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The Role of Adat Village in Bali Tourism Management During the Covid-19 Pandemic

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Abstract

Bali Tourism is an icon of Indonesian tourism that has been known all over the world. The role of Adat Village in the development and management of tourism in Bali is very important. It always develops and follows the trend as a dynamic aspect. In handling Covid-19, Bali has assigned Adat Village as a complement to Bali's scheme against Covid-19 to carry out the continuity of tourism. In order to support the objective of Adat Village, some public policies are needed as government medium in meeting the needs of the community. Based on the abovementioned, there are two issues shall be examined, namely: 1) Why do Adat Village play an important role in tourism management in Bali? and 2) What is the role of Adat Village in managing tourism in Bali during the Covid-19 pandemic? It was normative legal research using statutory approach and conceptual approach. The results show that tourism administration must refer to administrative standards that emphasize the values of togetherness in nature, communication and social values. The key to traditional villages in tourism management during the Covid-19 pandemic is the effort to restore tourism, namely the flexibility of Adat Villages to build access and communication with business actors and the tourism industry with the government.

Keywords

Adat Village, Tourism, Management, Covid-19

JEL Classifications: J11, F43

Introduction

Indonesia has been known as an archipelago that consists of more than 17.000 island. This condition makes Indonesia owns an abundance of diversity in people, cultures, languages, religions, foods, etc.[1] The diversity is reflected in the official national motto of Indonesia, namely "*Bhinneka Tunggal Ika*".[2] The phrase is Old Javanese means "Unity in Diversity". "The official national motto of Indonesia is enshrined on a banner held in the National Symbols, signifying the unity of the Indonesian people despite their diverse ethnic and cultural backgrounds".[3] This diversity emphasizes a variety of unique cultures from each region, including Bali.

The tourism in Bali has been known as one of the most world-famous tourism destinations that becomes the source of income for the Balinese people.[4] The tourism sector has become the main source of the community's economy, which slowly leave the agrarian sector towards tourism.

Given that the tourism sector has a huge potential, then the management shall be carried out properly. Therefore, this sector can provide benefits for the welfare of the community as a part of nation's elements.

According to the Law No. 10 of 2009 concerning Tourism (hereinafter Tourism Law), the main value that was emphasized that tourism shall be carried out by creating a conducive climate to the tourism business development covering the opening of same opportunity in running business, facilitating, and providing legal certainty. Tourism also known as "an integral part of the national development carried out on systematic basis, planned, integrated, sustainable and accountable". Therefore, it is not only related to the right to travel but also affected several issues related to achievement of social and cultural goals, foreign policy, economic development, environmental protection and sustainable development planning.[5]

As a world-famous tourism destination, Bali has become a barometer of national tourism development because it is considered to have developed rapidly and contributed significantly to national development.[6] The development of tourism in Bali also supported by the local community in the form of *Adat* Village.

In arrange to bolster the progression of tourism in Bali, *Adat* Village as a customary law community has full customary authority to control and manage their communities, although it remains within the corridors of the Republic of Indonesia. The recognition of the existence of *Adat* Village is stipulated under the provision of "Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia" (hereinafter the 1945 Constitution)[7], as follow:

"The State recognises and respects traditional communities along with their traditional customary rights as long as these remain in existence and are in

accordance with the societal development and the principles of the Unitary State of the Republic of Indonesia, and shall be regulated by law.”

This provision recognizes the capacity of traditional communities to regulates its communities and the traditional customary rights as long as it is still existed and in accordance with the societal development and the principles of Republic of Indonesia, and shall be regulated by the law.[8] The Balinese people highly respect and believe the customary law, therefore the strengthening of *Adat* Village becoming more important and has been discussed by the stakeholders, which includes the leaders of *Adat* Village and the Governor of Bali. The realization of strengthening the existence of *Adat* Village is manifested in the issuance of Bali Regional Regulation No. 4 of 2019 concerning *Adat* Village (hereinafter Perda Bali No. 4 of 2019).

The role of traditional villages in the development and management of tourism in Bali is very important, bear in mind that it shall be carried out in accordance with rights and obligation. Thus, someone who carried out their rights and obligations properly, means that he carries out a role. According to Korten in Pujaastawa, “development with a reversed paradigm requires the participation of local communities in various stages of development, so that development management is truly carried out by those whose lives and it is mostly affected the development, or what is known as community-based resource management”.[9] “Community-based development is a development model that provides maximum opportunities for rural communities, in this case one of the elements is traditional villages to participate in development tourism”.[10]

In the development of tourism, the *Adat* village community maintains the values and norms that govern the life of the local community. In handling Covid-19, Bali has assigned traditional villages as a complement to Bali’s scheme against Covid-19, including by continuing the tourism industry. To carry out the objectives of the traditional village, public policy instruments are needed as a government medium in meeting the needs of the community. Traditional villages carry out functions and goals, one of which is to increase socio-cultural resilience and the welfare of traditional village manners (members). Balinese cultural values that are inherent and bound to customary rules directly become a kind of unwritten doctrine that any activity held must involve the intervention of the traditional village, as well as in tourism activities.

Based on the abovementioned, there are several issues shall be examined, namely:

1. Why do *Adat* Village play an important role in tourism management in Bali?

2. What is the role of *Adat* Village in managing tourism in Bali during the Covid-19 pandemic?

Research Method

This research was normative legal research. According to Peter Mahmud Marzuki, "normative research is carried out to find out the solution for legal problems that occur and are faced by exploring legal rules, legal principles, or legal doctrines".[11] This research used two approaches, namely statutory approach and conceptual approach. The statutory approach is used to examine the provision of Law No. 10 of 2009 concerning Tourism and Bali Regional Regulation No. 4 of 2019 concerning *Adat* Village. Further, the conceptual approach is used to examine the concept of *Adat* Law as well as the tourism law. "The technique of analyzing legal materials in normative legal research is that the legal materials that have been collected are analyzed through the steps of description, systematization and explanation".[12]

Result and Discussion

The Management of Bali Tourism in the Context of Adat Village

Bali as one of the most well-known tourism destinations has been known to have various local wisdom that shapes the character of the community with happiness and balance life in the world.[13] Bali has been known as one of the islands in Indonesia that brings huge impact on the tourism sector.

Many foreigners have been mesmerized by the beauty of Bali. They are attracted with its kind people, the nature, culture as well as the traditional food in Bali.

Bali has various types of tourist attractions, starts from beaches, rice fields, forest and lake areas, volcano, waterfalls, and artificial tourist areas, such as tourist villages, which are also being known abroad. Further, Bali also has various art and culture that attract the sight of the tourist to visit.

Endeavors to progress the quality of both administrations and offices at tourism objects are ceaselessly carried out, in this manner Bali remains a favorite put as a get-away spot. Local governments, tourism actors, and the community work hand-in-hand to make Bali a peaceful island by always maintaining security and comfort so that tourists who come to Bali can really enjoy their holidays safely and comfortably.

Tourism administration must allude to administration standards that emphasize the values of common natural maintainability, communication and social values that permit sightseers to appreciate their tourism exercises and advantage

the welfare of nearby communities. The ecological aspect of tourism implies a reciprocal relationship between tourists and local communities that involves cultural dialogue based on respect for each other's existence and integrity. If this element of cultural integrity is lost, it can be ascertained that no matter how good a tourist area is, it will gradually be abandoned.

"The tourist village is a form of integration between attractions, accommodation, and supporting facilities that are presented in a structure of community life that is integrated with applicable procedures and traditions".[14] Tourism village is a form of terminology that describes the tourism process based on the countryside. Apart from the controversy over the concept of a tourist village, according to Ahimsa-Putra, the notion of a tourist village refers to a form of residential area found in rural areas, either intentionally or unintentionally, has become an area that is a destination for tourist visits because it has an attraction or tourism object, and this tourist village tourists can carry out activities.[15] There are many studies on community-based tourism or known as community-based tourism, especially in rural areas.

In Bali, *Adat* Village is known as traditional institutions (villages) that grew and developed throughout history over the centuries. Its existence has made a very valuable contribution to the survival of people's lives, the struggle for independence and development. In addition, *Adat* Village also play huge role in the fields of religion, social culture, autonomy and defense and security.

It is realized that traditional social institutions in Balinese society have always succeeded in showing their abilities, not in terms of implementing a lifestyle related to traditional issues but also developing ideas of progress. Traditional Villages have a major contribution to the success of development in Bali. The performance of the Balinese economy in the last 25 years both in terms of the system, structure and achievements is a tangible manifestation of the contribution of the Balinese people in the economic development of the nation.

Adat Villages were not involved in the management of tourism objects in their territory. With autonomy concept, *Adat* Villages have been included in the management of tourism objects.[16] In other words, the *Adat* Village has been recognized and plays a direct role in the management of tourism objects. This can be seen from the majority of officers or staff who play a role in the field, such as in the process of determining operational costs at tourist attractions, recruiting employees or workers, the majority of whom are local from *Adat* Village communities, and managing the results or income from the tourism sector. However, because the condition of the *Adat* Village is still having limitations in capacity, the management of tourism objects in the *Adat* Village is still under the guidance and supervision of the Department of Tourism and Culture.

The Role of *Adat* Village in Bali Tourism Management during the Covid-19 Pandemic

The Covid-19 pandemic does affect tourism in Bali in very significant way. The number of tourist visits has decreased significantly, both foreign and domestic tourists.

According to the data from Central Bureau of Statistics or *Badan Pusat Statistik* (hereinafter BPS), the number of foreign tourists that came to Indonesia throughout 2020 only reached 4.02 million visits, a decrease of 75.03 percent when compared to the number of foreign tourist visits in the same period in 2019 which amounted to 16.11 million visits. Various laws and regulations have been issued in order to prevent the transmission of Covid-19, starting from the implementation of "Large-scale social restrictions (also known as PSBB), Restrictions towards community activities (also known as PPKM) in various level, as well as imposing an emergency public activity restriction (also known PPKM Darurat)" in several areas in Indonesia.[17] Meanwhile, the main idea of tourism involves many types of tour activities carried out by a person or group of people by visiting certain place.[18]

Based on the abovementioned, it can be seen that the Covid-19 pandemic in the tourism sector has at least affected the following economic risks:

- a. temporary closure of hotels, restaurants and other tourism industries
- b. reduction of employees, unpaid leave, or layoffs;
- c. liquidity difficulties such as default on investment credit and working capital;
- d. permanent business closure.[19]

Entering 2022, the Covid-19 pandemic is still ongoing. Confirmed cases of Covid-19 continue to increase. Therefore, tourism recovery efforts are still in the emergency response phase. A number of tourist destinations have been opened with strict health protocols based on "Cleanliness, Health, Safety, and Environment Sustainability" (also known as CHSE).[20]

The current condition of the Covid-19 pandemic provides an important role for *Adat* Villages in Bali, in Article 3 of the Perda Bali No. 4 of 2019, it is explained about the purpose of regulating *Adat* Villages, including: Giving recognition and respect for the position and role of the existing traditional village with its diversity before and after the formation of the Republic of Indonesia; Provide clarity on the status and legal certainty of traditional villages in the constitutional system of the Republic of Indonesia in order to realize justice for all Indonesian people; Advancing customs, traditions, arts and culture, as well as local wisdom of customary village communities in a *sakala* (seen) and *niskala* (unseen) manner; and Realizing a solid

and free standard financial framework as portion of endeavors to fortify the national financial framework.

The purpose of the *Adat* Village as abovementioned can be seen from the perspective of reception theory, namely that new law is recognized and implemented as law when customary law has been accepted, it is understood here that positive law is under customary law. From ancient times to the present day, Bali has maintained and continued the legacy of its social and cultural system and religious community created by the Balinese ancestors, and this is expressed in the form of a *Adat* village or *Desa Pakraman* including its *Adat* Law or customary law called *awig-awig* as an instrument of socio-cultural supervision and control in the daily life of the Balinese customary community who are inspired and equipped by the teachings of the Hindu religion.[21]

Laws that grow and develop in society are always changing like humans, because on the basis of what we know that humans are the ones who make the law itself in order to create the social order that is aspired to, then humans are the ones who enforce and obey the law. If the law in a society is deemed no longer in accordance with the development of the human mindset and is no longer able to guarantee and regulate people's lives, then the law will be changed by humans who design, enforce and then carry it out in the sense of obeying the law.

As previously explained that a number of legal provisions issued by the government in dealing with the Covid-19 pandemic have an impact on the tourism industry, it can be seen from the perspective of *Adat* Villages regarding their role in maintaining and managing Bali tourism in their respective regions. According to Soekanto, the role includes three things, namely:[22]

- a. "Roles include norms associated with a person's position or place in society. Role in this sense is a series of rules that guide a person in social life;
- b. Role is a concept of what individuals can do in society as an organization;
- c. Role can also be said as individual behaviour that is important for the social structure of society".

Society usually provides facilities for individuals to be able to carry out their roles. *Adat* villages are part of the community that provide many opportunities to carry out their roles. The policy analysis approach carried out by the Government of Bali includes traditional villages in handling Covid-19 as well as having an impact on tourism management efforts which are believed to be able to spearhead the handling of the pandemic and maintain tourism in Bali. One of the unique cultures that Bali has is its customary law or *Adat* Law. Customary law in Bali can be

expressed in the form of *awig-awig* and as an implementing rule in the form of *Pararem*. [23] The making of this *Pararem* is usually used by traditional villages to control their indigenous peoples, so that *Pararem* can also be used for the benefit of tourism management by traditional villages.

The key to *Adat* Villages in tourism management during the Covid-19 pandemic is the effort to restore tourism, namely the flexibility of traditional villages to build access and communication with business actors and the tourism industry with the government. In this case, the government must be able to keep security issues from affecting the tourism industry, by authorizing the capacity of *Adat* Villages to control the entry and exit of information in their territory. In addition, monitoring and evaluation of law enforcement related to the application of health protocols also supports efforts to restore tourism, this can also be done by *Adat* Villages.

Various efforts made by the government and tourism business actors have begun to revive the tourism business and industry in Bali. Although compared to previous years, the contribution of tourism to regional income has decreased, but it turns out that Balinese tourism with the support of *Adat* villages is starting to show some progress.

Conclusion

Tourism administration must allude to administration standards that emphasize the values of natural maintainability, communication and social values that empower visitors to appreciate their tourism exercises and advantage the welfare of nearby communities. One of the unique cultures that Bali has is its customary law or *Adat* Law. Customary law in Bali can be expressed in the form of *awig-awig* and as an implementing rule in the form of *Pararem* The making of this *Pararem* is usually used by traditional villages to control their indigenous peoples, so that *Pararem* can also be used for the benefit of tourism management by traditional villages. The key to *Adat* Villages in tourism management during the Covid-19 pandemic is the effort to restore tourism, namely the flexibility of traditional villages to build access and communication with business actors and the tourism industry with the government.

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