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## Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali

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**ABSTRACT:** Indonesia is a country that has many tourism provinces, one of which is Bali Island. One of the factors that supports the development of tourism in Bali is local wisdom. The purpose of this study is to determine How the management and utilization of Traditional Village Culture as “local wisdom” to support tourism development in Bali and What are the inhibiting factors in the management and utilization of Traditional Village Culture as “local wisdom” can play a role in supporting tourism development in Bali. This study uses the type of empirical legal research. The researchers found several obstacles that became obstacles, especially related to the availability of land or land that will be used as the location for the construction of tourism facilities and also the community's concern about the transfer of ownership of customary land to investors and the concern about the use of customary land that is not in accordance with local cultural values. that has the potential to damage the environment and the sustainability of Balinese traditions because in reality, Customary Land for the Traditional Village Community in Bali is their identity and identity that has been passed down from generation to generation. Therefore, indigenous peoples who act as guardians of local culture are expected to continue to develop their knowledge by paying attention to contemporary issues that require adaptation to solve the problems at hand. To ensure that the management and utilization of traditional village culture in Bali to support sustainable tourism does not damage the natural beauty and culture of Bali, investment can be focused on the development of environmentally friendly facilities and the implementation of programs to promote cleanliness and environmental conservation. By linking tourism investment with Balinese culture, it will increase its added value because tourists can not only enjoy the natural beauty, but also Balinese culture. This provides a great opportunity for Bali to attract investors and foreign tourists visiting Bali.

**KEYWORDS:** Local Wisdom, Culture, Traditional Village, Investor, Bali, Tourism.

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### I. INTRODUCTION

Indonesia is a country that has many tourist provinces, one of which is the island of Bali. Bali tourism is good with its rich customs, culture, artistic creations in various aspects of life, environment, natural resources, and its history that is relatively rich and serves as a foreign tourist destination. One of the factors that supports tourism development in Bali is local wisdom. Local wisdom consists of two words, namely "wisdom" which refers to wisdom and "local" which means local. Therefore, local wisdom can be interpreted as a wise and valuable idea that comes from the local community. Local wisdom includes good cultural values that exist in a society. To understand the local wisdom in a region, it is important to understand the good cultural values that exist in the region. These local wisdom values are usually taught down from generation to generation by the previous generation to the next generation. Examples of local wisdom are the culture of mutual cooperation, mutual respect, and mutual understanding. Local wisdom is the original knowledge and wisdom of a society that comes from the noble values of cultural tradition to regulate the order of community life. By utilizing local wisdom, people can regulate their lives wisely and in accordance with local cultural values (Putra Pamayun, 2018).

Bali Island has regencies and cities in Bali, there are traditional values that still exist, especially those concerning belief systems (religion), tradition, and local knowledge and they continue as a manifestation of local wisdom. This belief system also

has a very strong influence on the sustainability of tradition, and in fact this tradition often becomes a guideline for community life. The values in the tradition are certainly an inseparable part of the local wisdom itself. Local wisdom can be interpreted as a problem-solving action carried out by the local community in order to fulfill their lives. Local wisdom is a life strategy which is a

## **Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali**

local policy or "local wisdom" or local knowledge or "local genius". Local wisdom can also be interpreted as a community's worldview and their knowledge (Samadro, 2018). In addition, there are other views that state local wisdom as all forms of knowledge, beliefs, understanding, insight, habits, and ethics that guide human behavior in life within an ecological community (Samadro, 2018).

The understanding of local wisdom is a translation of “local genius”. The term “local genius” was first introduced by Quaritch Wales in 1948-1949 to convey the ability of local culture to face the influence of foreign culture when the two cultures are in contact (Ajip Rosidi, 2011). Each region in Bali has a cultural pattern and characteristic in managing and utilizing it, adjusted to the local wisdom.

Therefore, local wisdom, culture, and nature play a significant role in tourism development and in attracting the interest of investors. These components provide a unique experience for tourists and are part of creating the overall appeal of a destination. By wisely capitalizing on the potential of local wisdom, culture, and nature, a tourism destination can create a unique, sustainable, and attractive experience for tourists while strengthening the local economy and protecting cultural heritage and environmental sustainability.

The management and use of traditional land should be done as optimally as possible to avoid conflicts between people, tribes, government, investor and other parties. Because in reality there are many conflicts that have occurred in Bali between the Traditional Village and investors due to various things. The occurrence of these cases raises a paradigm of thinking or assumption that the local community itself hinders the development of tourism in Bali. In this matter, a solution must be found, namely so that the balance of socio-economic life and culture that is supported by Hinduism can be maintained.

Based on the background description, the researcher can draw two problem formulations, namely: (1) How can the management and utilization of Indigenous Village Culture as "local wisdom" play a role in supporting tourism development in Bali? and (2) What are the inhibiting factors in the management and utilization of Indigenous Village Culture as "local wisdom" in tourism development in Bali?

## **II. RESEARCH METHOD**

This research uses the type of empirical legal research (Zainuddin Ali, 2014), or what is commonly referred to as Non-Doctrinal Legal Research. This research uses the Statutory Approach, Case Approach, Analytical Approach, Customary Law Approach, and Sociological Research Approach, which views law as a social phenomenon that can be observed in people's life experiences because in this context the law is not autonomous, so that in the view of empirical legal science, the study of law not only concerns normative aspects, but also how the law can interact in people's lives (Husein Alting, 2010).

## **III. RESULT AND DISCUSSION**

### **A. Management and Utilization of Indigenous Village Culture in Bali as Local Wisdom in Tourism Development**

When discussing a society's culture, values and norms, it is important to bear in mind that cultural values and norms usually relate to the dominant group. However, it is necessary to recognize that, in today's world, significant changes are taking place. The emergence of various cultural identities within a nation indicates the presence of smaller yet significant cultural diversities. Therefore, the assumption that values and norms are based solely on the dominant group may overlook these changes (Esther Kuntjara, 2006).

Talking about Balinese indigenous culture, values, and norms related to Balinese culture are always being the main concerns. Bali is a place where the majority of its people are Hindu. Historically, Hinduism's influence is very dominant in constructing the culture in Bali. Therefore, when talking about Bali, Hinduism always becomes the distinct identity, even Bali is known as Hindu Dharma, which shows that the religious practices are deeply rooted in the Hindu religious tradition. The dominance and hegemony of Hinduism in Bali become something normal in Balinese society's development.

When observed from the perspective of the local traditions, cultures, and religions in Bali, it can be understood as a custom that has existed for a long time and has undergone complex developments in the lives of the people. This tradition is held in high esteem by the people and becomes a collective behavior that must be respected and implemented together. Thus, tradition emerges as a result of the existence of a specific tribe or ethnicity, which later becomes the identity of that tribe or ethnicity.

Balinese society has a way to manage culture through various expressions and diverse forms, even though they respect and honor each other. In this case, it can be seen from the constructions it has made. Concepts that are often used in this case are terms like village mawacara, village kala patra, and other terms to strengthen the existence of Balinese cultural values (I Gusti Ngurah Jayanti, I Wayan Rupa, I Made Sumarja, 2022).

## Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali

Customary communities or traditional villages of Bali generally have local wisdom (local knowledge, local wisdom), although there are variations in each village due to various factors. However, in general, the local wisdom that exists has been proven to be able to maintain the existence of the natural environment from degradation or damage caused by humans. Local wisdom is knowledge from a cultural community which is used to harmonize and achieve equilibrium in the relationship between humans and nature.

According to Law Number 32/2009 concerning Environmental Protection and Management, local wisdom means the noble values that apply in the life order of society to, among others, protect and manage the environment sustainably. Local wisdom is ideally referred to as the invention of tradition. Local wisdom as part of the life values inherited from one generation to the next generation which is in the form of religion, culture or customs that are generally in oral form, in the form of a social system of a society. The existence of local wisdom in society is the result of a hereditary adaptation process over a very long period of time to an environment that is usually inhabited or an environment where interactions often occur in it. Local wisdom can be understood as a human attempt by using reason to act and behave towards something, object or event that occurs in a certain space.

Local knowledge has several characteristics, namely: (Adytira Rachman, 2020)

1. Local wisdom is having a particular group, community, or collectivity that is localized.
2. Local wisdom formulates something assumed as true, because it has been continuously tested by experience.
3. Local wisdom is practical.
4. Local labels attached to local wisdom.
5. Local wisdom covers not only practical aspects, but also codes of conduct.
6. Local wisdom is holistic.
7. Local wisdom often has its own guardian
8. Local wisdom is often bound or integrated with religious teachings and practices.

Local wisdom plays an important role in preserving culture and the environment as a whole. The values that have been passed down from generation to generation, such as literature, traditions, mythology, and the like, are an integral part of local wisdom that must be preserved, developed, and disseminated to future generations. This is intended so that they can understand the function and meaning behind local wisdom policies. Thus, local wisdom can provide sustainable benefits for the people of Bali.

Customary Village has many potentials in supporting tourism in Bali. Among them are: (I Wayan Rideng, I Nyoman Putu Budiarta, 2020)

1. First the pattern structure of settled community in rural area based on the “Tri Hita Karana” concept, so it shows the special and unique characteristic in society life system in Bali;
2. Secondly, in line with the socio-religious nature of Balinese society, Hindu religious ceremonies are carried out in everyday life;
3. Third, Customary Village, besides radiating Hindu values, is also a center of Bali culture;
4. Fourthly, since the beginning the atmosphere of community life in the Customary Village has been safe and peaceful.

Balinese society in general, local wisdom actually includes folklore (mesatwa), folk games (children's dolanan), religious traditions or rituals such as ngusaba, life cycle rites from the womb (magedong-gedongan), to birth rituals. Puberty rites such as (menek kelih), Marriage (nganten) phase of married life, to death rites such as (ngaben). Mythology such as belief in something supernatural and magical like tenget. In addition, local wisdom is also reflected in scriptures, regulations such as awig-awig, leadership systems such as traditional villages (adat bendesa).

The knowledge system is similar to the subak system, namely the irrigation management system in Bali, the spatial planning of housing such as the concept of asta kosala and asta kosali, tri mandala, the concept of Tri Hita Karana, the concept of rwa Bhineda, namely the belief in binary opposition in life such as day (weak) and night (darkness), good (bad) and bad (melah), kaje-keled and others. Local wisdom also includes policies that are considered necessary and preventive in nature to guard against the influence of globalization. Not all globalization influences can be accepted because they contain elements that are considered inconsistent with the traditional cultural values of the local community.

Management and Utilization of the Village Culture of Customary Villages in Bali containing local wisdom or "Local Wisdom" is basically the basis for the development of tourism development in Bali. Because until now, Customary Villages in Bali still maintain the existence of noble culture as local wisdom or "Local Wisdom". Even culture in Customary Village as local wisdom or "Local Wisdom" is one of the strategies to attract investors in tourism development in Bali. It is hoped that by managing and

## **Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali**

utilizing the Culture of Customary Villages in Bali that contain local wisdom or "Local Wisdom", it can support the sustainability of tourism development in Bali in line with the existence of its Customary Villages.

Here are some ways in which local wisdom, culture and nature can contribute to tourism development and attract investors:

1. **Cultural Heritage Preservation** Local wisdom and cultural traditions are crucial assets for tourism development. Highlighting and preserving cultural heritage, such as traditional crafts, performing arts, rituals, and festivals, can attract tourists who are interested in authentic cultural experiences. This can lead to increased visitation and revenue, encouraging investors to support local tourism infrastructure.
2. **Experiential**, Local wisdom offers tourists genuine and immersive experiences that allow them to engage with local communities, traditions, and lifestyle. Visitors often seek authentic experiences that go beyond the main attractions. By showcasing local customs, traditions, and practices, destinations can differentiate themselves and appeal to tourists seeking meaningful and culturally enriching experiences.
3. **Nature-Based Tourism**: Many destinations are blessed with natural beauty, including mountains, forests, rivers, beaches, and wildlife. Preserving and promoting these natural assets can create opportunities for ecotourism and adventure travel, which are increasingly popular among tourists seeking sustainable and nature-oriented experiences. Investors are often drawn to supporting environmentally friendly tourism initiatives that align with conservation efforts.
4. **Engaging Local Communities**: Involving local communities in tourism development empowers them economically and socially. By integrating local communities into tourism activities, such as homestays, community-based tours, or cultural performances, destinations can create a sense of ownership and pride among residents. This engagement not only preserves local wisdom and traditions but also attracts investors interested in responsible and community-oriented tourism.
5. **Sustainable Development**: Investors are increasingly attracted to sustainable tourism projects that promote environmental conservation, support local communities, and minimize negative impacts on ecosystems. Integrating local wisdom and cultural practices into sustainable tourism initiatives can be an attractive proposition for investors seeking long-term, socially responsible projects.
6. **Unique Selling Point**, Local wisdom, culture and nature provide a unique selling point for a destination. They differentiate one location from another, offering visitors something they cannot find elsewhere. This uniqueness can attract tourists and investors who see the potential in developing and promoting a distinct destination.

### ***B. Inhibiting Factors in Management and Utilization of Traditional Village Culture in Bali in Tourism Development***

In the utilization and management of Balinese indigenous land by investors and customary villages, there are negative impacts on the environmental and socioeconomic aspects. From the environmental aspect, the utilization of Balinese natural and cultural resources in the context of tourism is considered threatening. Many buildings have been erected in areas that should be kept away from physical development, such as water catchment areas, ravines, or river basins. From a social perspective, tourism actually conditions social injustice. Tourism is not for everyone because only certain levels of Balinese society benefit from tourism. Likewise, economically, as a result of the uneven distribution of tourism, both between levels of society and between regions.

Responding to local wisdom becomes very important, the role of the customary village is very significant in dealing with various problems or challenges faced by the environment and society. They have the responsibility to solve problems in a good and proper way. In this context, local wisdom has a broader meaning, not only limited to traditional aspects, but also includes relevant and contemporary wisdom.

For the Balinese, land has a value and meaning that includes economic, social, cultural, and religious aspects. There are several areas in Bali that have the potential as tourist site that can be developed into a hotel industrial area. However, in those areas, there are cultural-religious assets that cannot simply be changed or removed. As a result, there are differences of opinion between investors and lovers of tradition, culture, and religion regarding the changes in these areas into tourist sites and hotel industrial areas. On the other hand, In the future, the natural support capacity in Bali will be increasingly threatened. This is due to the expansion of tourism and the designation of areas as increasingly wide tourist destinations.

The Balinese concept of local wisdom is based on the knowledge and management of natural resources originating from the indigenous people. This is due to the close relationship between them and the environment and natural resources. Through the process of interaction and adaptation taking place over a long time, the indigenous people of Bali have developed ways to sustain their lives by creating values, lifestyles, institutional systems, and laws in line with the conditions and availability of natural resources in the area where they live.

## Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali

In the provisions of the Bali Provincial Regulation Number 4 of 2019 concerning the Customary Village in Bali, by considering letter b, it is stated as follows:

*“That the traditional villages as a unity of customary law communities based on the Tri Hita Karana philosophy rooted in the Hindu religion, cultural values and local wisdoms that exist in Bali, have a very big role in developing communities, nations and countries, thus they need to be nurtured, protected, fostered, developed and empowered in order to materialize the life of Krama Bali who are politically sovereign, economically self-reliant and possess cultural personalities”.*

In Regional Regulation Number 5 of 2020 concerning the Standards for Implementing Balinese Cultural Tourism, there is Article 3 number 2 that explains the purpose of implementing cultural tourism. The objectives include preserving the natural environment and Balinese culture that is inspired by the philosophy of Tri Hita Karana, and based on the values of local wisdom of sad kerthi. In addition, the objectives also include improving the quality of tourism implementation in Bali.

Tourism discourse in Bali has always been interesting and often becomes the subject of debate. However, it is unfortunate that in many of these discussions, tourism is often interpreted very narrowly as an industry that only involves hotels, restaurants, bars, villas, travel agents, tourist attractions, and souvenirs. It is rare for us to hear discussions that encompass all aspects of tourism without preceding skepticism towards commercialization, which refers to changing something into a commodity.

In Bali, there is a customary law system which is recognized and practiced by the local community. Customary land plays an important role in the lives of Balinese society, both in terms of culture, spirituality, and economy. Researchers have analyzed from the perspective of the social and cultural aspects of the Balinese community. Balinese customary law can be understood as a system that has developed over time, influenced by factors such as tradition, cultural values, and patterns of social relations in the community. The analysis can be carried out according to the researcher's opinion by considering the following factors:

1. Culturally, Balinese culture is closely related to customary land. Cultural values, traditions and beliefs play an important role in customary land management. Taking into account this cultural aspect can influence policies and actions regarding customary land management in Bali.
2. Social Bonding, Balinese society has a strong and interconnected social structure. Utilization and management of customary land in Bali must consider the existing social relations in the community, including the rights and responsibilities of individuals and groups related to customary land.
3. National Law and Customary Law, Bali has a system of customary law that functions in parallel with national law. Formal law and customary law arrangements need to be wisely integrated to achieve justice in the use and management of customary land.
4. Development and Environment, Bali's economic development and construction also need to be considered in the context of customary land use. Environmental sustainability and the conservation of Bali's natural resources must be primary considerations in decision-making regarding customary land.

As an heirloom, the local community of the customary village has a deep understanding of the local physical and cultural resources that can be developed in the context of tourism. In the utilization and management of tourism resources, the responsibility of indigenous peoples is greater than that of non-indigenous peoples, because these activities have a direct impact on their lives. Therefore, indigenous peoples have a high moral responsibility to utilize the resources they have.

One of the main attractions in tourism investment in Bali is the local wisdom, cultural heritage preservation and nature-based tourism with the beauty of beaches, mountains, lakes, and stunning green rice fields. This attracts investors to make investments in the tourism sector in Bali by utilizing the beauty of natural resources, involving local communities, and highlighting unique selling points (USPs).

The situation motivates investors to allocate their capital in the tourism industry in Bali, such as establishing tourism infrastructure, hotels, villas, restaurants, and others. However, in the development process, there are some obstacles that become barriers, especially related to the availability of land or land to be used as the location for the construction of tourism facilities. In addition to the constraint of land availability, the researcher has conducted interviews with several informants as follows:

According to the statement of I Nyoman Rai as the Traditional Village Head Sub:

*“Balinese people's concerns regarding the shift of customary land ownership to newcomers or investors. In addition, Balinese customary land that has changed its function caused changes. These changes can threaten the sustainability of local people's culture and life. The sale of customary land can lead to the loss of cultural heritage, reduced community involvement in local decision-making, and undesirable socio-economic changes”.*

According to Gede Subawa, Secretary of the Kalibukbuk Traditional Village, it was stated that:



## Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali

*“Balinese concerns over customary land go beyond monetary value, to its connections with Balinese cultural heritage and identity. Buyers of customary land for investment purposes, often expats or investors, may not have an emotional or historical connection to the local culture or traditions. This can lead to land use that is incongruent with local cultural values and potentially damaging to Balinese environmental and traditional sustainability”.*

According to Ketut Suryawan as Village Head of Jumpai, he said that:

*“Bali society's concern over the shifting of customary land ownership to outsiders could lead to the loss of local community control over land use and natural resource decision-making. This can disrupt the active participation and engagement of Balinese society in determining the direction of development and the preservation of their culture”.*

According to I Komang Suartama as the Head of Baluk Traditional Village, it is stated that:

*“The concerns of Balinese community, especially in Baluk traditional village, towards the influence of immigrant or investor population. Investment from outside or ownership by immigrant can cause changes in traditional cultural patterns. This can include changes in lifestyle patterns, values, and cultural practices that have been passed down from generation to generation. The increasing presence of new cultures can also shift local identities”.*

According to I Made Sumawa as the Traditional Head of Beraban, he stated that:

*“The issue of customary land ownership shifting from local Balinese towards newcomers or investors poses serious concerns that affect the identity, cultural sustainability, and well-being of the local community. Customary land is not simply a property asset, it is at the core of Balinese cultural heritage. Any shifts in ownership have detrimental ramifications. The change in customary land ownership can lead to changes in livelihood patterns, traditions, and cultural values that have been passed down through generations. The cultural identity of the Balinese community risks erosion with significant changes to their environment and daily life. Newcomers or investors may have different economic objectives than the needs and goals of the local community. This can lead to a diminished role for the Balinese community in decision-making processes related to the use of land and natural resources in their own region”.*

According to Wayan Arta, the Bendesa Adat (Traditional Village Head) of Batur, he said that:

*“Concerns over the changing function of customary land in Bali could alter the traditional cultural landscape. Locations with significant historical or cultural value may be revitalized for commercial or industrial purposes, leading to the loss of invaluable cultural and historical heritage. Conversion of customary land can also result in environmental degradation. Land previously preserved for specific purposes, such as traditional farming or natural conservation, may be diverted for developments that disrupt local ecosystems. Shifts in customary land ownership may also create socioeconomic imbalances between incoming migrants or investors and local communities. This could lead to disparities in economic status and resource access. In response to these concerns, it is crucial to maintain the original ownership and function of customary land while addressing the need for sustainable development. Strong regulations and legal protections for customary land, along with active community participation in decision-making, can be essential steps toward the future strengthening of villages”.*

In the interview results, the information provided by Gede Subawa, Ketut Suryawan, I Komang Suartama, I Made Sumawa, and Wayan Arta regarding the Balinese people's concerns about the shifting of traditional land ownership, we can see several considerations that may be relevant to several theories of law and moral philosophy. Here is the analysis based on the theories of law used, among others:

### 1. Justice Theory (John Rawls)

Rawls emphasizes the principle of justice which involves a just social agreement. In this context, the concern of customary land tenure shift can be seen as an attempt to maintain social justice within the Balinese society, especially in relation to the sustainability of culture and identity.

### 2. Legal Certainty Theory (Gustav Radbruch)

Radbruch emphasizes the importance of legal certainty as an underlying principle of just law. Concerns about the shifting ownership of indigenous land can be interpreted as concerns about the stability of the law and the protection of traditional rights of the Balinese people.

### 3. Legal Systems Theory (Lawrence M Friedman)

Friedman argues that legal systems evolve from societal values. In this context, concerns over changing traditional cultural patterns can be seen as a response to the dissonance between Balinese societal values and outside investment that may erode their cultural heritage.

### 4. Legal Utilitarianism Theory (Jeremy Bentham)

## Management and Utilization of the Culture of Customary Villages as “Local Wisdom” in Tourism Development in Bali

Bentham viewed justice from a utilitarian perspective, judging actions by their consequences. In this, the concern for the detrimental effects on Balinese cultural and environmental identity can be understood as promoting the overall happiness and well-being of the community.

The researcher concluded that from the information given by Balinese customary leaders and based on the analysis using the legal theory above, it reflects the complexity of issues of land ownership change of the customary land and it shows their attention to cultural values, justice and legal certainty.

### V. CONCLUSIONS

Based on the description above, the Researcher can conclude that:

1. Tourism Development can be achieved well if the traditional village community can maintain the culture of the traditional village in Bali as "Local Wisdom" in Bali Province by involving the local community in its management and development because the local wisdom of Bali serves as the basic foundation underlying tourism development in Bali.
2. During the development process, the researchers encountered several obstacles, mainly related to the availability of land that will be used as the location for the construction of tourism facilities, as well as the community's concerns regarding the transfer of customary land ownership to investors and the concern that the use of customary land is not in accordance with local cultural values that have the potential to damage the environment and the sustainability of Balinese traditions because, in reality, customary land for the traditional village community in Bali is their identity and self-identity that has been passed down from generation to generation.

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