



The Customary Village Hegemony in Bali towards Minority Groups

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Abstract

For the Balinese, customary villages are social realities that are accepted as given. It exists as a social institution that competes with existing institutions, especially government agencies such as the service village. Its existence is only felt when it clashes with rights that intersect with heterogeneous community life in ethnicity and religion. In this study, the customary village is understood as an important institution that must be given space because of the history and also the role that has been played in maintaining the security and comfort of Bali. But in the perspective of minority groups, its presence becomes a hegemonic institution that threatens the diversity of Balinese society. Through a deconstruction approach, customary villages in Bali Province Regulation No. 4 of 2019, is expected to continue to provide benefits to build togetherness in plurality.

Keywords: *Community; Plurality; Customary Village; Hegemonic*

Introduction

Living in a pluralistic society is a challenge for the people of Bali and customary villages in particular. This can be understood given the situation of a dynamic era, constantly changing and developing. Locality and globalization on the one hand will always meet and influence one another. On the other hand, the community will always be faced with ethical and moral values that must be maintained. Some are fixed and some have to change. Situations like this are currently being faced by customary villages in Bali who always have to adjust to changes that come from outside. The toughest challenge faced is heterogeneous society with pluralism and multicultural values. In it there are conflicts of interest, especially regarding religious identity, globalization and recognition of the existence of minority groups. How does a traditional village in Bali interpret its presence for a minority group?

The Heterogeneous Bali

So far, Bali is known as an island with a majority of people with ethnic Balinese backgrounds. Based on the latest data in 2020, the total population of Bali is around 4,236,983 inhabitants (2019). The majority (86.91%) of the population consists of Balinese and Hindus (<https://databoks.katadata.co.id>). A small percentage of the ethnic Balinese population embraced Christianity, Islam, Buddhism and Confucianism. In addition, there are still Muslim community groups who have a very strong historical background. This group is present in every district / city and is considered an inseparable part of the Balinese community. This community is integrated in culture, especially language because it was born in Bali (Mashad, 2014: 131 - 188).

The Chinese and Arab communities are also a minority group that is mostly present in urban areas and some spread in rural areas. The presence of this community is closely related to the current situation at that time. China in particular has long been present in the land of Bali, around the X century and has been acculturated in various fields of life, both in the fields of culture, economics and religion. There is an inner closeness in belief because of the use of similar worship infrastructure, which is using incense and water. His beliefs are related to ancestral spirits. Thus the Balinese community has been considered as part of the life of the Balinese people. Some temples inside are accommodated shrines for Chinese people who embrace the religion of Buda or Confucianism (WWW.bbc.com/Indoesia/amp/trensosial-43069361). While the Arab community is present as a trader and inhabits the area of Sanglah and around Dipenogoro Street. Most of their activities are opening a shop on Sulawesi Street. They came around 1945 and were given a special place by King of Pemecutan (<https://amp.kompas.com/regional>)

Among the communities that have long adapted and even acculturated there are still newcomers who are present as employees, workers or as traders. They come from Java or outside the island which is quite significant in number. Their presence is felt especially in the trade sector. Some of them are present as migrants or migrants, but some of them already have an established place to live, especially in available housing. These migrants also consist of people from East Nusa Tenggara, West Nusa Tenggara, Java, Batak or other regions with various cultural and religious backgrounds. They are a minority group with all kinds of problems faced both regarding residence, work and social life experienced.

The presence of migrant or migrant groups has put Bali in a situation that is not ideal given the population growth which is very significant, especially when tolerance is left indefinitely (Arsana, 2004: 199). Especially in the area of tourism there is a buildup of population and is not balanced with the availability of land, especially for housing. The event that is hard to forget is the Bali bombing terrorist event that occurred on October 12, 2002. This event made Bali experience a deterioration in a long time, moreover more or less the same event repeated again on October 1, 2005. Various kinds of efforts were made by the government to restore back in the tourism sector. This recovery effort is not enough to involve the government which certainly has limitations. There needs to be an element of the community, especially traditional villages in an effort to curb the presence of migrants (Suardika, 2006: 4).

Balinese Identity in the Customary Village

The customary village in Bali is a traditional institution that has existed since time immemorial. In retrospect, traditional villages in Bali have a direct bearing on the history of the presence of villages throughout Bali (Surpha, 1991: 1-6). The customary village has a very important role in maintaining and preserving Balinese religion and culture. In this customary village all activities and community dynamics are carried out, in the fields of religion, economy, culture, politics and social society. The presence of this customary village, according to I Wayan Koti Cantika, is very important in the effort to maintain the order of the cosmos that is affected by violations (in Sudantra & Parwata, 2010: 94). Thus its presence must be maintained, developed and strengthened.

Efforts to maintain, develop and strengthen the existence of indigenous villages are very possible because the majority are supporters of this institution. Beyond this, the structure of society (power) is very supportive. In an effort to maintain and strengthen its existence, indigenous villages always have to deal with the situation and dynamics of the community both in local and global contexts (Atmadja, 2010: 15). The village was first strengthened through a local regulation issued by the Balinese government in 1986 which was then replaced by the presence of a regional regulation in 2001 and renewed in 2003. The presence of this regional regulation is seen as not optimal and there are still many problems in the community.

In the era of the current governor's administration, I Wayan Koster (2019 - 2024) the regional regulation that talks about indigenous villages as Pekraman villages, has been renamed as "Adat or customary villages". Regional Regulation No. 4 of 2019 issued in - May 2019 spoke of traditional villages in the Province of Bali. The legality of its presence becomes stronger legally because the customary village is the subject of law with all its rights and obligations. This regional regulation on customary villages consists of 19 chapters and 103 articles. The basic philosophy remains the same, namely tri hita karana which pays attention to 6 aspects of life, called sad Kerti. These six aspects of life guarantee mutual prosperity by paying attention to the atman (human soul), forests, water, sea, human relations and the universe. These six aspects of life become spaces that must be considered in Balinese life.

Because this customary village is an important part of Balinese diverse ethnic and religious life, the customary village will intersect with other groups or institutions. There is dialectics that is directly related to its position and function so that it is not uncommon to cause conflicts within the community. Likewise, in relation to the Balinese community as a whole. Therefore, legal steps are needed to anticipate various kinds of problems that might arise from the existence of an Adat village. More than that, it is certainly expected that this customary village benefits, not only for the benefit of itself (members) but also for the interests of the community as a whole in the context of Balinese society with all the diversity that exists.

In fact, customary villages have not experienced much change, especially from the philosophy and objectives to be achieved. The official formulation is still using the old formulation in which the customary village is defined as "..... the unity of the legal community in Bali which has territory, position, original arrangement, traditional rights, own assets, traditions, manners of social life as a whole." hereditary in the ties of the holy place (heaven three or village heaven). Duties and authorities and the right to manage their own households. "This formula was never questioned because it was considered to be perfect, complete, standard and accommodating the interests of supporting communities. What is needed is to strengthen the existence of customary villages so that they are more operational and effective for the expected productivity.

I Nyoman Parta, a member of the Provincial Parliament in charge of customs and culture in ideas or ideas conveyed through an interview on TVRI (2019) said that this regulation must indeed be revised. The reason for the previous regional regulation on Pekraman Village (2001 and 2003), was confusing the community both at the local and national level. The term "Pekraman" is not known nationally. Even Balinese themselves are more familiar with the term "Adat" compared to "Pekraman". The second reason, the existence of customary villages nationally is faced with the choice of one of the Dinas or official service villages. The Bali government after going through a struggle finally chose an official village based on Government Article number 6. A Dinas Village was the one who finally got the Village Code. But on the other hand the existence of a customary village in Bali is a reality that cannot be denied. The third reason is that customary villages that have received approval from the Ministry of Home Affairs finally have strong legality as legal subjects whose national ownership is recognized.

In addition, the existence of customary villages seeks to minimize all the problems that occur in the community both in terms of Parhyangan, Pawongan and Palemahan. Not to mention the relationship with the Village Office. In this relationship there is always a dualism of leadership (power) that competes with each other. At one time (New Order), the Dinas village was in a strong position. But on another occasion (the Reformation Era) the traditional village got a stronger position. This situation is not healthy in terms of productivity and goals to be achieved. Cooperation according to I Nyoman Parta needs to be built so that these two entities can mutually support and synergize to bring benefits to the community. It is undeniable that the overlapping of these two institutions has caused many problems and confusion in the community.

The issue that also often arises between these two institutions concerns authority and territory. In terms of authority, the Adat village cannot decide upon a case or dispute over custom and tradition (religion) that occurs in the community. Decisions made are often based on positive law or formal law. Whereas informal or customary law does not apply. In terms of territories, ownership and interests often overlap. For example, in the case of development carried out on land owned by traditional villages or vice versa. Do not deny, there are traditional villages that have quite a lot of property, but there are also traditional villages that are poor so they are unable to support themselves. The source of funds is very dependent on government assistance so that it becomes not autonomous in making decisions. Even because the situation is very limited (poor), many organizations in it are not well managed.

With this regional regulation, it is hoped that there will be cooperation and unity among the Adat villages, both through the organization and between the Adat villages themselves. For example, cooperation between stakeholder organizations or among young people so that the necessary funds can be sought. According to Nyoman Parta, there must be no stakeholders whose clothes are worn out, dirty and have never been replaced solely because there are no funds. The Adat village through this local regulation provides an opportunity to submit funds for a number of needed needs. The funds desired by Indigenous villages can be obtained through the government or from solidarity funds or from third parties that are not binding. However, in order not to impress the excessive dependence on the government, each Adat village has the opportunity to develop its potential including cooperation with the private sector.

Thus, indigenous villages have enormous opportunities and opportunities to develop life in the economic field. What has existed so far has been seen as not optimal. For example, the existence of the Village Credit Institution (LPD), apparently favored the government more. Its presence as a financial institution, does not place citizens or manners as the owner. Customary villages function as mere legitimacy but do not become part of ownership. The LPD is expected to be an institution that favors traditional interests and is owned by the Adat village so that every manners feels the benefits. Likewise, other sources of wealth that might be developed can be fully managed by the customary village, both in full and in collaboration with outsiders because it involves the capital needed.

According to Nyoman Parta, Adat villages will become more dynamic, busier administratively. In this case customary village silvers will play an important role so that those who sit as bendesa or the head of the customary village will have very large duties and responsibilities. He was chosen by the community both democratically and through deliberation. Even musyawarah or discussion elections are considered quite ideal given the experience and also the trust given by the community directly. There are many things that will be done by the customary village to achieve a common goal, namely the welfare of the community. Therefore, according to several people interviewed, human resources can be increased, both for leaders in religion, customs and also for the organizations in it.

The Ideology behind Customary Villages

Customary village, with all its features and facilities, is not present in an empty space. Indigenous villages are present in the midst of a pluralistic society with a diversity of customs, cultures, religions and ideologies. Multicultural societies require an attitude of tolerance, respect, equality, recognition and protection, especially for marginal groups H.A.R. Tilaar defines multiculturalism as "recognition of the right to life of local cultures and must therefore be respected (in Supriyoko, 2005: 8). In other words, this heterogeneous society requires "recognition of their identity and acceptance of their cultural differences" (Will Kymlicka, 2003: 13). Search into the traditional village itself, both in terms of history and the dynamics that are developing at this time, shows the strong ideology at work behind this.

According to Ida Bagus Gde Yudha Triguna traditional village in Bali is strongly influenced by religious ideology which understands Adat as something inseparable from the spiritual values lived by the community (in Widya Satya Dharma, Vol.6, October 1999: 45-54). This can be seen from the definition of Adat as an embodiment of religious teachings about tri Hita Karana and sad Kerti. Although in terms of ideas, this expression emerged on November 11, 1966, but actually flows from the reflation of the Hindu tri hita karana because it is understood in three dimensions of human life as subjects in relation to God, humans and the environment. This concept is universal, but in the customary village the manifestation is the triple bondage as a form of the presence of Trimurti (<http://inputbali.com/budaya-bali/sejarah> and the application of Tri-Hita-Karana). Therefore, it can be said that there is no separation between religion and daily life of the community which is bound by the system of rules of living together, both as a community and as a nation state.

In this case there are two major streams concerning the existence of a nation or state. First, religion is inseparable from the state and the state is separate from religion (Sudharmanto, 1987: 51-58). This ideology gave birth to many conflicts between state and religion. In certain periods, religion is so dominant towards the state that it permeates the state system. State laws and regulations are based on (certain) religions. This certainly has broader consequences regarding the values and beliefs that are applied in shared life. One implication of this religious law is religious hegemony in the public sphere. Heterogeneous societies are forced to submit to religious rules which are actually exclusive. One example is the special privileges that must be given to certain regions in the Indonesian state for the application of religious law.

Traditional villages in Bali through local regulations are the most concrete application of religious laws in Hinduism. Through the concept of tri Hita Karana, sad Kerti and heaven three, the rights and obligations of community members are regulated in such a way that forces the community to submit to and obey the articles that have been formulated. The rights and obligations of citizens are indeed made easy according to their status and position in the customary village, whether as local community or migrant. But on the other hand it can lead to jealousy, suspicion and also injustice, especially for minority groups that do not count towards their rights and obligations because they are not part of the Adat village. It became merely migrant and was not integrated in the traditional village which had originally been designed for the Balinese Hindu community.

The reasons related to Adat villages on the one hand can be understood but on the other hand injuring diversity. This is what Antonio Gramsci said as hegemony, that is, influences human thoughts and actions subtly through intellectual and moral leadership (in Patria & Arief, 2009: 119). I Ngurah Suryawan, a reformist young figure, even dares to call it a form of adat violence against citizens. He especially sees it in the authority of the Pecalang who are considered to do things outside of what has been outlined in their function and role in the area of Adat villages (2012: 88-93). Customary pressures at this time (2020) are also being experienced by minority Christians in Tuka, Dalung area. Without dialogue, a crematory construction (burning of bodies) was carried out in the residential areas.

One non-Hindu said this (May 24, 2020): "Before the crematorium was established, socialization for the surrounding community was never carried out. It was only conveyed or at the Banjar Dinas Tuka meeting, in the form of notification of a crematorium development plan. We think that the crematorium is only for local residents. But apparently the crematorium was used more by the outside community. We did not accept that our area was used as a place to cremate the body that we did not know the origin and background. And it turns out that this crematorium has been collaborated with other parties for business interests"

The religious ideology promoted by indigenous villages ultimately leads to economic interests. This opinion also confirms Karl Marx's view that understanding matter as the main element of change occurs (Suseno, 1999: 10). On the one hand, traditional villages have the duty and responsibility to maintain local wisdom of Balinese culture, but on the other hand, the economy is a constitutive element that cannot be ignored. Therefore, the customary village must also accommodate the interests of the community to develop all the potential that exists in order to get the maximum benefit for the interests of citizens. It's just that the chance of conflict will become greater, although basically the existence of an indigenous village aims to reduce conflicts that often occur in the community.

The ideology that was also developed in the local regulation on Adat villages is the text in the articles which are then further concreted by each Adat village through Awig-Awig or local rules. In fact, official Adat regulation or Awig-Awig text is not enough to mean in itself as a regulation to rule the village community. In the insight of Jacques Derrida, as revealed by Mangihut Siregar behind the text there is a hidden ideology that needs to be deconstructed. So what is written in the text needs to be revealed, criticized. There is something hidden behind the text (in *Journal of Urban Sociology*, Vol. 2, No. 1, April, 2019: 66). Thus, the Customary Villages that were discussed as local regulations need to be demolished, because behind that there are other interests that are played. These interests can be political, economic or the interests of certain groups or people.

Implication

The strong status, function and position of customary villages in Bali has implications for the life of the Balinese people as a whole, particularly in the context of diversity and minority groups. However, diversity is a necessity that cannot be denied. The founder of this nation (Indonesia) really understands this situation by placing Pancasila and Diversity as the basis and motto of a common life. Therefore, every crystallized component of the nation in primordial groups must try to build constructive dialogue. The dialogue is based on the principles of living together which are oriented to the values outlined by the customary village itself and by the state. This dialogue will be in contact with the government (authorities) and the community.

Second, the customary village with Regulation 04 of 2019 is a local product but placed in an open space as a public space. This local product cannot be underestimated as it is existing for its own sake. It is devoted to the interests of the community as a local wisdom which is at the same time a struggle to find the identity and identity of the Balinese people who are predominantly of Balinese ethnic background and are Hindu. The nuances of religion (Hinduism) strongly influence people's lives so that an exclusive attitude must also be accompanied by an inclusive attitude. This is important to reduce denominations and dominant attitudes towards minority cultures due to uniformity.

Third, customary villages must be understood as a whole. It is not only understood in philosophical aspects (ontological and epistemological) but also in praxis (axiological) aspects so as to bring benefits to the whole. This is very possible because customary villages cover the whole of life, both material and non-material (spiritual) dimensions. Customary villages have a moral responsibility to protect Bali culturally because of historical factors and also the traditional values that have lived in Bali

for centuries. These values must be defended and propagated not only as political ideologies but also to strengthen diversity as a plural and multicultural society.

Fourth, customary villages are present in a modern situation marked by advances in technology and communication tools. Thus the traditional village is directed to always progress and develop. Customary villages should not retreat and merely act locally. In the future, traditional villages must contribute to the progress of human civilization. Education and human resources are very important, especially for organizations that arise from traditional villages, such as Pecalang or local security, Truna-Truni or youth group, and PKK or family prosperity group. Education that wants to be made in Pesraman or ashram for example must be in contact with the global world. Education must not submit to the existing system or structure. In other words, freedom must remain guaranteed in the context of globalization.

Conclusion

Customary villages in Bali provide identity of the Balinese people. It was present in the community in a very long history, full of struggles. Nowadays, after a long journey with all the existing problems, finally the customary village found its status, role and position in the community, as a legal subject. Its presence is stronger, because it is recognized by the Balinese people and also by Indonesia through Regional Regulation No. 4 of 2019 concerning Adat villages. The Adat village is present as a traditional institution that brings benefits to the whole community.

Inward, the Adat village is expected to be able to solve all the problems faced by the Krama or members of the Adat village. Not a few problems faced by customary villages, especially in the current situation. Customary villages that are traditional in nature must be able to accommodate the interests of the people of Bali, especially the Balinese manners in fighting for their rights and obligations in fulfilling all the dynamics associated with customary villages. Opportunities and opportunities must be utilized as well as possible for the welfare of members of indigenous villages. But on the other hand, independence, solidarity and integrity must be built.

Even though the village is always busy with the problems faced as village or Banjar manners, it does not reduce its responsibility towards diversity, especially to minority groups. This group must also be seen as an indigenous group in a multicultural perspective that requires respect and recognition of all elements of society. The starting point is the value of justice which is also always fought by the customary village towards a prosperous society.

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