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# Philosophical Meanings Behind Differences in Population Status Domiciled in Traditional Villages (*Desa Adat*) in Bali, Indonesia

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## Abstract

The development of Bali to become the main destination for national and world tourism has indeed made a positive contribution to Bali itself and nationally. However, on the other hand, population problems have a very influential impact on the existence of the Bali area which results in the disruption of the comfort of the Balinese themselves. Various steps have been taken by the government from requiring migrant residents to have identity cards, especially for migrant residents, seasonal resident identity cards at a high enough cost to cause levies which actually make population problems difficult to overcome. Seeing this condition, the Bali provincial government began to function the role of Traditional Villages in regulating the existence of migrant residents, but the fact is that until now the community only knows the migrant population and has not understood the philosophical meaning of differences in population status. Based on this, this article will answer the problems about efforts to reason for differences in status of residence, efforts to determine the status of residence, and the philosophical meaning of differences in status of residence. The research method uses qualitative research that is carried out gradually and descriptively-qualitatively or through descriptions that are described and explain the subject of the study. Research shows that the implementation of differences in population status has been carried out in indigenous villages due to the high number of migrant populations. Differences in population status make it easier to order, equalize, prevent and overcome the problems of Customary Villages based on the classification of classifications that have been determined by the government as a support for the implementation of Customary Villages, namely *krama*, *krama tamiu* and *tamiu*. Furthermore, the practice until now in Traditional Villages in Bali still maintains the values of Balinese local wisdom in dealing with the population in the local village, even though nationally the Indonesian state in resolving the status of residence has been determined by the Civil Registry Service. So that the philosophical difference in the status of residence in traditional villages in Bali is justice in carrying out *swadharma* and self-education for residents in Bali based on Tri Hita Karana, namely three main things that cause welfare and prosperity in human life, including *parahyangan*, *pawongan*, and *palemahan*.

**Keywords:** Meaning, Philosophical, Differences, Status of Residence, Indigenous Villages

## 1. Introduction

Bali develops tourism through unique cultures and customs and people. Cultural life is the harmonious unity of religion, culture, and customs. The basic capital of culture is that culture functions normatively and operationally. As a normative, the role of culture is expected to be able and potential in providing identity, basic handles and being able to make the main attraction for increasing tourism.

With regard to culture, the term culture or culture comes from Sanskrit, namely *buddhayah*, which is the plural form of *buddhi* (mind or reason) is interpreted as things related to human mind and reason. Balinese culture is a way of life that is developed and owned by the Balinese people and passed down from generation to generation. Balinese culture which includes customs, religions, traditions, arts and culture, as well as local wisdom that can exude a positive aura is based on values derived from the teachings of Hinduism, in scale and scale. Balinese people recognize the existence of two differences (*rwa bhineda*), which are often determined by factors of space (*village*), time (*kala*) and real conditions in the field (*patra*). The concept of *village*, *kala*, and *patra* causes Balinese culture to be flexible and selective in accepting and adopting outside cultural influences. Historical experience shows that communication and interaction between Balinese culture and outside cultures such as India (Hinduism), Chinese, and Western particularly in the field of art has given rise to new creativity in both the fine arts and the performing arts. Themes in painting, fine art and performing arts are heavily influenced by Indian culture. Similarly, Chinese and Western/European cultures give a new feel to art products in Bali. The acculturation process shows that Balinese culture is flexible and adaptive, especially in art so that it is able to survive and not lose its identity (Mantra, 1996).

This gives a clue to how important culture is for tourism development. The development and changes in Bali tourism in the era of globalization can cause changes in the lifestyle of modern people. As a result, people tend to choose new cultures that are considered more practical. Globalization is a special phenomenon in human civilization that moves constantly in a global society and is part of that global human process. The presence of information technology and communication technologies accelerates the acceleration of this process of globalization. Globalization touches all important aspects of life. Globalization encourages us to identify and look for symmetrical points so that we can bring together two seemingly paradoxical things, namely Indonesian education with national and global implications. The impact of globalization has forced many countries to review their insights and understanding of the concept of the nation, not only because of factors (Nurhaidah, 2015). The development of technological advances, modernization, Balinese society is faced with a variety of problems including population problems. Where previously it has not been a very priority problem.

History records that Maharsi Markandya's entourage had come to Bali around the 9th century to clear forests and build *pakraman* villages. In the 11th century a number of lontars stored in various lontar libraries in Bali emphasized that *Mpu Kuturan*, which dates back to the *Majapahit* or *Wilwatikta* period, came to Bali to teach the procedures for making sacred buildings as well as to revive and purify the building. Continued in the 16th century, Danghyang Nirartha introduced *Padmasana* as a place for the Great God *Acintya*, which was the result of a reform movement led by Dang Hyang Nirartha, at which time the spread of Islam was expanding from the west through the island of Java.

History also records the arrival of Muslims who were "invited" and used by the Kings of Bali because of their expertise which was later localized in certain areas, as can now be seen in Saren Village (Buda Keling Karangasem), Pegayaman (Buleleng), Kapaon (Denpasar). The history of Bali tourism also records the first foreign immigrants who came to Bali to travel, starting from the group of Cornelis de Houtman (1597), Van Kol (1902), until then Bali was crowded with foreign tourists after the operation of the Ship of the Dutch government-owned shipping company *Koninklijk Paketvaart Maatschappij* in 1920 (Sudantra, 2008).

In its later development, the establishment and development of Bali as a tourist destination since the 1930s by the Dutch colonial government, continued as the main destination by the Indonesian government which was initiated starting in the late 1960s, then even more massively in the 1970s and 1980s and beyond has caused various impacts

both on a local, regional, and national scale. In the last 50 years or so, Bali's fundamentals, which include Balinese nature, Balinese people, and Balinese culture, have changed massively and systematically.

The development of Bali to become the main destination for national and world tourism has indeed made a positive contribution to Bali itself and nationally. Recently, the invasion of migrant population due to influences in the tourism sector with various backgrounds, ethnicities, professions and goals, has made its own problems that are quite complex for Bali, especially areas rich in tourism sectors. However, on the other hand, population problems will have a very affecting the existence of the Bali area such as the increasing population density, prostitution, unemployment, criminality, narcotics abuse, and so on resulting in disruption of the comfort of the Balinese themselves.

Various steps have been taken by the government from requiring migrant residents to have identity cards, especially for residents of seasonal resident identity cards (KIPEM, KIPS/STPPTS) at a high enough cost to cause levies that actually make the population problem difficult to overcome. Under such conditions, the government began to involve indigenous villages in handling migrant populations.

Traditional Village as a unit of indigenous law community based on *the Tri Hita Karana* philosophy derived from the local wisdom of *Sad Kerthi*. *Tri Hita Karana* which is one of the teachings in Hinduism that teaches about the balance between humans and God, humans with humans, and humans with their environment (Sumunar, Suparmini, & Setyawati, 2017). Imbued with the teachings of Hinduism and the cultural values and local wisdom that live in Bali, it plays a very large role in the development of society, nation and State so that it needs to be nurtured, protected, fostered, developed and empowered in order to realize a *Balinese krama* life that is politically sovereign, economically independent, and has a *krama* personality in culture.

In Article 1 number 8 of the Regional Regulation of Bali Province Number 4 of 2019 concerning Customary Villages in Bali, it is emphasized: Customary Villages are the unity of indigenous peoples in Bali that have territory, position, original arrangement, traditional rights, own property, traditions, social manners of community life for generations in the bonds of holy places (*Kahyangan Tiga* or *Kahyangan Desa*), his duties and authorities as well as the right to organize and take care of his own household. Bali Provincial Regulation Number 4 of 2019 concerning Customary Villages, which was passed on April 02, 2019 and promulgated on May 28, 2019 replaced Bali Provincial Regulation Number 3 of 2001. This regional regulation in principle adheres to the philosophy of *Tri Hita Karana*, which includes elements of *Parahyangan*, *Pawongan*, and *Palemahan*. However, there are also new things that are intended to adjust to the development of society in the era of regional autonomy. With the issuance of Regional Regulation Regulation Number 4 of 2019 concerning Customary Villages in Bali which not only discusses villages, the regional regulation also contains clear regulations regarding the categories of *krama* along with *swadharma* (obligations) and *swadikara* (rights) respectively, consisting of: (Article 8) *krama desa adat*, namely the Balinese people of Hinduism who are *mipil* and recorded in the local traditional village; *krama tamiu*, which are residents of the Balinese hindu community who are not *mipil* but recorded in the local traditional village; and *tamiu*, which are people other than *krama desa adat* and *krama tamiu* who are in the *wewidangan* of traditional villages for a while or reside and are recorded in the local traditional village. This is because the fundamental problem in Bali that has been felt until now is the problem of population explosion, especially related to the growth of urbanized or migrant populations.

Seeing this condition, the Bali provincial government began to function the role of Customary Villages in regulating the existence of migrant populations, starting to be handed over to Customary Villages/Banjar Adat in the area of each regency/city throughout the province of Bali. However, the fact is that until now the community only knows the immigrant population. The meaning is not yet understood why, how, what is the philosophical meaning of the difference in status of residence.

Based on the data above, it is very appropriate for this research to be held so that it can answer the problems of efforts to reason for differences in population status, efforts to determine status of residence, and the philosophical meaning of differences in population status. Thus, this study was given the title "The Philosophical Meaning Behind the Differences in Population Status Domiciled in Traditional Villages in Bali."

The problems that can be formulated based on the background above are (1) what is behind the differentiation of the status of residence of Indigenous Villages in Bali? (2) how are these differences in status of residence implemented in the life of Traditional Villages in Bali? And (3) what philosophical meaning is behind the differences in the status of residence of Traditional Villages in Bali?

In general, this study aims to understand and explore information on why and how the background differences and implementation of the philosophical meaning behind the differences in status of residence domiciled in Traditional Villages in Bali. In particular, this study aims to (1) know and analyze the background of the different status of population of Indigenous Villages in Bali, (2) explain the differences in population status implemented in the life of Indigenous Villages in Bali and (3) understand the philosophical meaning of the differences in the status of population of Indigenous Villages in Bali.

The results of this study are expected to have benefits, both theoretically and practically. The practical benefits of this study are: (1) it is expected to be a reference for researchers who conduct research on the status of residence of Indigenous Villages in Bali, (2) to be a reference for the field of legal research studies at the university level, especially in the field of Customary Law in Bali, (3) enrich scientific insights for legal researchers related to Hinduism and Balinese culture in more depth, especially in the Customary Law that applies in Traditional Villages in Bali, as well as contributing to the development of legal science, especially in the field of Hindu and customary law in Customary Villages in Bali. While the practical benefits in this study are: (1) for *traditional village leaders*, it is expected to be used in making decisions related to the status of residence based on regional regulations and *awig-awig* of Indigenous Villages, (2) for Village institutions and communities, it is hoped that it can be used as a guide in enforcing rules in accordance with the values that grow in the community and (3) for regulatory institutions, it is hoped that it can be used as a guide in enforcing rules in accordance with the values that grow in the community and (3) for regulatory institutions, it is expected to be used as a guide in enforcing rules in accordance with the values that grow in the community and (3) for regulatory institutions, it is expected to be used as a guide in enforcing rules in accordance with the values that grow in the community and (3) for regulatory institutions, it is hoped that it can be used as a guide in enforcing rules in accordance with the values that grow in the community and (3) for regulatory institutions, it is hoped that it can be used as a guide in guidelines for making regulations in the regions according to the conditions of each region.

## 2. Literature Review

### 2.1. Previous Research Studies

Some studies of previous research that have relevance to this research include: A book written by Carol Warren (1993) entitled "Adat dan Dinas *Balinese Communities in the Inonesian State*." The dissertation written by Made Sudjana (2015) is entitled Re-actualization of Kerta Pakraman Village in Bali. A scientific journal written by Larantika (2017) entitled The Role of Indigenous Villages in the control of migrant populations: a case study of Denpasar District, Denpasar City. The book written by Thomas Reuter (2018) entitled "Our Ancestral House House is an exaggeration of *dandualism* in highland Balinese society" A scientific journal written by Ni Ketut Kantriani (2018) with the title Regulation of migrant population (*krama tamiu*) in terms of Customary Law in Bali. The dissertation written by I Nyoman Bagiastra, (2020) entitled Regulation of Health Management by the Unity of Indigenous Peoples in Health Law in Indonesia (a Study on Indigenous Villages in Bali). Scientific Journal written by Wati (2020) entitled Implications of *tamiu* data collection in Padang Luwih Traditional Village after the decision of Bali Province regional regulation Number 4 of 2019 concerning Customary Villages in Bali. The book written by Windia (2021) entitled "Customary Law and Customary Villages in Bali".

From the literature review in the form of books or scientific journals which can be used as a reference in this study, there are differences and similarities from previous books or research, as described in the form of Table 1.

Table 1: Similarities and Differences of Previous Research

No	Heading	Equation	Difference
1.	" Adat and Dinas <i>Balinese Communities in the Indonesian State</i> ". Book written by Carol Warren (1993)	<ul style="list-style-type: none"> <li>In relation to community organizations in Bali, it is good to discuss from customary institutions to the smallest part, namely <i>banjar</i>, what kind of community organization it is, what is the application of the law</li> </ul>	<ul style="list-style-type: none"> <li>There is no in-depth explanation of <i>tamiu</i> and <i>tamiu</i> krama</li> </ul>
2.	Re-actualization of Kerta Pakraman Village in Bali. Made Sudjana (2015)  Dissertation, Indonesian Hindu University Denpasar	<ul style="list-style-type: none"> <li>Research using a qualitative approach</li> <li>Related to the study of Pakraman Village in Bali.</li> <li>The research location is in 3 (three) Traditional Villages with grouping</li> </ul>	<ul style="list-style-type: none"> <li>Pakraman Village has changed to the term Traditional Village</li> <li>. The location of the previous research was based on the grouping classification of Bali Aga, <i>Apanaga</i> and Anyar Villages. While this study is classified as a village based on geographical location, namely Mountain Village, City Village, Coastal Village</li> </ul>
3.	The role of Indigenous Villages in the control of migrant populations: a case study of Denpasar Subdistrict, Denpasar City. A.A.Ayu Dewi Larantika (2017)  Scientific Journal, Warmadewa University	<ul style="list-style-type: none"> <li>The study is related to the authority of Indigenous Villages in handling the existence of migrant residents.</li> <li>Using qualitative methods</li> </ul>	<ul style="list-style-type: none"> <li>Differences in research locations</li> <li>The focus of the problem is on the background of the formation of the status of residence of Indigenous Villages in Bali and philosophically meaning that exists behind the differences in population status in Traditional Villages in Bali.</li> </ul>
4.	Our Ancestral House House is an exaggeration of <i>dandualism</i> in highland Balinese society" Book written by Thomas Reuter (2018)	<ul style="list-style-type: none"> <li>To get to know more about customs and socio-culture in community life, Bali Aga Village, where in this study one of the Bali Aga Villages that was used as the location of this research study was penglipuran traditional village.</li> </ul>	<ul style="list-style-type: none"> <li>There has been no discussion of tentag krama <i>tamiu</i> and <i>tamiu</i></li> </ul>
5.	The regulation of the migrant population ( <i>krama tamiu</i> ) is reviewed from the Customary Law in Bali. Ni Ketut Kantriani (2018) Imiah Journal, I Gusti Bagus Sugriwa State Hindu University Denpasar	<ul style="list-style-type: none"> <li>Studies on manners in terms of customary law</li> </ul>	<ul style="list-style-type: none"> <li>Differences in the scope of the study location</li> <li>A deeper study about village krama and <i>tamiu</i></li> </ul>
6.	Regulation of Health Management by the Unity of Indigenous Peoples in	<ul style="list-style-type: none"> <li>Related to the study of Traditional Villages in Bali.</li> </ul>	<ul style="list-style-type: none"> <li>Differences in research locations</li> </ul>

	Health Law in Indonesia (a study on Indigenous Villages in Bali) I Nyoman Bagiastra (2020) Dissertation, Udayana University	<ul style="list-style-type: none"> <li>▪ Research using qualitative methods</li> </ul>	<ul style="list-style-type: none"> <li>▪ The focus of the problem used is the unit of indigenous peoples in the Customary Village in Bali regarding the regulation of the status of residence of indigenous villages in Bali.</li> </ul>
7.	"The implications of <i>tamiu</i> data collection in Padang Luwih Traditional Village after the decision of Bali Province regional regulation Number 4 of 2019 concerning Customary Villages in Bali. Ni Luh Ernawati (2020) Scientific Journal, Hindu University of Indonesia	<ul style="list-style-type: none"> <li>▪ The authority of indigenous villages to the existence of migrant populations called <i>tamiu</i></li> <li>▪ Research methods using a qualitative approach</li> </ul>	<ul style="list-style-type: none"> <li>▪ It does not mention the philosophical meaning of the differences in the status of residence of Indigenous Villages and the responsibility of each status.</li> <li>▪ Differences in the scope of the study location</li> </ul>
8.	"Hukum Adat dan Desa Adat di Bali". Books written by Windia (2021)	<ul style="list-style-type: none"> <li>▪ The process of the previous regulatory dimensions to the latest regulations so as to help structure the science of Customary Law, Balinese Customary Law and Balinese culture in general.</li> </ul>	<ul style="list-style-type: none"> <li>▪ There has been no in-depth discussion about <i>krama tamiu</i> and <i>tamiu</i></li> </ul>

Source: Author, 2021

## 2.2. Concept Description

The concept of this study is entitled the philosophical meaning behind the differences in the status of residence domiciled in the Traditional Village di Bali, which is described as the concept of philosophical meaning, the concept of status of population, the concept of Indigenous Villages.

The concept of philosophical meaning, namely philosophical meaning in this study is a meaning formed by thoughts about differences in the status of residence in traditional villages in Bali so that they become more effective and function in solving the problem of differences in status of residence in Traditional Villages in Bali. The concept of the meaning of status of residence, is that the status of residence in this study is the position of a person in a social group in general, so that the position or grouping of the community in terms of its origin, religion, rights and obligations of the community in an Indigenous Village.

The concept of Customary Village is a Customary Village is a unit of indigenous peoples in Bali that has territory, position, original arrangement, traditional rights, own property, traditions, social manners of community life for generations in the bonds of holy places (*kahyangan tiga* or *kahyangan desa*), duties and authorities as well as the right to regulate and take care of their own households.

## 2.3. Theoretical Foundations

### 2.3.1. Phenomenological Theory

Phenomenology seeks to seek an understanding of how human beings construct important meanings and concepts within the framework of intersubjectivity (our understanding of the world is shaped by our relationships with

others). (Kuswarno,2009). The apparent phenomenon is a reflection of a reality that cannot stand alone, since it has a meaning that requires further interpretation.

The objective of phenomenology, as proposed by Husserl, is to study human phenomena without questioning their causes, actual reality and appearance. Husserl says, "The world of life is the basis of meaning forgotten by science." interpreting life not as it is, but based on certain theories, philosophical reflections, or based on interpretations colored by our interests, life situations, and habits. Thus, phenomenology mentions *zuruck zu de sachen selbst* (returning to the objects themselves), that is, an attempt to rediscover the world of life.

Basically, there are two main things that are the focus of phenomenological research, namely: (Aryani et al., 2015)

- a. *Textural description*: that is, what the subject of research experiences about a phenomenon. What is experienced is an objective aspect, data of a factual nature, a thing that happens empirically.
- b. *Structural description*: that is, how the subject experiences and interprets his experience. This description contains subjective aspects. This aspect concerns the opinions, judgments, feelings, expectations, as well as other subjective responses of the subject of the study with regard to his experiences.

This phenomenological theory is used in dissecting the formulation of the first and second research problems in this study, in order to explore two dimensions, namely what the subject experienced and how the subject interpreted the experience. The experience of the subject, in this case the status of residence with the phenomenon of determining the status of residence as *a subject matter* to be studied. The first dimension is the background process of differences in the status of residence that is established, is objective and physical. While the second dimension is the opinion, implementation, assessment, evaluation, expectations and meaning of Indigenous Villages on the phenomenon of population status that occurs. This second dimension is subjective.

### 2.3.2. Reception Theory

There are three main elements in the reception methodology that can explicitly be referred to as "*the collection, analysis, and interpretation of reception data*" (collection, analysis, and interpretation of reception data) (Jensen in Soerjono. 1990). The three elements in this study are:

- a. Data collection related to the status of residence of *krama* domiciled in a traditional village in Bali
- b. Data obtained through in-depth interviews both individually and in groups. In the reception analysis, the interview took place to dig up data from *the perpetrators* in the Traditional Village itself.
- c. Analyze the results of the data that has been obtained through interviews or recordings. Interview data can be tidied up by categorizing according to questions, statements, or comments.
- d. Conducting interpretations, collaborating the results of findings in the field both from interviews and observations, with the theories used so as to produce new findings in the form of new values or meanings that appear.

### 2.3.3. Theory of Justice

According to John Rawls (2005), justice is fairness (justice as fairness). John Rawls's opinion is rooted in Locke and Rousseau's social contract theory and the deontological teachings of Immanuel Kant. Some of his views on justice are as follows:

- 1) This justice is also a result of a just choice. This stems from Rawls's assumption that actually humans in society do not know their original position, do not know their goals and life plans, and they also do not know what society they belong to and from which generation (veil of ignorance). In other words, the individual in society is an unclear identity, because of that people then choose the principle of justice.
- 2) Justice as fairness produces pure procedural justice. In pure procedural justice there is no standard to determine what is called "fair" apart from the procedure itself. Justice is not seen from the results, but from the system or the process itself.
- 3) Two principles of justice, first is the principle of greatest equal liberty. These principles include:
  - a. Freedom to participate in political life (right to vote, right to stand for election)
  - b. Freedom of speech including freedom of the press)
  - c. Freedom of belief (including religious belief)

- d. Freedom to be yourself (person)
- e. The right to retain private property.

This theory of justice is used to dissect the formulation of the third research problem in this study, to understand the philosophical meaning behind the differences in population status. In justice as fairness produces pure procedural justice in pure procedural justice there is no standard to determine what is called fair apart from the procedure itself. Justice is not seen from the results but from the system or process behind the differences in population status itself. The theory of justice helps examine the extent to which justice is achieved with differences in population status according to the objectives of justice in the Balinese cultural concept of *kasukertan*.

#### 2.4. Conceptual Framework and Research Model

##### 2.4.1. Frame of Mind

The framework of thinking of research carried out specifically in Indigenous Villages with customary laws in force and becomes the basis for all the implementation of the rules of community life. In overcoming differences in the status of indigenous people and balancing their obligations, it is necessary to pay attention to the effective service at every level based on the *awig-awig/pararem of the* local community. The pattern of handling Indigenous Villages with *krama adat, krama tamiu* and *tamiu* will be realized if it is preceded by an agreement coordinated through the institution of the Customary Village Assembly (Figure 1).

##### 2.4.2. Research Model

This research is a literature study research *and data survey* or qualitative combination combined with critical thinking using a phenomenological theory approach to describe and analyze the conditions of differences in population status domiciled in Traditional Villages in Bali. In this study, an in-depth study was carried out in order to find out the background of differences in population status in Indigenous Villages, the implementation of differences in population status in the life of Indigenous Villages, and the philosophical meaning behind the differences in population status domiciled in Customary Villages in Bali (Figure 2).

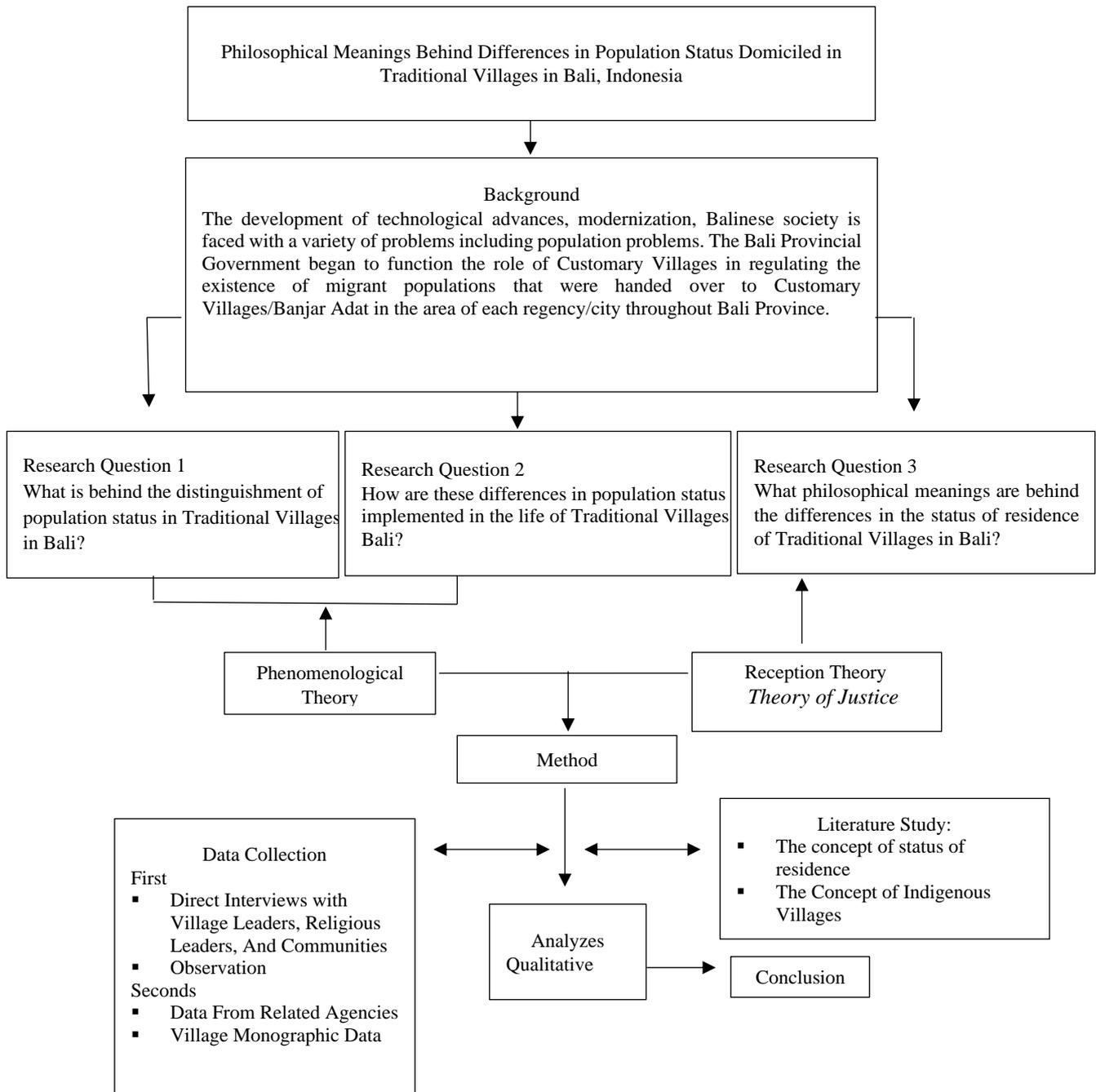


Figure 1: Research Thinking Framework  
 Source: Author Developed, 2021

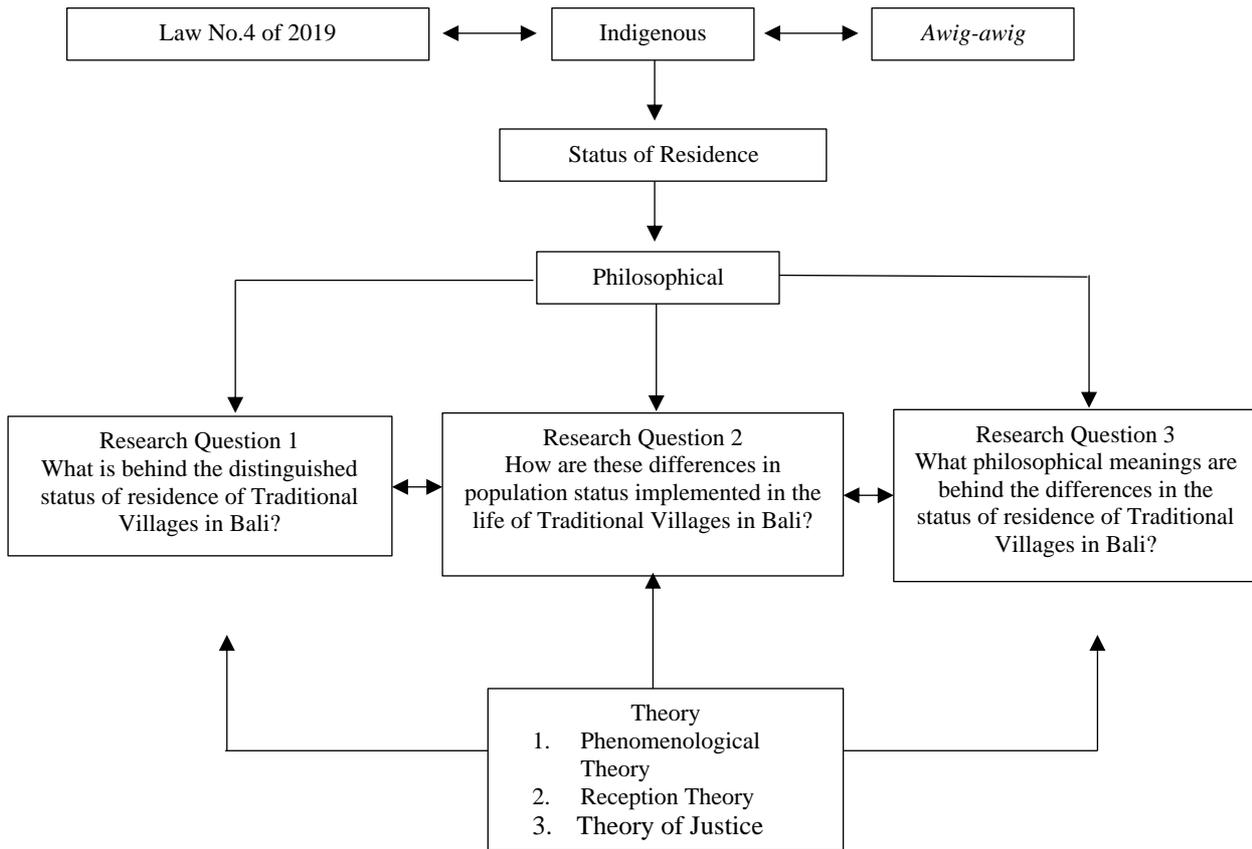


Figure 2: Research Model  
Source: Author developed, 2021

### 3. Research Methods

#### 3.1. Design, Location, Types and Sources of Research Data

The design in this study uses qualitative research that is carried out in stages, namely from planning, designing, determining the focus of research, and conducting research. The writing of the results of this study is carried out descriptively-qualitatively or through descriptions that are described and explain the subject of the study. This research is related to the philosophical meaning behind the differences in population status domiciled in traditional villages in Bali using normative and juridical approaches. The normative approach is used to examine legislation and the sources of customary law. The juridical approach is to examine research problems using a legal perspective in the hope that differences in status of residence can be understood, especially in relation to applicable laws and regulations.

The design of this study can be described, namely (1) the first is research on the background of the differentiation of the status of population of Indigenous Villages in Bali, (2) the second is research on the differences in population status implemented in the life of Indigenous Villages in Bali and (3) The third is the preparation of the philosophical meaning behind the differences in population status in traditional villages in Bali.

The research locations were conducted in three places, namely (1) Mountain Village in Penglipuran Traditional Village, (2) Urban Village in Panjer Traditional Village and (3) Coastal Village in Canggu Traditional Village. The types of data in this study are primary and secondary data types. The primary data in this study includes direct interviews with data sources such as traditional *bendesa*, traditional *kelian*, community leaders, and several

community leaders who are considered to understand the problems studied. Secondary data is data obtained through literature review sources such as documents, meeting notes, journals, reference books, magazines, and other sources that have something to do with this research.

### 3.2. Data Collection Techniques, Research Instruments and Data Analysis Techniques

In this study, data collection was used by various techniques, namely observation, *depth* interviews, and document studies.

1. Observation Techniques. The observation of this research was carried out by plunging and looking directly at the field the object under study, for example the activities carried out by the Institution and Prajuru of Indigenous Villages in Bali in handling the status of residence, the process of differences in the status of residence implemented in the Customary Village, and various regulations governing the existence of customary manners in Bali.
2. Depth Interview. In an in-depth interview, an in-depth excavation of a predetermined topic (based on the purpose and intention of the interview is held) using open-ended questions. The informants who will be interviewed are *Bendesa* Penglipuran I Wayan Budiarta Traditional Village, *Bendesa* Panjer A. A Ketut Oka Adnyana Traditional Village, Sst. M.Si, *Bendesa* Canggu I Wayan Suarsana Traditional Village and local Traditional Village *prajuru*. Excavations are carried out to find out their opinions based on the perspective of respondents in looking at a problem.
3. Document Study Techniques. Document studies are used to collect various types of data or information sourced from journals or articles, books, laws, bylaws, *awig-awig* and documents such as village monographs, archives related to the problem under study, and documents obtained from photos, images, related articles published in print or electronic media.

Researcher as the first instrument in the collection and interpretation of data. The tools used are video cameras, voice recorders, notebooks, in-depth interview guidelines. Data analysis techniques in the form of data reduction, data presentation, data inference or verification.

## 4. Results and Discussion

### 4.1 Background of Differences in Population Status of Indigenous Villages in Bali

#### 4.1.1. Differences in Status of Residence in Traditional Villages

Penglipuran Traditional Village, differences in the status of residence in Traditional Villages related to migrant residents have been carried out from before the existence of the Law in the form of unwritten rules that were made and agreed upon from the results of the penglipuran indigenous village community with joint witnesses. The existence of rules still has legal force. Having a unity of traditions and social manners of Hindu life for generations in the *Kahyangan Tiga (Kahyangan Desa) bond* which has a certain territory and its own wealth and has the right to take care of its own household. Penglipuran Traditional Village has a system of differences in status of residence with a membership system. In Penglipuran Traditional Village, which is a member of the Traditional Village, there are all traditional *Hindus* and *Nyungsung Kahyangan Tiga* in Penglipuran Traditional Village. The classification of membership in Penglipuran Traditional Village can be distinguished as follows *krama pengarep*, *krama roban*, *krama nyada*, *krama pengampel*, *krama balu*, *krama tamiu*, and *tamiu*.

The difference in population status in Panjer Traditional Village is motivated by the condition of a heterogeneous or mixed community due to the large number of migrants from other regions who mingle with the local indigenous people. Traditional Village Panjer and *kelian banjar* must know and understand *the awig-awig*, *pararem* and *ilitika krama* issued by the City Customary Village Council to put in order *the krama tamiu* and *tamiu* based on Regional Regulation No.4 of 2019 concerning Customary Villages, which are already under the auspices of the Panjer Customary Village has the function of regulating the population in the Panjer Traditional Village called *bage pawongan*.

Canggu Traditional Village applies according to the status of residence in Traditional Villages according to Law/Perda No.4 of 2019 concerning Customary Villages divided into 3, namely: *krama* Desa Adat, are residents of the Hindu Balinese community who are *Mipil* and are recorded as members in the local Customary Village. Secondly, *krama tamiu*, is a hindu Balinese citizen who is not *mipil*, but is recorded in the local traditional village. The three *tamiu* are people other than *krama* Desa Adat and *krama tamiu* who are in the *wewidangan* of Traditional Village for a while or reside and are recorded in the local Traditional Village.

#### 4.1.2. Status of Residence in Awig-awig Traditional Village

*Awig-awig* is a rule made by *the Traditional Village* and/or *Banjar Adat* that applies to the *Krama* Desa Adat, *krama tamiu*, and *tamiu*. Penglipuran Traditional Village, the status of residence in *awig-awig* in *pawos* 4 *indic krama awig-awig* Penglipuran Traditional Village is defined regarding the meaning of *village krama*. In panjer traditional village, the status of residence in *awig-awig* *Trityas Sargah Sukerta* Tata Pakraman Palet 1 article 7 *Indik Krama* as follows *krama desa*, *krama penyanggra*, *krama tamiu*, and *tamiu*. Meanwhile, Canggu Traditional Village has a population status arrangement in *awig-awig* in *pallets* 1 *indic krama pawos* 4 *awig-awig* Canggu Traditional Village.

#### 4.1.3. Responsibility of Each Status of Residence

The responsibility of each status of residence is backgrounded by each Customary Village *having* the authority to make regulations (*awig-awig* or *pararem*) according to their respective conditions and needs (*Mawacara Village*). An area of a Customary Village is generally found a principle that applies universally in every *awig-awig*, namely the balance between rights and obligations as residents who live in a settled or temporary residence within the territory of a Customary Village. Penglipuran Traditional Village the rights and obligations for *village krama* are regulated in written rules, for *krama tamiu* and *tamiu* rights and obligations are regulated in unwritten rules that are respected in the *paruman* or *sangkep* of the Customary Village. In penglipuran traditional village, every *krama tamiu* or *tamiu* gets a residence permit if they have reported themselves through *the krama pengarep*, the *krama* has a responsibility if the *krama* invites the migrant population. Panjer Traditional Village, the arrangement of the rights and obligations of each *krama* is arranged on the *awig-awig* for the *village krama* and on the *ilikita krama* for the *krama tamiu* and *tamiu*. The obligation for the *krama tamiu* and *tamiu* by giving *punia* to the Panjer Traditional Village which is used for the denial of *kapancabayan* (maintaining social order and security), and the interests of the denial of the earth *parisada* (maintaining harmony in human relations with the sanctity of the surrounding nature), and the Canggu Traditional Village the fulfillment of the rights and obligations of every *village krama*, *krama tamiu* and *tamiu* regulated in *pararem* and *sedhana adat* Desa Adat Canggu, will bring balance, maintain social order, security, maintain harmony in human relations with humans and the sanctity of the surrounding nature.

### 4.2 Implementation of Differences in Population Status in The Life of Indigenous Villages in Bali

#### 4.2.1. The Determination Process of the Bylaws

Based on the regulations in force in 2019 the Bali Provincial Government issued Regional Regulation Number 4 of 2019 concerning Customary Villages in Bali. This regulation has the intention of being an adequate legal umbrella to be used as a comprehensive and integrated guideline for Indigenous Villages in Bali. Where in the Regional Regulation of Bali Province Number 4 of 2019, the assistance of *krama* according to article 1 is as follows:

1. *Krama* Desa Adat is a hindu Balinese community who is *Mipil* and is recorded as a member of the local Traditional Village.
2. *Krama Tamiu* is a resident of the Balinese community who is Hindu not *Mipil*, but is recorded in the local Traditional Village.
3. *Tamiu* is another person of *Karma* Adat and *Krama Tamiu* who are in *Wewidangan* Traditional Village for a while or are located in the local Traditional Village.

#### 4.2.2. The Determination Process in Awig-awig

Traditional Villages in Bali in general in their *awig-awig* include the regulation of migrant residents (*krama tamiu*), in Perda No. 4 of 2019 it is stated that Balinese residents are grouped into 3, namely; *krama desa*, *krama tamiu*, and *tamiu*. *Awig-awig* is used as the legal basis for the establishment of the Penglipuran Traditional Village. In the *awig-awig* of Penglipuran Traditional Village, the concept used until now is the classification of indigenous villagers in only two groups, yaitu *krama desa* and *tamiu*. The determination of the status of residence in the *awig-awig* of the Panjer Traditional Village the concept adopted until now is the classification of *indigenous villagers* in three groups, namely *village krama*, *krama tamiu* and *tamiu*. *Awig-awig* Canggu Traditional Village also applies three classifications of indigenous villagers, namely *village krama*, *krama tamiu* and *tamiu*.

#### 4.2.3. Process of Determining Each Status of Residence

Penglipuran Traditional Village in determining the status of residence of indigenous villages is clearly discussed about *Krama Pengarep* its determination in accordance with the content of the *awig-awig* of Penglipuran Traditional Village, for *krama tamiu* and *tamiu* is explained in general in *awig-awig*, the rules are established through unwritten rules, in unwritten regulations it has been agreed through the *paruman/sangkep* of the village which has joint sanctions.

Panjer Traditional Village in determining the status of residence of Traditional Village is clearly discussed about *Krama Pengarep (krama desa)* its determination is in accordance with the content in the *awig-awig* Panjer traditional village which is clearly regulated in the requirements to become a *village krama (krama pengarep)*, while for *krama tamiu* and *tamiu* it is only explained in general in *awig-awig*, rather, it is regulated in the *pararem ngele* in the written regulations that have been agreed upon through the *paruan/sangkep* of the village.

Canggudalam Traditional Village the determination of the status of residence of the Customary Village is clearly discussed about the *kramadesa* of its determination in accordance with the content in the *awig-awig* of Canggu Traditional Village, which is clearly regulated in the requirements of being a *village krama*, for *krama tamiu* and *tamiu* is only explained in general in the *awig-awig*, and regulated in the Canggu Customary Village Decree Number 01/Kep/DAC/I/2018 about the Customary Sedhana of Canggu Customary Village in written regulations has been agreed upon through the village *paruan/sangkep*.

### 4.3 Philosophical Meaning of Differences in Status of Residence in Indigenous Villages

#### 4.3.1. Meaning of Differences in Status of Residence

The meaning of the difference in population status in Traditional Villages in Bali is justice in carrying out *swadharma* and *swadikara* for residents in Bali based on *Tri Hita Karana*. *Tri Hita Karana* is the three main things that cause the well-being and prosperity of human life, including *parahyangan*, *pawongan*, and *palemahan*. This *Tri Hita Karana* gives guidance to *Balinese krama* for compassion to nature (*palemahan*), *punia* to fellow humans (*pawongan*), as a form of *bhakti* to God (*parahyangan*). *Tri Hita Karana* is sourced and operationalized in the local wisdom of *Sad Kerthi*, namely six noble deeds, which include efforts to purify the soul, maintain the preservation of forests and lakes as a source of clean water, the sea and beaches, dynamic social and natural harmony, and build the quality of human resources both individually and collectively so that it is expected to maintain and harmony or balance of customary values, religion, tradition, art and culture as well as local Balinese wisdom. both *at scale* and *scale*.

#### 4.3.2. The Meaning of Differences in Responsibilities of Each Status of Residence

The difference in the responsibilities of each status means that each *krama* has a responsibility for *obligations that each krama* must fulfill such as to protect the environment properly, not to damage the environment, and always respect and respect the differences that occur in society and provide justice for each *krama* which is located in a Traditional Village that makes the difference in status always prioritizes the values of Pancasila. The value of

Pancasila in the second precept is a just and civilized humanity and the fifth precept of justice for all Indonesian people.

#### 4.4. Awig-awig Model of Status Differences

The life of the people in Bali is arranged in a unified Traditional Village which has its own law called *awig-awig*. Every Traditional Village has an *awig-awig*, which is based on the *Tri Hita Karana* philosophy. Traditional Villages in Bali in general in their *awig-awig* list the arrangement of the migrant population (*krama tamiu*). Penglipuran Traditional Village, Kubu Village, with a *tamiu* arrangement model in more detail in *awig-awig*, starting from its understanding to its rights and obligations. Panjer Traditional Village, the model of setting *tamiu krama* on *awig-awig* is discussed in general, then the regulation of the problem of the migrant population in more detail in *pararem* and *Ilikita krama* which has a more flexible and dynamic nature so that it is easier to change at any time through *paruman* to adapt to the needs and changes of the times. In Canggu Traditional Village, with its *awigs*, it is accepted in *Tritiyas Sargah*, *Sukerta Tata Pakraman*, while more detailed arrangements are left to the *pararem* and the Canggu Traditional Village Decree on Traditional Sedhana (Figures 3 and 4).

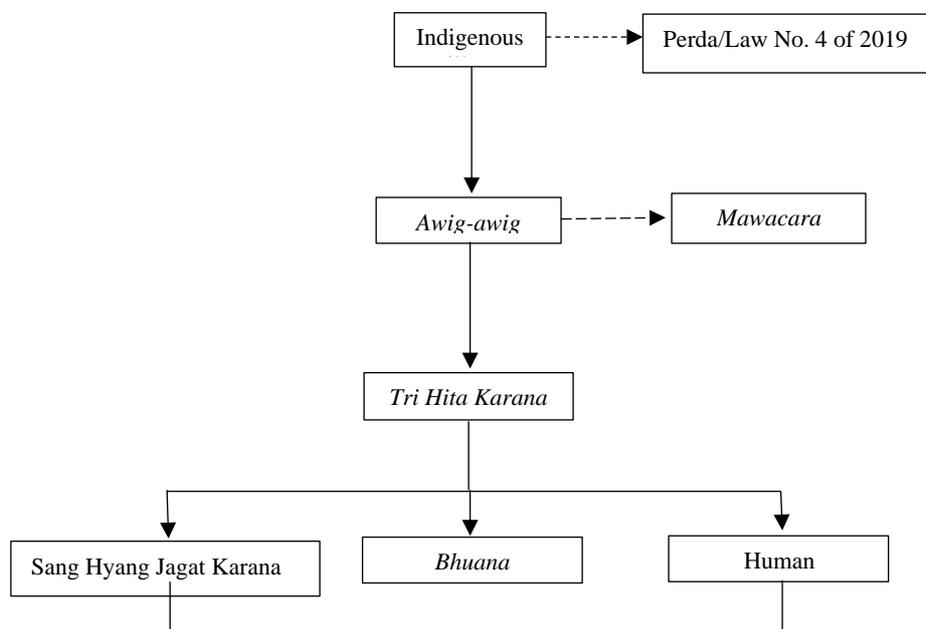


Figure 3: Awig-awig Model  
Source: Author Analysis, 2022.

## 5. Conclusion

### 5.1 Findings

The background of the difference in the population status of Traditional Villages in Bali is partly because of the problem of injustice that has been felt by one group. In this case, the burden felt by the village *krama* is heavier than the others due to the *sekala* and *niskala* burden, compared to other *krama* groups, namely *krama tamiu* and *tamiu* the burden is felt only on a scale.

The implementation of differences in population status has been fully carried out in Urban Villages (Panjer Traditional Villages) and Coastal Villages (Canggu Customary Villages), due to the high number of migrant populations. Differences in population status make it easier to order, equalize, prevent and overcome the problems of Customary Villages based on the classification of classifications that have been determined by the government as a support for the implementation of Customary Villages, namely *krama*, *krama tamiu* and *tamiu*. In Perda No. 4 of 2019 article 8, it is stated that *krama* is grouped into three, namely *Krama Desa* is a resident of the Balinese Hindu community who is *mipil* and is recorded as a member in the local Traditional Village. *Krama tamiu* is a Hindu Balinese citizen who is not *mipil*, but is recorded in the local traditional village. *Tamiu* is a person other than *krama Desa Adat* and *krama tamiu* who are in the *wewidangan* of Traditional Village for a while or reside and are recorded in the local Traditional Village. On the other hand, The Mountain Village (Penglipuran Traditional Village) has not fully implemented the difference in status of residence. Penglipuran Traditional Village is a Mountain Village that existed during the Ancient Balinese period, before the Majapahit era, so that the difference in population status has more complex characteristics, especially in arranging inwards (*krama* only) by paying attention to *tamiu* and *krama tamiu* due to the lack of migrant population in Penglipuran Traditional Village. The classification of *krama* in Penglipuran Traditional Village consists of, *krama pengarep*, *krama roban*, *krama nyada*, *krama pengampel* and *krama balu*. The classification of the population is different from the Regional Regulation of Bali Province Number 4 of 2019.

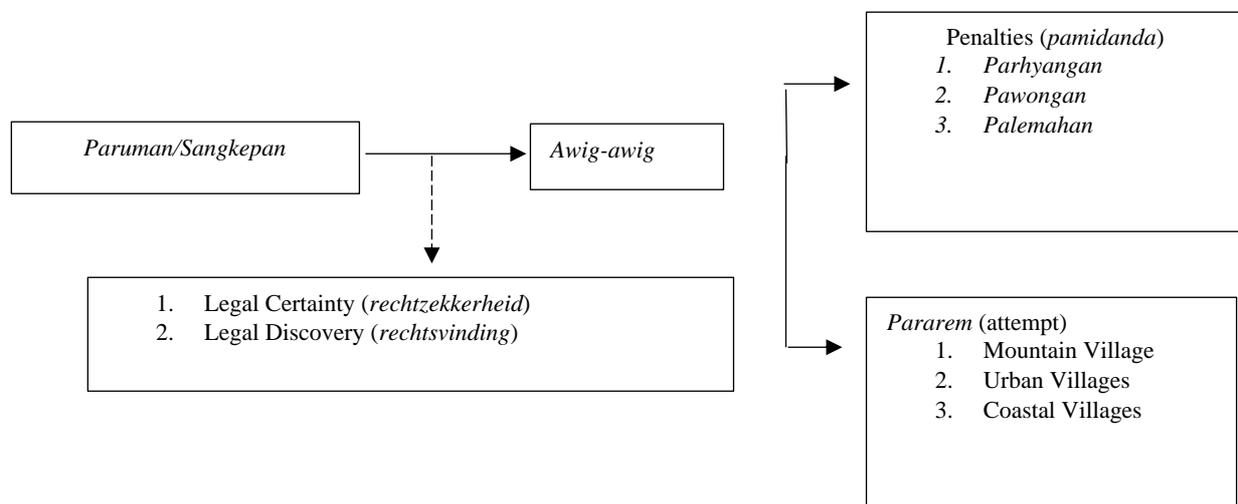


Figure 4: Awig-awig process

Source: Author Analysis, 2022.

Differences in population status in Traditional Villages in Bali basically mean the realization of peace (*kasukertan*) for village manners, *krama tamiu*, and *tamiu* in Traditional Villages in Bali. This meaning needs to be emphasized based on the fact that in Bali there are two villages, namely the traditional village and the official village. The management of the Dinas Village is based on positive law and the governance of the Traditional Village is based on customary law in Bali which is based on *Tri Hita Karana*. *Tri Hita Karana* are the three main things that cause the well-being and prosperity of human life, including *parahyangan*, *pawongan*, and *palemahan*. This *Tri Hita Karana* gives guidance to *balinese krama* for compassion to nature (*palemahan*), *punia* to fellow humans (*pawongan*), as a form of bhakti to God (*parahyangan*). *Tri Hita Karana* is sourced and operationalized in the local wisdom of *Sad Kerthi*, namely six noble deeds, which include efforts to purify the soul, maintain the preservation of forests and lakes as a source of clean water, the sea and beaches, dynamic social and natural harmony, and build the quality of human resources both individually and collectively so that it is expected to maintain and harmony or balance of customary values, religion, tradition, art and culture as well as local Balinese wisdom. both *at scale* and *scale*.

In relation to the phenomenological theory used in this study which is focused on answering the formulation of the first and second problems, two things can be revealed both related to the phenomenon and the nomena that occurs. The phenomenon in this study can be revealed that differences in population status can maintain the value of local wisdom in Bali and provide a real (*sekala*) and unreal (*niskala*) sense of justice in dealing with population

problems in Balinese Traditional Villages, in this study, namely Penglipuran Traditional Village, Panjer Traditional Village and Canggu Traditional Village. The impact of the development of tourism in Bali, resulting in an increase in the number of people, especially the immigrant population. Strict rules are needed in regulating indigenous people and migrants, where *awig-awig* has been enforced since the Regional Regulation of the Level I Bali Province Number 6 of 1986, Bali Provincial Regulation Number 3 of 2001 to the latest Regional Regulation, namely Bali Provincial Regulation Number 4 of 2019 concerning Customary Villages. *The awig-awig* applied in each Traditional Village is expected to anticipate the influence of the migrant population by regulating the differences in the status of *krama*, *krama tamiu* and *tamiu*. This is an effort to conserve and explore in preventing the degradation of local wisdom, the crisis of Balinese cultural and customary identity. The nomenanya is the difference in status of protecting existence, especially for *krama* (indigenous residents of Balinese Traditional Village), but the difference in population status cannot be fully implemented in Penglipuran Traditional Village because as one of Bali Aga Villages which has a collective government system (*ulu apad*) based on lineage, it is dominated by *krama* and there is very little *krama tamiu* or *tamiu*, so that with regard to the local status of residence, *the awig-awig* of Penglipuran Traditional Village tends to regulate inwardly, namely *krama* only.

The theoretical ideas in this study are in line with the concept of local wisdom (*local genius*) according to Koentjaraningrat cited by Kasiyan and Ismadi, first introduced by archaeologist H.G Quaritch Wales in his article entitled "*The Making of Greater India: A Study in South-East Asia Culture Change*" which was published in *the Journal of the Royal Asiatic Society* (1948). Distinctive features or what is commonly referred to as 'indigenous' by Wales are termed '*local genius*,' in which it is contained in meaning as '*basic personality of each culture*.' With reference to Wales' opinion on *local genius* broadly, it can be interpreted as *a process of cultural characteristic*, namely the development from phenomenological processes to cognitive traits, in this study using phenomenological theory can be produced several basics as follows:

- a. *Awig-awig* as an implementation of the outlook on life, especially every resident of a traditional village in Bali, one of which is the view in regulating the status of residence in his village. (*orientation*).
- b. *Awig-awig* is a form of community response in Bali to the outside world, especially the presence of migrants (*perception*).
- c. The status of residence that has been regulated in *awig-awig*, is able to regulate the activities of the Indigenous Village community in Bali both between indigenous people and immigrants, related to *Tri Hita Karana* (*attitude and pattern of life*).
- d. With the grouping of status of residence in Bali which has been regulated in the *awig-awig* of the local Traditional Village, protecting the existence and local wisdom of the Balinese people for generations (*life style*).

The reception theory used in research, especially in answering the formulation of the third problem, can be obtained the meaning of differences in population status to social, cultural and religious life is *Tri Hita Karana*. Where this theory is supported by the theory proposed by Deddi H. Gunawan (2013), who explains Traditional Villages as villages that carry out the rule of religious law or traditions or customs that apply in their respective territories. Thus, the customary law used by traditional villages in Bali, both *awig-awig* and *pararem*, is a customary law that applies in maintaining balance and justice by adjusting to the local *Kala Patra Village*.

The difference in the population status of Traditional Villages in Bali is in line with John Rawls' Theory of Justice. John Rawls assumes that individuals in society are unclear identities, because of that people then choose the principle of justice, in line with the different backgrounds of demographic status. Differences in population status basically clarify the differences in rights and obligations for both *krama*, *krama tamiu* and *tamiu* as an effort to achieve *kasukertan* in the life of Traditional Villages in Bali.

In practice until now in traditional villages in Bali, they still maintain the values of Balinese local wisdom in dealing with the population in the local villages, both *krama*, *krama tamiu* and *tamiu* related to customs in Bali. Although nationally the Indonesian state in resolving the status of residence has been determined by the Civil Registry Service, there is also still an opportunity for the existence of Customary Villages through *Prajuru Desa* to regulate its population based on customs in the area.

The practice in the application of the responsibilities of each status of residence in the Traditional Village in Bali enriches and provides space in the application of justice. The sense of justice expected by *krama*, *krama tamiu*, and *tamiu* in Bali is not only a real sense of justice (*sekala*), but also unreal justice (*niskala*) which in its achievement can be done by synergizing or realizing between moral teachings, laws, and community desires.

The settlement of violations committed by migrant residents in Traditional Villages in Bali still uses the method of deliberation and consensus. The method of deliberation and consensus in solving problems is a real application of Pancasila values, especially the fourth precept which prioritizes the values of togetherness and mutual cooperation as well as mutual agreement in the settlement.

## 5.2 Recommendation

Based on the conclusion, it can be seen that the classification of population status has not been fully implemented, especially in the Penglipuran Traditional Village due to the lack of *tamiu* in the area. This situation can cause injustice due to the unclear classification of the status of residence that ensures the fairness of the implementation of *swadharma* and *self-education* for the residents of Traditional Villages in Bali. In an effort to avoid conflicts due to this, it is hoped that several related parties' attentions, including the Regional Government and the Customary Village Assembly, will pay attention, especially to Pengunungan Village (Penglipuran Village) to be able to implement properly and correctly the classification of population status based on Regional Regulation No. 4 of 2019.

Penglipuran Traditional Village, Panjer Traditional Village and Canggu Traditional Village, which is the location of the research, are expected to pay attention to better data archiving, so that there is a balance of population data to avoid the answer "*nak mule keto*" (that's what it used to be) regarding the basis of regulations for determining the status of residence of Indigenous Villages in Bali. To the migrant community, it is recommended that all rules issued from the local village regarding the migrant population be archived or asked for proof of the rules as legality that the rules are correct issued from the village. This attitude is carried out so that the existing documents can be used as a strong foundation when unwanted things happen and there are no misunderstandings of residents for the sake of sustainability both socially, culturally and economically.

It is realized that the results of this research are still lacking because there are still dimensions that have not been fully studied, such as the implications of classifying the status of residence on the socio-cultural, economic and religious life of the population in Bali. Therefore, it is hoped that subsequent researchers can develop research studies and always make adjustments to the latest applicable regulations.

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