolic rather than functional.

## 3. Institutional Reconstruction: Harmonizing Autonomy, Accountability, and Ideology

Institutional reconstruction of village governance requires a careful balance between autonomy, accountability, and ideological integration. The Constitutional Court in its Decision No. 92/PUU-XXII/2024 reaffirmed that "village autonomy is constitutionally recognized and guaranteed, yet its exercise must remain within the framework of the unitary state and in harmony with Pancasila." This decision illustrates that village autonomy cannot be absolute; it must operate within the constitutional bounds of unity and justice. The Court's reasoning echoes the dual character of constitutionalism: limiting power while legitimizing governance through shared values.

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<sup>33</sup>BPIP (Badan Pembinaan Ideologi Pancasila), "Desa Pancasila as a Model of Ideological Development," BPIP Research Report, 2024.

<sup>34</sup>BPIP Regulation No. 1 of 2025 on the Strategic Plan 2025–2029, *Berita Negara* No. 787/2025.

<sup>35</sup>Asshiddiqie, J. (2023). *Konstitusionalisme Indonesia dan Pancasila sebagai Ideologi Terbuka*. Jakarta: Rajawali Press.

To actualize this vision, three major dimensions of institutional reconstruction can be identified:

a. Legal Harmonization

The alignment of village regulations (*peraturan desa*) with higher statutory instruments and constitutional principles. Many local regulations have historically conflicted with national laws, creating legal uncertainty. Harmonization is thus essential to maintain the constitutional hierarchy of norms (*stufenbau theory*). The Ministry of Home Affairs has initiated programs to synchronize village regulations with the 2024 amendment.

b. Ideological Institutionalization

Integrating Pancasila values into governance practices, not merely as ceremonial symbols but as operational norms in planning, budgeting, and accountability. This dimension reflects the constitutional idea that law must embody moral values consistent with Pancasila's five principles. BPIP's 2025–2029 Strategic Plan explicitly mandates the mainstreaming of Pancasila education and deliberative mechanisms at the village level.

c. Participatory Governance

Strengthening community involvement in decision-making and public control. This embodies the constitutional principle of *musyawarah* (deliberation) and *gotong royong* (mutual cooperation). Empirical studies show that participatory governance reduces the risk of elite capture and enhances the legitimacy of village leadership.<sup>36</sup>

These three dimensions represent the operationalization of constitutionalism in Indonesia's socio-legal context where power limitation, accountability, and moral-ideological legitimacy coexist within one institutional framework.

4. The Future Direction of Constitutional Reconstruction in Village Governance

The reconstruction of Pancasila Village governance reflects a broader movement toward what scholars term "integral constitutionalism." This model transcends the dichotomy between liberal constitutionalism and authoritarian centralism by promoting a *value-based constitutionalism*, in which the rule of law and social morality coalesce.<sup>37</sup> Within this model, constitutional institutions from the national to the village level are required to embody Pancasila as the ethical foundation of the state.

The 2025–2029 RPJMN emphasizes the need for innovation in local governance models that are inclusive, adaptive, and ideologically grounded. The government's policy direction aims to integrate technological governance (digital administration) with ideological formation, such as digital platforms for civic education and deliberation in Pancasila Villages. Such integration illustrates a modernized approach to constitutionalism, where law and technology serve as instruments for moral and democratic education.

From a jurisprudential standpoint, this development invites a reinterpretation of the classical concept of *konstitusionalisme Indonesia*. It reflects an ongoing effort to articulate a constitutional identity distinct from Western models yet consistent with universal principles of democracy and justice. As Jimly Asshiddiqie argues, Indonesia's constitutionalism is "normatively democratic, morally Pancasilaic, and functionally administrative," meaning that governance must reflect both legal rationality and ideological morality.

The practical implication of this reconstruction is that every governance reform—particularly at the village level—must be evaluated not only by its compliance with legal norms but also by its contribution to realizing Pancasila's substantive values: belief in God, humanity, unity, democracy, and social justice. This approach aligns with the 2024 amendment's vision of transforming villages into constitutional microcosms of the nation.

However, challenges persist. First, the disparity in administrative capacity among villages often leads to uneven implementation of constitutional ideals. Second, political intervention at the local level can distort ideological objectives. Third, the institutionalization of Pancasila values requires sustained civic education, which is not yet uniformly integrated across local governance programs.<sup>38</sup>

Thus, the reconstruction of Pancasila Village governance cannot be limited to normative or symbolic reforms; it demands structural, procedural, and educational integration. The state must facilitate this through consistent legal guidance, ideological training, and participatory mechanisms that empower communities as constitutional actors rather than passive subjects.

### III. Integrative Analysis and Conclusion

#### 1. Integrative Analysis: Constitutionalism, Ideology, and Local Governance

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<sup>36</sup>Ministry of Villages, Development of Disadvantaged Regions, and Transmigration (Kemendes PDTT), *Village Governance Evaluation Report*, 2024.

<sup>37</sup>Mahfud MD. (2022). *Politik Hukum di Indonesia*. Jakarta: Rajawali Pers.

<sup>38</sup>Ministry of Home Affairs, *Policy Report on Local Governance Reform*, 2025.

The reconstruction of *Pancasila* Village governance must be understood as both a constitutional and ideological reform. Indonesia's constitutional identity, rooted in the 1945 Constitution, embraces *Pancasila* not merely as a philosophical foundation but as a living normative framework guiding every aspect of state administration. Within this framework, constitutionalism serves a dual function: to limit governmental power and to ensure that such power operates in accordance with moral and social justice principles derived from *Pancasila*.

This integrated view departs from Western constitutional theory, where the separation of powers and protection of individual rights dominate discourse. In Indonesia, constitutionalism is relational rather than adversarial; it balances authority with collective responsibility, legal order with social harmony, and democracy with moral integrity.<sup>39</sup> The village (*desa*), as the smallest autonomous entity recognized under Article 18 of the 1945 Constitution, embodies this synthesis. It acts as both a self-governing community and a constitutional microcosm of the nation.

Following the 2024 Amendment to the Village Law (Law No. 3/2024), the legal framework has begun to operationalize the ideological dimension of governance. The law introduces evaluative indicators based on *Pancasila* values: mutual cooperation (*gotong royong*), social justice, deliberation, and inclusiveness.<sup>6</sup> This aligns with the broader policy direction of the 2025–2029 National Medium-Term Development Plan (RPJMN) under Presidential Regulation No. 12 of 2025, which identifies ideological development as a strategic component of national governance reform.

Yet, the integration of constitutional and ideological dimensions remains challenged by uneven administrative capacity and limited civic literacy. The Constitutional Court Decision No. 92/PUU-XXII/2024 reaffirmed that village autonomy must align with *Pancasila* values and the unity of the Republic. This decision highlights the Court's consistent approach to interpreting autonomy not as absolute decentralization, but as "constitutional decentralization" within the ideological framework of the state.

In this sense, constitutional reconstruction requires harmonizing three interrelated aspects:

- a. Normative Order  
ensuring that local laws (*peraturan desa*) are consistent with constitutional and statutory hierarchies;
- b. Institutional Functionality  
ensuring that governance mechanisms are participatory, transparent, and accountable;
- c. Ideological Legitimacy  
embedding *Pancasila* as a living principle in the governance process.

This triadic framework reflects what legal scholars describe as *value-based constitutionalism*, where the legitimacy of state action derives not solely from legality, but also from conformity with moral and ideological foundations.

## 2. The Future of Pancasila-Based Constitutional Reconstruction

The institutionalization of *Desa Pancasila* (Pancasila Village) represents a deliberate effort to realize constitutional values through community-level innovation. The BPIP Regulation No. 1 of 2025 explicitly mandates local governments to incorporate ideological education, moral leadership, and civic participation into development planning. This policy marks a shift from procedural governance toward substantive constitutionalism, emphasizing moral consciousness as an element of state legitimacy.

Nevertheless, reconstruction efforts must avoid reducing *Pancasila* to a symbolic narrative. The true constitutionalization of ideology requires a sustainable legal and educational infrastructure that ensures these values inform real policy and decision-making.<sup>40</sup> The success of Pancasila Village governance thus depends on three critical conditions:

1. Consistency of Legal Frameworks  
Village regulations must remain synchronized with the amended Village Law and constitutional standards to prevent fragmentation of authority.
2. Civic and Ideological Literacy  
Villagers and officials alike must understand *Pancasila* as a guiding ethic, not merely a slogan. BPIP's educational initiatives play a vital role here.
3. Participatory Supervision  
Strengthening public participation ensures that governance remains transparent and resistant to elite capture.<sup>41</sup>

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<sup>39</sup> Asshiddiqie, J. (2023). *Konstitusionalisme Indonesia dan Pancasila sebagai Ideologi Terbuka*. Jakarta: Rajawali Press.

<sup>40</sup> BPIP, *Ideological Governance Framework Report*, 2025.

<sup>41</sup> Ministry of Home Affairs, *Policy Report on Local Governance Reform*, 2025.

The 2025–2029 RPJMN also emphasizes digitalization of village administration, aligning transparency mechanisms with ideological reinforcement. This move suggests that the future of constitutionalism in Indonesia will increasingly combine digital governance with civic-ideological education creating what scholars term *digital constitutionalism with moral roots*.

Furthermore, Indonesia's model of *Pancasila constitutionalism* offers theoretical contributions to global constitutional discourse. It challenges the dichotomy between liberal and communitarian constitutionalism by introducing a value-based legal state (*rechtsstaat Pancasila*), in which the legitimacy of law stems from both procedural justice and moral solidarity. The *Pancasila Village* thus becomes not only an administrative reform but a symbolic reaffirmation of Indonesia's constitutional identity as a moral democracy (*demokrasi bermoral*).

## II. Conclusion

The reconstruction of Pancasila Village governance within Indonesia's constitutional framework reflects the dynamic relationship between constitutionalism and local autonomy. Strengthening the institutional design of Pancasila Villages must uphold the supremacy of the 1945 Constitution while embodying Pancasila's moral and philosophical values in governance practices. This balance ensures that local democracy operates within the bounds of constitutional norms and supports the realization of social justice, equality, and participatory development. Therefore, constitutionalism and Pancasila are not opposing concepts but complementary foundations that reinforce the legitimacy, accountability, and moral direction of Indonesia's village governance system.

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