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Position of Local Wisdom Values of Balinese Indigenous People in the Policy

Wayan Wesna Astara^{1*}

¹Universitas Warmadewa, Denpasar, Bali - Indonesia

wesna_astara@warmadewa.ac.id

Abstract

The aim of the study is to investigate the position of local wisdom values of Balinese indigenous people in the policy via a qualitative method with anthropological and sociological approaches. The findings show that Balinese indigenous people through social-religious organizations (traditional villages) can manage management of tourist villages in Bali by using modern management by increasing human resources in traditional values-based traditional villages in Bali with village Awig-awig laws adat. In conclusion, the importance of managing traditional village-based tourist villages provides opportunities for indigenous villages to increase human resources in the management of tourist villages.

Keyword: Tourism village, traditional village, wisdom.

Posición de los valores de la sabiduría local de los indígenas balineses en la política

Resumen

El objetivo del estudio es investigar la posición de los valores de la sabiduría local de los pueblos indígenas balineses en la política a través de un método cualitativo con enfoques antropológicos y sociológicos. Los hallazgos muestran que los pueblos indígenas balineses a través de organizaciones socio-religiosas (aldeas tradicionales) pueden gestionar de las aldeas turísticas en Bali mediante el uso de la gestión moderna mediante el aumento de los recursos humanos en aldeas tradicionales basadas en valores tradicionales en Bali, con leyes adat Awig-awig. En conclusión, la importancia de administrar los pueblos turísticos tradicionales basados en las aldeas brinda oportunidades para que los pueblos indígenas aumenten los recursos humanos en el manejo de los pueblos turísticos.

Palabra clave: pueblo turístico, pueblo tradicional, sabiduría.

1. INTRODUCTION

The concept of law as a social engineering tool was first introduced by Rescoe Pound. Furthermore, in the interests of Indonesia's development, Mukhtar Kusumaatmadja presented the concept of Rescoe Pound about the need to function law is a tool of social engineering in Indonesia with the concept of law as a means of development. In its legal function as a means of national development, Bali as a World Tourism destination has a unique and local wisdom

value in developing tourism. In the concept of development law, Mukhtar argues that the use of law as a means to manipulate society according to the scenario of government policy (executive) is needed by developing countries to accommodate changes in their society.

The use of law as a means of changing society does not always have a positive impact on the community concerned. In that context, Esmi Warassih reminded that legal users must always be aware that the law does not fall from the sky so much, but it is made and always within a certain social sphere. Furthermore, borrowing Sinzheimer's words emphasizes that the law does not move in a vacuum and deals with abstract things. But he is always within the scope of living humans. In the context of tourism in Bali, which has a Balinese culture, it is one part of the national culture of the archipelago with a distinctive identity. The identity is physical, the institutional traditional village as a social-religious institution, the value of local wisdom that is integrated with the belief system, the Balinese indigenous community, the philosophy of Tri Hita Karana. The universal values that imbue the Balinese indigenous people, such as religious harmony, appreciation of aesthetics, aesthetics, and balance are the main characteristics of Balinese culture which are supported by most of the people who adhere to Hinduism. The strong spiritual concept makes Balinese culture unique and famous throughout the world.

Bali Island as a Regional Tourism destination has a buffer and/or fortress of Balinese culture is the Traditional Village. Adat Village according to the Regional Regulation of the Level I Province of Bali Number: 06 of 1986 concerning Position, The Function of

Customary Villages as Unity of Customary Law Communities in Bali Province in Article 1 letter (e) mentioned: Customary village as *desa dresta* is a customary law community unit in the Province of Bali that has a unified tradition and karmic order of the life of the Hindu community from generation to generation in a bond of *Kahyangan Tiga* (*Kahyangan Desa*) that has its own territory and property and has the right to manage its own household (Nyoman, 2015; Peres et al., 2018).

The morality of the phenomenon of the Balinese indigenous people has not been able to adopt all tourism activities both ecotourism and the complex and multidimensional tourism activities that are based on traditional villages as outlined in the *awig-awig* Balinese traditional village. The gap in the concept of cultural tourism with its implementation in Bali has become a paradox that must be maintained by the state and traditional villages so that the traditional village has assets that originate from tourism activities. Based on the description above, this research proposes to main problems to be analyzed such as What Is the Position of Local Wisdom in Balinese Customary Law in Tourism Village Management? And what is the legal policy based on Indonesian legal ideals in managing tourism villages in the implementation of Bali's local wisdom values? (Implications of Cultural Tourism Regulations in Balinese Indigenous Peoples) (Esmi, 2005).

2. METHODOLOGY

This study uses qualitative methods with anthropological and sociological approaches. Even this qualitative study is built on the basis of interdisciplinary legal research which is based on anthropological and sociological approaches that are applied to provide answers to the problems raised. This implementation is carried out to reach various aspects. Not just one aspect, so the results become a comprehensive and integrated conclusion. The anthropological approach is because the people and culture of the traditional village of Kutuh, and the traditional village of Kiadan have local wisdom values based on Hinduism, Balinese culture, customs and traditions. Furthermore, in the sociological approach of the two traditional Kutuh villages the potential is Pandawa Beach as a tourist destination, while Kiadan village is a tourism village based on coffee farming, with natural potential, and agricultural culture, while the Kutuh Traditional Village develops natural coastal conditions a case study of two traditional villages in Bali with a model for developing local tourism-based villages (Geriya, 1995).

3. RESULT AND DISCUSSION

Local wisdom values in Balinese society are spread in Hinduism, Culture, customs and traditions. When tourism in Bali opened with the concept of cultural tourism, a paradox emerged that tourism came into contact with the welfare of indigenous peoples on

the one hand, and on the other hand tourism touches the ground for the benefit of hotel development, villas that reduce the function of agricultural land which is managed by water organizations Subak in Bali. The philosophy of Tri Hita Karana in Balinese society underlying the Balinese indigenous people in their activities in managing the Tourism Village. Tri Hita Karana value such as Parhyangan, Palemahan, dan Pawongan as the spirit in the implementation in writing of the awig-awig traditional village in Bali. Customary Law Society in Bali working in social spaces.

The needs of the Balinese people for the importance of Balinese Culture-based tourism require state intervention to protect the culture and values of local wisdom that lives in Balinese indigenous peoples. Tourism is carried out princisively: upholding human rights, cultural diversity, and local wisdom; uphold religious norms and cultural values as the embodiment of the concept of life in the balance of relations between man and God Almighty, human relations and fellow human beings, and the relationship between humans and the environment; preserve nature and the environment; and empower local communities. Management of tourist attractions can be carried out by the Provincial Government, traditional village, traditional institutions, individuals and business entities (Article 16, Regional Regulation of Bali Province Number: 2 of 2012 concerning Bali Cultural Tourism) (Mochtar, 1986).

Traditional village and traditional institutions have the right to develop rural tourism in accordance with local potential (Article 26, paragraph (2)). The law does not move in empty space, but moving in

a social space, it is necessary to be prepared by the village chief and traditional preachers to design the ideal tourist village according to the potential of their village. But due to limited human resources in the countryside, the solution is campus intelligence can provide assistance to traditional villages. In developing cultural tourism in Bali the role of traditional villages as the value of local wisdom is a series of institutionalized and direct behavior in a society that serves to realize social-cultural values into everyday life. Furthermore, the socio-cultural value is the concept of the ideal of good and right is about the nature of human life within the scope of relations with the creator, like humans, nature, dimensions of space and time and in interpreting their work. In terms of local wisdom in the Balinese customary community as institutions, the rules are standardized by the community or an institution so that it is binding on the community and its members (Fithriatus & Ahmad, 2015; Khosravipour et al., 2018).

In increasing cultural tourism equality in the southern part of Badung within North Badung Based on the Badung Regent regulation Number 47 of 2010 concerning the establishment of tourist village areas in Badung Regency. This regulation explains that tourism villages are areas for preserving the natural environment of ecosystems and traditional cultural nodes of society by not inhibiting the development of their citizens to improve the welfare of their lives through tourism business. Whereas cultural tourism is a tourist activity as an effort to preserve and regain traditional values that are packaged in such a way that they are worthy of cultural attractions. Furthermore, Agro Tourism is a tourism activity as an effort to increase tourist

attraction by presenting agricultural activities as tourist attractions. Tirta tourism is an effort to increase tourist attraction from aspects related to water sports that are able to attract tourists. In tourist village areas, residents' houses and unproductive vacant land are used as supporting facilities and infrastructure for village tourism accommodation (Mardika et al., 2017; Indriastuti, 2019; Rian, 2016; Yang et al., 2019; Soo et al., 2019; Sudantra et al., 2011; Bicer et al., 2018).

In a cultural reality implied by an ideal, there will be a reciprocal relationship between tourism and culture so that the two increase in harmony. Then revoked Regional Regulation No. 3 of 1991 concerning Cultural Tourism and was replaced with the Regional Regulation of Bali Province Number 2 of 2012 concerning Cultural Tourism, which also remained based on Balinese culture imbued with Hinduism and the philosophy of Tri Hita Karana. A dynamic reciprocal relationship between tourism and culture that makes both develop synergistically, harmoniously and sustainably to provide prosperity to the community, cultural and environmental sustainability (article 1, paragraph (14). In the context of authority, that the State of Indonesia as a pillar of the state of law, namely the principle of legality, then the governmental authority comes from legislation.

In line with what was stated by Philipus (1998), that the source as a way of obtaining authority is that every act of government is required to be based on legitimate authority, and obtained from three sources, namely, attribution, delegation, and mandate. In Law No. 10 of 2009, one of the tourism businesses includes the provision of

accommodation, water tourism, as well as no mention of tourism villages or eco-tourism, so as to fill the gap and balance the development of South Badung tourism with North Badung, the Badung Regent Anak Agung Gde Agung period, Plaga Village was made as one of the villages chosen as a development area for Agrotourism in the North Badung region in accordance with the Badung Regency's Dati II Development Plan through the Decree of Badung Regency Number: 2028 of 1994 (Mantra, 1993).

In order to realize the balance of development of South Badung with North Badung as well as equal distribution of people's welfare in the Badung Regent Period (2005-2010, and 2010-2015), issued Badung Regent Regulation Number 47 of 2010 concerning Determination of Tourism Village Areas in Badung district. The tourism village in question is the area of preservation of the natural ecosystem environment and the traditional cultural nodes of the community by not hampering the development of its citizens to improve the welfare of his life through tourism efforts (Article 1, paragraph (6). The Kutuh traditional village which has a Pandawa beach, which was previously given the name Secret Beach, was only visited by foreign tourists who like to be quiet and calm. Since it was directly managed by indigenous peoples 2012, the beach is given the name Pandawa Beach.



The object of Pandawa Beach Tourism is managed by the Kutuh traditional village with one-roof management under control Badan Usaha Manunggal Desa Adat (BUMDA) Kutuh traditional village. Pandawa beach tourist attractions in the traditional village of Kutuh, South Kuta District, officially opened on December 27, 2012. The beginning of the history of Pandawa Beach Tourism was in 1997 when the cliffs were cleaved with the aim of making road access a ritual convoy *melasti* to the beach so that the religious ceremony runs smoothly. Before the cliff is split when heading to the beach is a path that is difficult to pass by on foot at the time *pemelisan*. At first, the Pandawa Beach was named *penyekjek sekapa* beach, then Secret Beach and then it was named Pandawa Beach, as a process of beach attractions in South Badung.

The history of the birth of the management rights of the Pandawa coast originally started from the village of Kutuh which was managed in 2013 under the command of the village head. Based on the results of the 2014 deliberations, indigenous community leaders, village heads, the management was handed over to the village of Kutuh. The basis of consideration is from Balinese customary law which binds autonomously to the Kutuh indigenous people. This is by considering protecting the natural environment (cliffs) as an

indigenous village palemahan area from an invasion of investors. This is stated in the Awig-awig of Kutuh traditional village that the cliff stretches from west to east to the temple of Batu Pageh (Bali Cliff hotel area) to Pura Gunung Payung (stretches about 3 Km) status as Pemopon village coral so that its management rights and utilization become the authority of the traditional village of Kutuh.

That based on the Awig-awig, Pandawa Beach was the authority of the traditional Village, then the Kutuh traditional Village established BUMDA management (Bhaga Utsaha Manunggal Desa Adat), based on Kutuh Village Law Number 01 of 2014, and strengthened with the Decree of Kutuh Number 12 / KEP-DAK / XII / 2014 dated 12 December 2014. BUMDA Kutuh village oversees six business units, namely the Village Credit Institution (LPD) Kutuh, Pandawa Beach Area Management, Paragliding Manager, Gunung Payung Cultural Park Tourism Area Manager, Management of goods and services units and the management of the Yad device unit. Each unit is headed by a Mananajer, with traditional village chief Kutuh as Managing Director. Natural wealth, ethnicity, culture, religion, are assets that attract and the potential to develop community-based tourism.

As a comparison, the value of local wisdom can be used as a potential in the development of community-based tourism to increase the socio-cultural resilience of the region, namely the tourism of Pentingsari village (Dewi Peri), Umbulharjo, Cangkringan Sleman, D.I. Yogyakarta. The cultural resilience developed in Pentingsari village has three dimensions: First, coping capacities in the form of

reactive abilities, have the capacity to overcome obstacles, Second, Adaptive capacities in the form of the ability to learn from experience and adapt and challenge the future front; Third, transformative capacities or participatory capacities in the form of the ability to reach a wider political arena. Encourage individual prosperity and sustainable community resilience to future crises.

According to Arauz, there are five skills that young people must have to shape cultural resilience, innovation and imagination, adaptation and dexterity, cross-cultural communication skills both inter-and intra-cultural, crisis analysis skills and the ability to work in teams (teamworking). In the management of Peringsari Tourism Village (Dewi Peri), the community is actively involved in planning, managing, evaluating, and solving problems. Every decision making and problem-solving is carried out through routine 3 and 6 months. Providers of each tour package are the result of packaging the potential of the village that is still maintained, not just made of tourism interests. In the development of potential products and tourist attraction, Dewi Peri considers the uniqueness of local elements both physically and non-physically.

The physical potential developed in the form of natural uniqueness, and environmental conditions, diversity of biological resources, processing local products (culinary), and handicraft products. While the non-physical potential is developed in the form of customs, hospitality, people's way of life, myths, and local socio-cultural and historical conditions. The tourist service system and tourism activities are technically carried out by the entire Dewi Peri

community. The role of the government in transplanting its people through tourism activities of Dewi Peri village and inaugurated as Tourism Village on April 15, 2008, based on Sleman Regency Tourism Office's decree Number 556/336, guided by vision, mission based on the principle of empowerment and welfare of the community.

Community-based tourist villages can spread their people directly by managing village potential. Karangasem Regency has the potential of Tenganan Dauh Tukad Village with ecological tourism based on traditional villages. In ethnic/ indigenous ecological tourism, there are interrelated relationships, because most still have and maintain the diversity of the natural environment around them. The principles of ecological tourism in the Tenganan traditional village, namely: non-consumptive and non-exploitative remain in force so that natural sustainability is maintained. The purpose of opening ecological tourism rather than satisfying the interests of tourists is only a complement (complementary) of the main livelihood activities that depend on the agricultural sector.

4. CONCLUSION

1. From the results of the study it can be found that the value of local wisdom in Balinese indigenous communities in the management of tourist villages can be outlined in the form of awig-awig letters in each traditional village that has the potential of a tourist village. The hope is that the Balinese indigenous people can directly enjoy from

tourism activities. Indeed, Bali has the potential to develop a tourism village based on local wisdom by exploring local values such as in the village of Kiadan, namely nature, agriculture, lodging houses, jogged arts, pancoran managed by traditional villages, trakking, and others. The importance of managing traditional village-based tourist villages provides opportunities for indigenous villages to increase human resources in the management of tourist villages,

2. Implementation of Indonesian law-based legal policies in the management of tourist villages in Bali synergize between state law and customary law because traditional villages have the authority to participate in determining any decisions in the implementation of development in their territory, especially those relating to Tri Hita karana. Management of traditional village-based tourist villages is a model of tourism management in Bali based on village potential, local wisdom values and upholding the values of Hinduism, tradition, and culture.

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