



INTERNATIONAL SEMINAR
BALI HINDUISM, TRADITION, AND INTERRELIGIOUS STUDIES

PROCEEDING

ISBN: 978-602-52255-0-5



UNHI PRESS

HINDU UNIVERSITY OF INDONESIA
Jl. Sangalangit, Tembau, Penatih, Denpasar - Bali
www.unhi.ac.id

ISBN 978-602-52255-0-5



9 786025 225505

BALI HINDUISM, TRADITION AND INTERRELIGIOUS STUDIES

**SEMINAR PROCEEDING OF
INTERNATIONAL SEMINAR ON INTERRELIGIOUS AND INTERCULTURE STUDIES 2018
Hindu University of Indonesia, 10th March 2018**

ISBN: 978-602-52255-0-5

Editor:

I Ketut Ardhana

Reviewers:

I Made Damriyasa

Dicky Sofjan

Hezri Adnan

Yekti Maunati

Erni Budiwanti

Diane Butler

I Wayan Winaja

**UNHI PRESS
HINDU UNIVERSITY OF INDONESIA
2018**

BALI HINDUISM, TRADITION AND INTERRELIGIOUS STUDIES

Editor:

I Ketut Ardhana

Reviewers:

I Made Damriyasa; Dicky Sofjan; Hezri Adnan; Yekti Maunati
Erni Budiwanti; Diane Butler; I Wayan Winaja

Organizing Committee:

I Wayan Winaja (Chief)
Made Adi Widyatmika (Secretary)
Sulandjari (Treasurer)
I Putu Darmawan (Administration)
Putu Satya Prasavita (Documentation & Publication)

Keynote Speaker:

Yudi Latif, Ph.D.

Main Speakers:

Dr. Abhisek Joshi; Dicky Sofjan, Ph.D.; Hezry Adnan, Ph.D.

Cover Design & Layout:

Made Adi Widyatmika
I Putu Darmawan

Publisher and Editorial Address:

UNHI PRESS

Hindu University of Indonesia

Jl. Sangalangit, Tembau, Denpasar, Bali - Indonesia

Phone. +62 361 464800

email: unhipress@unhi.ac.id

© UNHI 2018

All Right Reserved. No part of this publication can be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording or any information storage or retrieval system, without prior permission of UNHI Denpasar.

FOREWORD FROM COMMITTEE



Om swastyastu,

By the blessing and grace of Ida Sang Widhi Wasa Lord the Almighty, and the support of all parties, The International Seminar on Interreligious and Intercultural Studies "Bali Hinduism, Tradition and Interreligious Studies, could be held on 10 March 2018 at Universitas Hindu Indonesia Denpasar Bali, Indonesia. The Proceeding Book with ISBN 978-602-52255-0-5 has been published.

The implementation and the publication of the proceedings of the seminar can not be separated from the help and direction from various parties. On this occasion we would like to thank to The Chairman of the Widya Kerthi Foundation, and The Rector of Universitas Hindu Indonesia, who has been fully support the whole progress of the seminar. Special thanks to Dr. Martin Lukito Sinaga as the Keynote Speaker, and all the main speakers, and all participant.

Hopefully, the novelty from this seminar can be useful for scientific development, especially on interreligious and intercultural studies.

Om santih, santih, santiih, Om

Denpasar, April 2018

Dr. I Wayan Winaja, M.Si.
Committee

PREFACE FROM CHAIRMAN



Dear colleagues,

Om swastyastu, greeting to you all in Balinese way. Bali is one and last Hindu mosaic in Southeast Asia. For a very long time, Bali is famed for its unique local tradition, which has adopted and adapted many positive foreign influences. However, the negative impact due to the globalization cannot be ignored. Although Hinduism is considered a minority religion in Indonesia, it plays a significant role in creating a harmonious life and living in Indonesia. With all its cultural specifics, Bali Hinduism has been in collaboration with other religions in Indonesia such as Islam, Protestantism, Catholicism, Buddhism, local beliefs and other faith traditions. This is done within the context of existing socio-cultural dynamics in an ever-changing (post) modern Indonesia.

The International Seminar: Bali Hinduism, Tradition and Interreligious Studies were addressing issues on Bali Hinduism in globalized world, social and culture linkage in Indonesia, role of religions in heterogeneity and interreligious comparative studies in order to strengthen the unity in diversity. It is quite amazing to see a large number of papers from various fields of science joining together on subject ranging from science to senses. There are 61 papers to be presented on this proceeding book, those has been categorized in four specified topics: Bali Hinduism in Modern and Postmodern World, Tradition, Local Wisdom and Sustainability, Interreligious Studies in Globalized World, and Conflict, Tradition and Modernity. With the number more than 60 of papers on cultures, traditions and religions, I am sure the noble purpose of the forum, which is to maintain interreligious and cultural relations in Indonesia, will be achieved.

Finally, it has been your registration and submitted paper which allows this precious book. The kindest support of Rector of Hindu University of Indonesia, Prof. I Made Damriyasa, and marvelous job of committee team deserve a big applause for this proceeding book. Hopefully the book could usefull in developing interreligious and culture studies.

Denpasar, April 2018

Prof. Dr.phil. I Ketut Ardhana, M.A.
Chairman

REMARK FROM RECTOR OF UNHI



Om swastyastu,

Indonesia, especially Bali, has been a model of religious and cultural pluralism for a long time through several points of history. Bali's richness of tradition with a variety of challenges due to globalization and modernization has made Bali a very interesting research object. This is very beneficial to Bali for sure and it is our duty to accommodate the researchers' papers.

There are more than 60 papers are published as the results of The International Seminar on Bali Hinduism, Tradition, and Interreligious Studies which were held on March 10th, 2018 hosted by Hindu University of Indonesia. The greatest academic issues that discussed are about Bali Hinduism and its traditions in postmodern and interreligious studies in globalized era.

We sincerely hope, through this book, we could enriches and expands the accessible information on the interreligious studies. And I would like to thanks to all participant for their kind participation.

Om santih, santih, santih, Om

Denpasar, April 2018

Prof. Dr. I Made Damriyasa, M.S.
Rector

CONTENTS

PREFACE FROM CHAIRMAN	iii
REMARK FROM RECTOR OF UNHI	iv
C O N T E N T S	v
COMMODIFICATION OF RERAJAHAN ULAP-ULAP IN PEMELASPASAN RITUAL OF SACRED BUILDING AT PAKRAMAN VILLAGE SANUR KAUH SOUTH DENPASAR SUB-DISTRICT <i>I Kadek Sumadiyasa</i>	1-10
THE BENEFITS OF MULTIMEDIA TECHNOLOGY TO THE PRESERVATION OF THE BALINESE LANGUAGE <i>I Ketut Sutarwiyasa</i>	11-16
CLIMBING TOURS IN THE SACRED MOUNTAINS IN BALI: FROM AGUNG TO BATUR <i>I Gede Mudana, I Ketut Utama, Cokorda Istri Sri Widhari</i>	17-23
COMMODIFICATION OF THE GANESHA THEOLOGY ICON IN THE TOURISM INDUSTRY IN UBUD BALI <i>I Gusti Ketut Widana</i>	24-30
DELIVERING HINDUISM POSITIVE VALUE THROUGH STORYBOOK/LITERACY “DUNIA SEKAR” SERIES <i>I Made Marthana Yusa, Made Suardhini</i>	31-37
SESELAT ON TUMPEK WAYANG: NEUTRALIZE BHUANA AGUNG <i>Ida Ayu Komang Arniati</i>	38-41
MODERNITY HEGEMONY IN THE BIOCULTURAL MEDICAL SYSTEM OF USADA BALI <i>Ida Bagus Suatama</i>	42-52
PURNA JATI PASRAMAN POSITION IN IMPROVING HINDU RELIGIOUS EDUCATION ON YOUNG HINDU GENERATION IN NORTH JAKARTA <i>Putri Anggreni</i>	53-58
CREATIVITY DEVELOPMENT OF VOCATIONAL SCHOOL STUDENTS IN BALINESE CULTURE AND ITS CREATIVE INDUSTRY <i>I Made Darmada, Pardjono, Zamroni, Ni Komang Sri Yuliastini, Ni Luh Gede Liswahyuningsih</i>	59-72
DISCOURSE ON THE CONCEPT OF BALANCE OF SAKALA AND NISKALA SPACES IN ETHNIC BALINESE HOMES <i>I Kadek Merta Wijaya</i>	73-80
PRODUCTION PROCESS OF BALINESE TRADITIONAL FOODS <i>I Wayan Redi Aryanta</i>	81-90

EDUCATIONAL VALUE OF THE USE OF ALANG-ALANG IN HINDU RELIGIOUS CEREMONIES IN BALI <i>Ni Putu Suwardani</i>	91-100
STRUCTURE AND PRODUCTION OF HONEY BEES MAINTAINED IN TRADITIONAL AND MODERN NESTS IN TENGANAN VILLAGE, KARANGASEM DISTRICT <i>I Wayan Wahyudi</i>	101-105
RELATION OF RELIGION AND BALINESE RESIDENCE ARCHITECTURE <i>I Putu Gede Suyoga, I Putu Sarjana</i>	106-112
THE MEANING OF BARIS KRARAS DANCE PERFORMANCE IN THE GLOBAL ERA: CASE STUDY IN MENGWI VILLAGE, BADUNG REGENCY, BALI PROVINCE <i>Ni Made Ruastiti</i>	113-121
THE MEANING OF MAKOTEK TRADITION IN MUNGGU VILLAGE IN THE GLOBAL ERA <i>Gede Yoga Kharisma Pradana</i>	122-128
THE BAHUNG TRINGAN MEDITATION TECHNIQUE IN BALI <i>I Gede Suwantana, Ni Ketut Ayu Juliasih, Ni Luh Gede Sudaryati</i>	128-135
THE TRADITION OF NGELAWAR: LEARNING PROCESS FOR BALINESE MEN PLUNGING INTO THE DOMESTIC DOMAIN <i>Ni Made Indiani</i>	136-140
SATE RENTENG IN PIODALAN CEREMONY OF PURA DALEM IN JAGAPATI VILLAGE, ABIANSEMAL, BADUNG REGENCY: PERSPECTIVE OF THE VALUES OF HINDU RELIGIOUS EDUCATION <i>Made Nada Atmaja</i>	141-148
THE SACRALIZATION OF OGOH-OGOHO IN THE CITY OF DENPASAR: SOURCE OF NEW FUNDING <i>I Wayan Watra</i>	149-156
IDEOLOGY TRI HITA KARANA FOR BUILDING RELIGIOUS BEHAVIOR GRHASTHA ASHRAMA <i>I Gusti Ayu Suasthi</i>	157-163
ON WOMEN AND THE PRAXIS OF INTERRELIGIOUS DIALOGUE THROUGH THE ARTS <i>Diane Butler</i>	164-179
THE POWER OF THE GLOBAL ERA IN THE TRADITION OF GENGONG ART IN BATUAN VILLAGE <i>I Nyoman Winyana</i>	180-184
PURA LANGGAR: REPRESENTATION OF HINDU AND ISLAMIC RELATION IN BUNUTIN, BANGLI <i>I Nyoman Yoga Segara</i>	185-191

COMPARING RELIGIOUS CONVERSION IN THE FILMS AYAT-AYAT CINTA AND TANDA TANYA: A COMPARATIVE LITERATURE STUDY <i>Ida Bagus Made Wisnu Parta</i>	192-198
THE PEACEFUL MEANS OF TRI HITA KARANA IN BALINESE CULTURE <i>Putu Agung Nara Indra Prima Satya, Formas Juitan Lase</i>	199-207
INTERRELIGION SYMBOLIC COMMUNICATION OF SASAK ISLAM WITH BALINESE HINDU IN MAULID NABI MUHAMMAD SAW CEREMONY IN SEKARBELA SUB-DISTRICT, MATARAM CITY <i>I Wayan Wirata</i>	208-214
IMLEK TRADITION OF THE HINDU COMMUNITY IN GUNUNGSARI VILLAGE, SERIRIT, BULELENG REGENCY, BALI <i>I Wayan Sujja</i>	215-220
HINDU COMMUNITY COSMOLOGY IN THE DEVELOPMENT OF LAKE BERATAN TOURIST DESTINATION IN TABANAN REGENCY, BALI <i>Putu Krisna Adwitya Sanjaya</i>	221-228
POLITICAL LEGAL PLURALISM IN THE SETTING OF THE SACRED SITE OF ULUWATU TEMPLE IN BALI <i>I Putu Sastra Wibawa</i>	229-238
EDUCATION IN HINDU ACARA: BETWEEN TRADITION AND MODERNITY <i>Ni Made Sukrawati</i>	239-245
EXTROVERT CULTURE FEATURE: THE SYMBOLIC VIOLENCE TO INTROVERT STUDENTS OF ENGLISH EDUCATION DEPARTMENTS IN BALI <i>Ni Putu Desi Wulandri</i>	246-254
MODERNIZATION VERSUS TOURISM ICONS: IDEOLOGY CONTENTION ON THE TRADITIONAL AGRICULTURAL SYSTEM IN JATILUWIH TOURISM VILLAGE, TABANAN REGENCY <i>Dewa Putu Oka Prasiasa</i>	255-264
THE EXISTENCE OF BHSAMA PARISADA IN THE INDONESIAN NATIONAL LEGAL SYSTEM <i>Gede Marhaendra Wija Atmaja</i>	265-270
PLANTING OF HINDU RELIGIOUS VALUES IN STRENGTHENING BALINESE CULTURAL IDENTITY IN LOMBOK <i>I Nyoman Murba Widana</i>	271-276
EMPOWERMENT OF INFORMAL CITIZENRY TIES IN MAINTAINING CULTURAL IDENTITY OF BALI-HINDU IN LOMBOK <i>I Wayan Ardhi Wirawan</i>	277-283
COUNTER-HEGEMONY OF BALINESE WOMEN IN THE PUBLIC DOMAIN: CASE STUDY FEMALE LEGISLATIVE MEMBERS <i>Ni Wayan Karmini</i>	284-291

DISASTER: RELIGION AND CULTURE PERSPECTIVE <i>I Wayan Martha, I Gusti Agung Paramita, I Wayan Budi Utama</i>	292-301
IMPLEMENTATION OF HINDU TEACHINGS IN THE DUKUH SILADRI GEGURITAN TEXT <i>I Wayan Cika</i>	301-307
AIMING TOWARD SEMANA SANTA SPIRITUAL TOURISM IN THE EAST FLORES REGENCY <i>Karolus Budiman Jama, Syairal Fahmy Dalimunthe</i>	308-314
RESISTANCE OF THE CHARISMATIC GENRE TO ULOS USAGE IN TOBA BATAK CULTURE <i>Mangido Nainggolan</i>	315-323
LOCAL EQUALITY BASED ON ETHNOTECHNOLOGY AS SECURITY OF AGRICULTURAL CULTURE OF CIGUGUR PEOPLE <i>Erlina Wiyanarti</i>	324-334
PUJA MANDALA: DIVERSITY AND SYMBOL OF RELIGIOUS HARMONY IN BALI (1994–2014) <i>Leonardo Haloho</i>	335-340
RELIGION AND TRADITION IN THE DYNAMICS OF HISTORY <i>Sulandjari</i>	341-347
THE SYMBOL MEANING OF THE MALANG MASK PUPPET-MASTER IN RUWATAN RITUAL <i>Tri Wahyuningtyas</i>	348--354
WARIGE AS A SYMBOL CONTAINING CRUCIAL MEANING IN SASAK COMMUNITY'S CULTURE AND ITS RELATION TO LANGUAGE MAINTAINABILITY <i>Ahmad Sam'un</i>	355-362
SYMBIOTIC MUTUALISM SHAPING SOCIAL PHILANTHROPY OF ETHNIC BALINESE AN CHINESE IN PUPUAN VILLAGE, TABANAN, BALI <i>I Gusti Made Aryana</i>	363 - 376
MARGINALIZATION: MESATUA BALI TRADITION INVOLVED ALPHA GENERATION <i>Made Kerta Adhi</i>	377 - 384
CUSTOM, HINDU RELIGION, LOCAL LAW, AND SOCIAL CHANGE IN BALI IN THE CONTEXT OF TOURISM <i>I Wayan Wesna Astara, A.A.Gde Wisnumurti, I Made SuniasthaAmerta, I Mada Artawan, Putu Ayu Sriasih Wesna</i>	385 - 395

CUSTOM, HINDU RELIGION, LOCAL LAW, AND SOCIAL CHANGE IN BALI IN THE CONTEXT OF TOURISM

I Wayan Wesna Astara, A.A.Gde Wisnumurti, I Made SuniasthaAmerta, I Mada Artawan,
Putu Ayu Sriasih Wesna

<wesna_astara@yahoo.com>

Abstract

This article explains that the island of Bali has its own uniqueness because of its tradition, Hinduism, culture, and local laws. Throughout the advancement of tourism in Bali, the local law should be able to filter the global capitalism tourism culture in Bali. The culture of Bali which was originally very strict with the local values, then get in touch with tourism neo-liberalism and capitalism. The value of cultural tourism is subjected to neo-liberalism global capitalism. On the one side, they are synergizing, but on the other hand, the indigenous people of Bali are just watching and serving the neo-liberalism of tourism. The scopes of problems in this writing can be formulated as follows. (1) What cultural values and laws that can strengthen the cultural tourism in Bali? (2) What are the meanings of the Balinese culture values in social change in the context of tourism? The goal of this writing is expected to be able to clarify the correlation values of the Balinese culture in the context of cultural tourism development in Bali. It also aims at anticipating of the negative global tourism (neo-liberalism) for the growth of cultural tourism in Bali. This study uses qualitative methods and in the data collection, it used depth interviews, involved observation technique, and documents study.

The results of this study, are expected be able to provide some inputs to either government of the province or the government of regencies. It is also hoped the government will be able to dig into their local wisdom values for competitiveness and welfare of the local community, by making regulations and, or a pro-people's policy for the indigenous peoples and indigenous villages in Bali. The result of the battle of global capitalism with the local tradition values, shows that in Bali social change has occurred and there are some correlations among the Balinese culture values with the tourism, culture, and social change in Bali.

Keywords: custom, local law, tourism, culture, and social change.

I. Introduction

A. Background

The island of Bali has the power to be developed sustainably in the field of tourism. The potential of tourism has been recognized by the world with the value of customs, traditions, Hinduism, and Balinese culture has fused into a potential to be developed into a strength, ability, capability and competitiveness. Hinduism in Bali has a unique religious ceremony, customs, and traditions in each of the traditional villages, livelihoods, and arts of Balinese people that can not be found in any part of the world. This potential can be developed as a tourist attraction. The arrival of tourists to Bali will strengthen the bonds of the Balinese against their cultural traditions by revitalizing values of culture and traditions that live in the local communities .

In the context of tourism, the value of local wisdom in Bali has been excavated by the Provincial Government of Bali, especially the arts for the show at the Bali Arts Festival (PKB), various

dances revitalized to support the tourism culture of Bali. In line with the authors' opinion, Ardika predicted that in the era of globalization, issues such as culture, religion, ethnicity, gender, and life style will be more important than the economic conflicts that occurred in industrial times. In this connection Ardika exemplifies archaeological relics, as the past cultural heritage remains a source of inspiration. Furthermore, according to Ardika (2003), there are ten components of Balinese culture that can be used as tourist attraction, they are: handicraft, tradition, history, architecture, local food, art and music, way of life, religion, regional languages, and local traditional clothes⁸.

In organizing tourism in Bali Province, the role of law can not be ignored. In this case, the law as a means of social control, as stated by Roucek, Soerjono Soekanto, named the mechanism of social control "everything that is done to carry out planned and unplanned processes to educate, invite, or even compel the local community to adapt with the customs and values of people's lives⁹.

Custom, according to Radcliffe-Brown, is a complex of ideas that lie above the individual, that is steady, continuous, and coercively. The adherence to the custom is occurred and if there is a violation, then automatically there will be a public reaction to punish the violator¹⁰.

B. Problem Formulation

Based on the background mentioned above, some issues related with custom, religion, cultural tourism in Bali which are associated with social change. So, in this writing, the problem that will be explored and raised can be formulated as follows.

1. Which cultural and legal values can strengthen cultural tourism in Bali?
2. What does Balinese cultural values mean in social change in the context of tourism?

C. Research Methods and Theoretical Framework

The research method used in writing this article is a type of normative legal research, quoted from various laws and regulations, the theories of experts, and various documents related with the object of the study. The legal study developed in accordance with the development of society as all aspects of the community is dynamic.

Satjipto Rahardjo who has discovered the term of progressive law, stated that, law is made for human and contains the moral of humanity. The law that controls human interaction and the universe should be based on spiritual values¹⁰. Hugo Shinzeimer stated that the law is not in a vacuum, but it always faced with a dynamic society. This situation, however, requires a humanist law¹¹.

The writing of this article uses an interdisciplinary jurisprudence approach in the opinion of Schut sited in (Satjipto Rahardjo, 2001), stated that "Wetenschap is afkijken" (Science is looking at all directions). The point is that legal science is not stuck in a narrow but holistic view of the law has ethical, moral, religious content to create justice, happiness, prosperity, peace. The law moves in three dots: state law, society, and religion, ethics and morals called triangle concept of law (Werner Menski, 2006). The situation can not be established if the legal science that leads and forms the law is only positivistic paradigm that struggles with formalistic, procedural, partial, elitist inherent in power and dominated by politics and economy¹³. The point is that the narrow-minded law has ignored the role of human beings both in the process

of legislation, implementation, law enforcement, and people in society. Therefore, the science of law in its development can not be separated from the human element. In this case the legal science emphasis on socio-legal studies is a type of study that represents the way the law sees more to the context than the text¹⁴.

In this article, the legal science method is used by referring Soetandyo Widnyosoebroto's opinion, looking at the law of two sides. Firstly, the law as the norm (sollen, statements that are substantially mandatory). Secondly, the law as nomos (statements about the presence or absence of certain behaviors in a factual collective life.) The first is called the rule, and the second is the order. The notion of law as a rule (norms) and order (nomos, fact) is a duality, not a decotomy. Conceptually, both concepts can not be separated⁶, this is what dissected in this article. Furthermore, law as a norm in which when it is obeyed, it will transform into a steady behavior over a long period of time, will be understood as the norm.

In relation to the above reflections and constructions, the theoretical framework relevant to this study is as follows.

1. Theory of legal pluralism

Legal pluralism is an idea that law comes from social pluralism. The law is not only state order produced produced by society in social relations. The fact that indeed shows that most of the life of a person is among the many types of rules, such as custom village rules, religious rules, family, division of parker land, or school. Not all rules are produced by the state as the greatest power, but arise from local institutions (local) or even individuals who are related to each other. In many ways these rules called social orders actually play a role in making order semraut become regular. This means that the function of the rules have the same role with the state rules .

2. Theory of Law as Means of Social Engineering

In the description of this theory, explains that the law was created and done with full of wisdom and awareness to achieve certain goals in modern law by David M. Trubek. Trubek distinguishes modern law as a particular social process arising from the process of development in general. Three basic features are as follows.

- a. It is a system of regulation.
- b. It is a deliberate act of human action.
- c. It is part but also at the same time autonomous to the state.

In the case of this discussion related to the letter b the focus of attention. The trait implies, modern law is in fact very instrumental in nature, therefore it can be assumed that social life can be formed by a certain will. If the elite class of power is from the modernists, it will bring changes through the making of legislation and strive to make it happen in reality . Modern law does not merely recapture the patterns of behavior found in society, but it is attempted to be a means of channeling those policies which may mean creating new circumstances or changing something that already exists. This means that the law illustrates that the function of the law has undergone a shift to become more active political forces, which become stronger and interfere in many areas of socio-economic life such as cultural tourism and the determination of tourist village areas in Badung regency.

Principally, theory of Law as social engineering is consciously to achieve order or condition of society as aspired or to make the desired changes. Likewise eclectically will use Parsons

theory into law as done by Bredemeir, has been raised the relationship between politics and law. It is proposed that the law regulates further the decisions taken by the political life sector.

3. Law as a means of Social Control

In legal theory as a means of social control, quoting Roucek, Soerjono Soekanto, calls the mechanism of social control “everything that is done to carry out planned and unplanned processes to educate, invite or even compel citizens to conform to habits and the values of people’s lives”. The work of law as a social control can be observed in legal engagement with social change. The existence of such involvement can be observed with the birth of Local Regulation No. 3 of 1974 on Cultural Tourism, in consideration in essence that the Regional culture as part of national culture, is the basic and dominant potential for tourism development, which must be fostered and nurtured, and distinctive features in their contact with tourism activities.

The dynamics of tourism in Bali and economic development, especially can actually be realized tourism aspiration for Bali and not Bali for Tourism, then this Regional Regulation was revoked and replaced by Regional Regulation of Bali Province No.3 Year 1991 about Cultural Tourism. Article 5 paragraph (c, and d) Development of objects and power Attraction shall be conducted with due observance of: c) cultural preservation and environmental quality; d). tourism itself. Then 11 years after the enactment of Regional Regulation No. 3 of 1991, the dynamics of tourism in Bali and the existence of national tourism policy as regulated in Law No. 10 of 2009 on tourism, the Regional Regulation of Bali governing Cultural Tourism revoked and replaced with Regional Regulation Bali Province No. 2 Year 2012 on Balinese Culture Tourism. The important thing in this rule focuses on some of the following objectives.

- a. To preserve Balinese culture inspired by the values of Hinduism.
- b. Improve economic growth.
- c. Improve community welfare.
- d. Creating business opportunities.
- e. Creating employment.
- f. Preserving nature, environment and resources.
- g. Raising the image of the nation.
- h. Strengthen the love of the homeland and the unity of the nation.
- i. Strengthen friendship among nations (Article 3).

The development of tourism culture of Bali is directed to include the following.

- a. Improve pride and dignity, and strengthen the identity of Balinese people.
- b. Increasing the welfare of Balinese people equally and sustainably.
- c. To preserve Bali’s natural environment as a basis for sustaining the life of Balinese society and culture (Article 4).

Similarly also the birth of Badung Regent Regulation number 47 of 2010, about the determination of the tourist village area in Badung regency, mention that the tourist village is the area of nature conservation of the ecosystem environment and the traditional cultural knot of the

community by not hampering the development of its citizens to improve the livelihood of its life through tourism business. Cultural tourism is a tourism activity as an effort to preserve the re-growth of traditional values, which are packed in such a way as to be a tourist attraction. The implementation of cultural tourism aims to maintain the norms and values of culture, religion and natural beauty of Bali with an environmental perspective (Article 3 paragraph (f)).

II. Discussion and Analysis

A. Cultural and legal values that can strengthen the tourism culture of Bali

Balinese Hindu communities, especially those living on the island of Bali, have a valuable value that is maintained sustainably by Hindu Balinese krama. Indigenous villages as a place for religious, cultural and customary struggles, in the context of cultural tourism and cultural strongholds have guaranteed Balinese stability. Cultural values that live in *tat-twam ation*, *karma nutmeg*, *tri hita karana* philosophy, as well as other cultural values, become a doctrine in Balinese Hindu human behavior. Art, is the power of Bali, either in traditional villages, in the castle, or in the dance studio. There is a special dance associated with Hinduism as a *Wali* dance and dance art that can be shown to tourists.

Bali is also a cultural heritage of the archipelago that continues to be guarded. One of the interesting global phenomenon today is the growing tourism becomes one of the main pillars of the world economy. The development of global tourism, among others, is driven by advances in communications, information technology and transportation. On the other hand, the development of global tourism is influenced by the 4T Revolution: Transportation, Telecommunication, Trade, and Tourism. In addition, the most important thing is the increasing welfare of the community, so that tourism becomes one part of lifestyle (lifestyle), become one of the basic needs in addition to food and clothing .

Culture characterizes a nation. What do distinguish Indonesian people from Indian and Indo-Chinese people? On the matter, they are all within the same civilization: the Indus Valley Civilization, the area of *Sindu* civilization? It is a Culture. The culture distinguishes the Indian nation from the Indonesian people from the Indo-Chinese peoples, whether they are from Cambodia, Thailand, Vietnam or Burma. There may be similarities between Indonesian culture and other cultures mentioned above.

Furthermore, it should be explained that what is culture or *budaya* ? The word *budaya* is derived from *Budi* and *Daya*. *Budi* in Sanskrit, means mind that has been processed, a clear mind, mind that has been illuminated. *Daya* means effort or activity, can also be interpreted as "behavior". Power is the thrust of the word *hridaya* in Sanskrit; means heart, that is conscience, means efforts, actions, or behaviors that are in accordance with the conscience.

Tourism as an economic generator of global society is a paradox. On one hand, tourism is in contact with the welfare of society. On the other hand, tourism requires land (land) to move well as hotels, restaurant and other facilities in contact with tourism. The right to travel is the freedom to travel and the use of leisure in the form of a tour is part of human rights. (UURI No.10 Year 2009, About Tourism, Consideration weighing letter b) .

The Balinese, Indonesian Man, and investor (foreign, domestic) are obliged to maintain and preserve Balinese culture, because Bali tourism is a Hindu religion, Balinese culture. Therefore, the implementation is in *Tri Hita Karana* which is poured in the regulation of Bali Provincial to maintain Balinese Hindu culture. Bali based on *Tri Hita Karana* perspective is a unified whole,

so that all programs and policies concerning, it must be done synergistically, integrally and systemically .

The value of Hindu culture in Bali, the cultural value of mebanten inherited by the ancestors of the Hindu Balinese, across generations also has a sacred mission of saving and nature conservation along with it (flora, fauna, and other physical elements). Actualization of mebanten wisdom value has high value of conservation and empowerment. The essence of value is exposed from the ability of interpretation and perception of society in the actualization of their activities or daily life . The activity is done repeatedly in daily regulation (saiban), monthly (full moon, tilem, kajeng kliwon), six monthly (Galungan, Kuningan, Sugihan Bali, Sugihan Jawa), and annual Nyepi holiday.

In protecting the Hindu religion, customs and traditions, in the realization of tourism in Bali, legally Based on the Provincial Regulation No. 1 of 1974 on "Cultural Tourism" jonto Local Regulation No. 3 of 1991, Article 6, the development of objects and attractions with regard to the following.

- a. Ability to promote the improvement of economic and socio-cultural life;
- b. Religious values, customs and views and values that live in society;
- c. Cultural preservation and environmental quality;
- d. The sustainability of tourism itself.

Furthermore, the Regional Regulation No. 3 of 1991 on cultural tourism is declared to be inapplicable in accordance with Bylaw No. 2 of 2012 on Balinese Cultural Tourism. Bali Culture is a Balinese culture that is imbued with the values of Hinduism (Local Regulation No. 12 of 2012, Article 1, 13). However, Balinese cultural tourism is Bali tourism based on Balinese culture inspired by Hinduism and Tri Hita Karana philosophy as the main potential by using tourism as its vehicle of actualization, so as to create a dynamic mutual relationship between tourism and culture that makes them develop synergistically, harmoniously and sustainably to provide welfare to the community, cultural and environmental sustainability (Article 1, number (14) Article 6, the development of Balinese Cultural Tourism includes.

- a. Tourism business.
- b. Tourist destinations.
- c. Marketing.
- d. Tourism institutional.

Article 10, paragraph (1) the provincial government develops tourism destinations; paragraph (2) the development of tourism destinations as referred to in paragraph (1) shall included.

- a. Feasibility study.
- b. Planning.
- c. Network infrastructure.

Paragraph (3) in the development of tourism destinations as referred to in paragraph (2) of the Provincial Government may cooperate with the kabupaten / kota.

Article 11; the development of tourism destinations should be made with due regard to:

- a. Local wisdom such as the beliefs of the Balinese people based on Tri Hita Karan and

imbued with Hinduism;

b. Cultural and environmental sustainability, such as traditions, Balinese customs, and environmental rules;

c. The economic potential of such communities provides opportunities for local businesses in both handicrafts and agricultural products to showcase their works in hotels, restaurants and other tourist attractions; and

d. Tourism business sustainability.

Then pay attention to development of Bali tourism and tourism attraction, the component of Balinese culture which become the potential of tourism attraction include:

a. art,

b. archaeological;

c. historical;

d. enthusiasm;

e. literature; and

f. tradition;

Bali as a tourist destination, pakraman villages and traditional institutions have the right to develop rural tourism in accordance with local potential, as well as managers of tourist attraction is entitled to provide special guides (Article 26, paragraphs (2 and 3)). Government of Bali Province can provide funding assistance for tourism development managed by pakraman village or traditional institution (Article 31) . As a duty of a tourism entrepreneur.

a. Preserving Balinese culture, keeping and respecting religious norms, customs, culture and values living in society;

b. Build a means of tourism

B. The meaning of Balinese cultural values in social change in the tourism context

Reflection and legal construction and the context of Balinese cultural values in relation to Balinese cultural tourism between “blessings” and “disasters” that appear in the dynamics and phenomenon of Balinese life. Many blessings of Bali tourism cases that end also brings “disastrous”. There have been cases of “Bali Bomb I, and II, as anti-climatic trials of cultural tourism versus tourism” exploitation of capitalism “, and cultural tourism hedonism wrapped” with the grandeur of Kuta tourism. Indeed Kuta has been known since the time of the kingdom as the area where the “slave purchase” of Bali and the Dutch colonial era by Ketut Tantri, Kuta as a beautiful place to travel. Then in the era of independence (New Order) as a strategic place for tourists “thin pockets”. Kuta Beach becomes a very attractive charm for the class of foreign tourists “thin pouch”. But Kuta tourism continues to move from Culture tourism to tourism Culture “multi dimensional”.

It is necessary a method and arrangement about tourism that holistically to view and to study tourism based on Hinduism and culture of Bali. In the aspect of social change of tourism in Bali, the law must be able to reach the period that will come in the effort of sustainable cultural tourism, including issues of change that will be desired .

1. The Meaning of Community Empowerment by exploring the potential value of local wisdom to support Cultural Tourism

Indigenous peoples of Bali Hindu have a culture that is worthy to be developed in tourism industry. Tourism Bali can not be separated from the role of Prof. Dr. Ida Bagus Mantra (Governor of Bali period 1978-1983, and 1983-1988). At the initiative of the Governor of Bali in 1979 made the Bali Arts Festival (PKB) in terms of supporting tourism activities which basically done as means of the empowerment of local communities of Bali. The Bali Arts Festival is held annually on a regular basis with four missions held by the PKB, they are: exploring; developing; fostering; and preserving Balinese culture. First, PKB held to rediscover the various forms of art that once existed and has drowned away. Then, it rebuilt according to its original existence. Second, develop, that is packing traditional artwork (local) according to the demands of the era without removing the roots of the original culture. Third, fostering, which is to train a person, a group of people and the community of various forms and types of art and preserving in an effort to improve the quality and quantity. Fourth, preserving the maintenance of various forms and types of art that have for its existence sustainable both in quantity and quality.

Art in Balinese society is an element that is very popular with tourists. One of the tourist village in Badung Utara Bongkasa Village is very pursue various types of art both performing arts and literature. According to its function, traditional dance art can be classified into three types, namely: 1) wali dance (sacral dance); namely sacred religious dance; 2). Dance bebalihan, namely ceremonial accompaniment dance; 3). Balinese dance-balihan, the dance that serves as entertainment. The types of art in the village of Bongkasa Pertiwi are: sekehe Gong: 3 units; sekehe angkelung 1 unit; sekehe sacred dance drama 2 units and sekehe rindik 1 unit.

2. The meaning of Welfare for indigenous peoples / local Bali in increasing the value of local wisdom

Cultural Tourism Bali provides benefits for rural communities, especially areas that are directly opened as a tourist village. Badung district government in developing the tourism area in addition to Kuta, Tuban, and Nusa Dua. Based on Badung Regent Regulation number 47 of 2010, on the Determination of Tourism Village area in Badung regency, since 2010 badung district has 11 villages of tourism village: 1. Tourism Village; 2. Pangsang Village; 3. Kerta Village; 4. Plaga Village; 5. Desa Belok; 6. Carang Sari Village; 7. Sangeh Village; 8. Baha Village; 9. Village Ship (District of Mengwi); 10. Mengwi Village; 11. Canggu Village (Mengwi Sub-district). In the cultural reality of the village Plaga Tourism (Banjar Kiadan) Petang district, in addition to the cool air and beautiful natural scenery. There is a beautiful panorama of natural scenery. There are also Bukit temple and Pura Kahyangan Tiga, Tukad Bangkung bridge and Agricultural Culture Festival event annually held at Tukad Bangkung Bridge, the highest bridge in Bali. 16

The concept of local wisdom for the Indonesian nation is rich in cultural diversity, ethnicity, ethnicity and race with more than 389 ethnic groups that have different customs, languages, values and cultures. The existence of customary law community is inseparable with the existence of local wisdom, where there are indigenous peoples there is local wisdom attached to good state rules that have been written according to adat or unwritten.

The value of local wisdom in Bali when associated with the development of tourism in southern

Badung such as Nusa Dua, Kuta, Seminyak and now even leads to Canggu and Munggu, so rapidly provide changes and benefits for the community of Badung regency in particular and the people of Bali in general welfare contained in tourism industry services. In the effort to develop tourist village in Badung regency, many tourism village potency but not optimal in its arrangement and packing; need to strengthen the position of the tourist village in performance; so far the understanding of tourist villages is mass tourism, creating excellent service and hospitality because the community base is the agricultural sector; continue to use customs and culture as the spearhead of the tourist village; during this village tourism expressed the capital is the same problem from the perspective of human resources require a lot of training, especially foreign languages and accommodation; need to pick up the ball with facilitation / facilitation in the early stages.

In real terms, it is necessary to understand the local community about the tourist village through a planned and measured socialization process so that the Regulation of Badung Regent Number 47 Year 2010, not as a "tiger paper" as the name of the villages mentioned above. Therefore, the role of the state continues in the management and supervision of the Tourism Village implemented functionally by the relevant agencies within the local government and coordinated by the Regional Secretary and accountable to the Bupati. The development and management of tourist villages developed and utilized as much as possible for improving the welfare of the community, especially people around the area of tourist villages. Supervision of tourism village arrangement by related institutions within the local government by taking into account the inputs of the stakeholders (Article 9, paragraph (1,2, and 3).

In developing Plaga a tourist village, for instance, need to build adequate infrastructure to develop the object of tourism, many potential that can be expanded, such as the potential of archeology, Arts, culinary tourism, nature tourism, Ganesha statue found which was estimated to have existed in the 9th century. Tourist village planning in northern Badung needs a touch of academics and support from Local Government of Badung to accelerate the model of tourist village and tourism activities developed include: a. agro-tourism; b. natural tourism; c. culture tour; d. culinary tour; e. tourist tirta; f. spiritual tourism; g. tourist attractions; h. historical tour (Result of Interview with Roni, Jro Bendesa (the head of of Plaga Indigenous Village, dated 24 February 2018).

The other tourist village set by the Badung Regent in 2010, as mentioned above, is Bongkasa Pertiwi Village The village has beautiful scenery, rafting location, Balinese architecture, dance studio and silverware. Sangeh tourist village has also a natural tourist attraction in the form of nutmeg forest inhabited by monkeys and trekking path. Pangsang tourist village is known for rafting tour, trekking and cycling and offers unique cultural attractions of the tradition of ngendar, lampat, and nyerah saye.

Ngendar tradition is done once a year on the feast of Galungan by making porridge in temple upgrading done by children aged 5-12 years. The process of making this porridge should not be watched by an adult if it is not scorched. This slurry is then distributed to the people who come to the temple upgrading. Lampat, a tradition that is done every full moon by teenagers who have been behind, begins with picking seven types of vegetables around the village and no one should prohibit this adolescent. These vegetables are also cooked by them in temples upgrading is shared with rice for the people who come to temple upgrading. The menyerah saye tradition done once a month on Tuesday at the first week. This tradition represents the responsibility of Kelian Desa to residents to remind citizens with responsibility.

III. Conclusions

1. The local traditions of indigenous villages in Bali have the potential to be excavated to explore Bali's tourism culture. Hinduism and local law (Awig-awig and Pararem) can serve as an update tool in regulating tourist villages in cultural tourism activities, in addition to state law. The philosophy of Tri Hita Karana as a guide to format cultural tourism as a control to provide legal certainty, nobility and tourism culture of Bali. The beautiful nature of Bali given by God Almighty needs to be guarded based on the philosophy of Tri Hita Karana. The Balinese, Indonesian people, tourist actors are obliged to preserve and preserve the natural environment, and its culture. Indigenous villages have the right to manage a community based tourist village of Balinese customary law. The management rights may be further regulated in the local indigenous village law.
2. The meaning of Balinese cultural values, Hinduism, Traditions and customs provide welfare value for Hindus if the local government of the regency / municipality ensures legal certainty, courtesy and benefit and governance rights are granted to local adat villages by providing education, training on the concept of tourism culture.
3. The value of local Balinese wisdom in the adat village becomes an extraordinary potential if the state is able to empower the local community that is connected with cultural tourism so that the welfare of indigenous peoples is guaranteed and will bring up independent tourist villages.

REFERENCE:

- Astara, I Wayan Wesna, 2018. The Cultural Tourism and the tourism law practices in Bali: correlation of local value and tourism activity in globalization Era, dalam "Disampaikan dalam Konferensi Internasional dan Call For Papers 2018, di Fakultas Hukum Universitas Warmadewa Denpasar-Bali, tanggal 14 dan 15 Pebruari 2018".
- Agastia, IBG, 2007. Aktualisasi dan Implementasi Filosofi Tri Hita Karana dalam system Sosial Masyarakat Bali, dalam Kongres Kebudayaan Bali 2007, Penguat Perjuangan Otsus Provinsi Bali, Pansus Otsus DPRD Provinsi Bali, Denpasar.
- Ardika, I Wayan, 1999, "Warisan Budaya dan Globalisasi" (dalam makalah Matrikulasi Program Magister S-2 Kajian Budaya Universitas Udayana 10 Juli-14 Agustus 1999 di Denpasar),
- Addin, Maulana, 2014. Strategi Pengembangan Wisata Spiritual di Kabupaten Badung, Provinsi Bali, "dalam <http://www.budpar.go.id> diakses 11 Pebruari 2018.
- Anand, Krishna. 2007, Orasi Budaya Konggres Kebudayaan Bali, "dalam Kongres Kebudayaan Bali 2007, Penguat Perjuangan Otsus Provinsi Bali, Pansus Otsus DPRD Provinsi Bali, Denpasar.
- Bernadinus, Steni. 2007, Wacana Pembaharuan Hukum di Indonesia, Pluralisme Hukum: hak Asasi Manusia & Lokalisme Perkumpulan untuk Pembaruan Hukum Berbasis Masyarakat dan Ekologi, HuMa, Jakarta.
- Danggur, Konradus, 2015. Kedudukan Kearifan Lokal Masyarakat Hukum Adat dalam Kebijakan Hukum Pengelolaan Sumber Daya Alam Pertambangan, "Dalam FX Adji Samekto, Membangun Politik Hukum Sumber Daya Alam Berbasis Cita Hukum Indonesia, Thafa Media, Yogyakarta.

- Esmi Warassih, 2016. Ilmu Hukum Kontemplatif (Surgawi & Manusiawi), "Dalam Penelitian Hukum Interdisipliner sebuah Pengantar menuju Sosio-Legal", Thafamedia, Yogyakarta.
- Hari, Nalayani Ni Nyoman Ayu, 2016. Evaluasi dan Strategi Pengembangan Desa Wisata di Kabupaten Badung, Bali,"dalam Jurnal JUMPA, volume 2 nomor 2 Januari 2016".
- Ida, Bagus Dwi Setiawan, 2016. Potensi Desa Bongkasa Pertiwi Kabupaten Badung sebagai Desa Wisata, dalam Soshum Jurnal dan Humaniora", vol. 6, No. 3 November 2016.
- Raka, A.A. Gde 2017. Bali dalam Perspektif Budaya dan Pariwisata, Pustaka Larasan, Denpasar.
- Koentaraningrat, 1985, Bunga rampai Kebudayaan Mentalitas dan Pembangunan, PT, Gramedia, Jakarta.
- Satjipto, Rahardjo, 2009. Hukum dan Perubahan Sosial suatu tinjauan teoritis serta pengalaman-pengalaman di Indonesia, Genta Publising, Yogyakarta.
- Supartha, 2007. Aktualisasi Kearifan Lokal Dalam Membangun Kebudayaan Bangsa, "dalam Kongres Kebudayaan Bali 2007, Penguat Perjuangan Otsus Provinsi Bali", Pansus Otsus DPRD Provinsi Bali, Denpasar.
- Shidarta, 2016. Sosio-legal dalam Perkembangan Metode Penelitian Hukum, "Dalam Penelitian Hukum Interdisipliner sebuah Pengantar menuju Sosio-Legal", Thafamedia, Yogyakarta.
- Wirata I Ketut, 2015. Kebijakan Pengelolaan Wisata Ekoreligi Berkelanjutan Berbasis Masyarakat Hukum Adat, Surya Pena Gemilang, Malang
- Peraturan Perundang-undangan:
- Undang-undang Republik Indonesia Nomor: 10 Tahun 2009 tentang Kepariwisataaan, Lembaran Negara Republik Indonesia Tahun 2009 Nomor: 11.
- Peraturan Daerah Propinsi Daerah Tingkat I Bali, Nomor 3 Tahun 1991 tentang Pariwisataan Budaya.
- Peraturan Daerah Provinsi Bali Nomor 2 Tahun 2012 tentang Kepariwisataaan Budaya Bali, Lembaran Daerah Provinsi Bali Tahun 2012 Nomor 2.
- Peraturan Daerah Propinsi Daerah Tingkat I Bali Nomor 06 Tahun 1986, Tentang Kedudukan, Fungsi dan peranan Desa Adat sebagai kesatuan masyarakat Hukum Adat dalam Propinsi daerah Tingkat I Bali.
- _____, Nomor 3 Tahun 2001 tentang Desa Pakraman.
- , Nomor 3 Tahun 2003, tentang Perubahan atas peraturan Daerah Propinsi Bali Nomor 3 tahun 2001 tentang Desa Pakraman.
- Peraturan Bupati Badung No. 47 tahun 2010, tentang penetapan Desa Wisata di Kabupaten Badung.