



Development of Ecotourism Potential Through Strengthening New Marga, Tabanan-Bali Traditional Villages and The Existence of Tourism Law in Bali Culture

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Abstract. The village is the oldest autonomous region before the existence of a wider coordination area such as a kingdom or government. The Law No. 6 of 2014 Concerning Villages stipulates that villages have the right of origin and customary rights to control and manage the interests of the local community. The existence of a contemporary government system has changed the village with cultural traits and practices. For villages to grow strong, advanced, independent, and democratic, they must be empowered. When examined from a cultural perspective, the Indonesian tourism sector can be seen as indirectly playing a significant part in the development of Indonesian culture because the presence of a tourist attraction can highlight a nation's distinctive culture. Like LADUMA ecotourism in Baru Marga Village, Tabanan-Bali, where the environment's beauty is preserved while natural resources are utilised as a draw for both domestic and international travelers. The idea of natural tourism is built on the beauty and distinctiveness of the natural world, as well as the environment, cultural arts, and community traits that each place possesses as its core strengths.

Keywords: Ecotourism, Traditional Village Affirmation, Legal Existence.

1 Introduction

Indonesia is a country that can be said to have a wealth of natural resources, which, when properly managed will supply the Indonesian State with significant advantages. One of the uses is to create the area into a destination for tourists. regions endowed with rare natural resources are anticipated to contribute significantly to the provision of sources of revenue, such that, to date, tourism is still a priority sector for the government which is considered capable of becoming a locomotive. The tourism sector plays a very important contribution to national development especially as an additional source of foreign exchange earnings, promoting income equality and expanding work possibilities.

The Indonesian tourism industry can actually be seen from a cultural angle, which in this case indirectly contributes significantly to the growth of Indonesian culture because the presence of a tourist attraction can highlight the cultural diversity of a nation, such as traditional arts, religious ceremonies, or customs, which draws the interest of both foreign and domestic

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visitors. Through interactions between tourists and the local communities where the tourist destinations are located, the constantly growing tourism business promotes intercultural understanding. This enables visitors to learn about and appreciate the local community's culture as well as the local cultural traditions that are upheld by that community. This will be directly related to local wisdom, which can be defined as knowledge and best practices that are passed down from previous generations or from experience in interacting with the environment and other members of a community in a particular place, and which are used to effectively and correctly resolve a variety of issues and challenges that arise. Every region possesses a quality known as local wisdom, which has the ability to aid in the growth of a region. A component of human creativity that has economic worth is the potential of local culture and wisdom in the development of tourism. This is frequently connected to cultural travel.

Tourism is a sector that is strong against change and very promising in the global structure. One industry that significantly contributes to job growth is tourism. Economic growth and decent livelihoods and encourages the government to build and maintain infrastructure so that the quality of life of local communities also improves. Tourism has bright prospects and has a very important role, because tourism has a big role in the national and regional economy. Regional governments are expected to be able to become regulators by involving the private sector and the community in tourism development. So that the tourism potential of the region can be used as a diversion of original regional income and managed professionally to be able to satisfy tourists and be globally competitive. In realizing the growth and development of the tourism sector, support from various parties, especially the government, private sector and society, is needed. It is hoped that policies and development concepts can be planned holistically, directed, have clear targets with the vision and mission used as a development paradigm, including the development of tourist areas.

In realizing the growth and development of the tourism sector, support from various parties, especially the government, private sector and society, is needed. It is hoped that policies and development concepts can be planned in a holistic, directed manner, having clear targets with a vision and mission that serve as a development paradigm, including the development of tourist areas. Responding to these conditions, of course there will be a logical consequence that every policy and step taken must be able to accommodate aspects that are clear and direct to the duties of the tourism sector and Law Number 25 of 2000 concerning National Planning Programs and INPRES No. 16 of 2005 concerning cultural and tourism development policies, so that it can produce conduciveness in achieving the expected goals and targets.

Unplanned tourism development will give rise to social and cultural problems, especially in areas or where there are differences in social levels between immigrants and local residents. Apart from that, there can also be inequality in tourism development and development between superior tourist attractions and tourist attractions that are not yet superior. Therefore, the existence of tourist attractions in the regions needs to be taken seriously and managed professionally so that the tourist industry emerges as a key industry that increases the APBN. Various participation programs and tourism development assistance have been carried out in several regions by international institutions, central government, regional government, scientific leaders, non-governmental organizations, the private sector and individuals to support the development of the tourism sector in a region. According to Law No. 10 of 2009 Concerning Tourism, Chapter II, Article 4, "Tourism aims to increase economic growth, improve community welfare, eradicate poverty, overcome unemployment, preserve nature, the environment, and resources, and advance culture."

Tourism must be developed with an approach to economic growth and equality for people's welfare and development that is focused on regional development, relies on the community, and is empowering to the community. This approach must cover a variety of aspects, including

human resources, marketing, destinations, science, knowledge, and technology, cross-sector linkages, and cooperation. In order to use tourism development as a tool to promote awareness of the nation's identity, it must be implemented.

Development taxes derived from this industry have become the basis of local original income (PAD). Considering that the main goal of development is to employ resources to increase welfare, tourism development is an effort to accelerate economic growth. The directorate general of tourism marketing's primary program is tourism marketing development, which consists of six main activities: expanding tourism markets and information, promoting travel abroad more, enhancing Indonesia's image, increasing conventions and incentives for special interests, and providing management support and other technical tasks for tourism marketing development.

One of Indonesia's most well-liked tourist sites is Bali Island. Bali boasts some of the top resorts in the world along with picturesque beaches that are well-known for their beauty and all the activities they offer. Balinese people have a cultural sociology which is the basis of their tourism strength. Almost all aspects of Balinese life can be an inspiration to attract tourists. In fact, quite a few domestic and foreign tourists end up settling and making Bali an inspiration. Balinese culture is one of the elements in tourism which is essentially based on values originating from the teachings of the Hindu religion.

Villages are the oldest autonomous areas before there were wider coordinating areas such as kingdoms or governments. The existence of a modern government system has made changes to villages with their cultural characteristics and Law No. 6 of 2014 Concerning Villages' Traditions states that villages have original rights and traditional rights in regulating and managing the interests of local communities. For villages to grow strong, advanced, independent, and democratic, they must be empowered. The concept of "strengthening" is an indicator and approach to measure efforts to strengthen and make traditional villages independent from various perspectives, such as from political, economic, resilience and security, custom and religion, social and cultural aspects as well as in the management of agrarian or organic resources. The natural resources within their territory, known as village customary rights, become a source of village income. For example, in Baru Marga Village, Tabanan-Bali which has LADUMA ecotourism where natural resources are used as an attraction for tourists, both local and foreign, while maintaining the beauty of the environment.

The idea of natural tourism is built on the idea that each region's primary assets are its own natural landscapes, ecosystem traits, distinctive arts and cultures, and community qualities. In essence, ecotourism is carried out simply, maintaining the authenticity of nature and the environment, maintaining the authenticity of art and culture, customs, and living habits, fostering calm and silence, preserving flora and fauna, and maintaining the living environment in order to create a balance between human life and the natural surroundings. With the help of ecotourism, Bali tourism may be promoted as interactive, environmentally responsible, and reliant on local resources, all of which are advantageous to nearby communities.

With alternative tourism, tourists are expected to gain new experiences. In this case, the difference between mass tourism and alternative tourism is clear, in contrast to the concept of commercial or conventional tourism with a large scale, capitalistic, foreign ownership or hard tourism.

One of the villages in Bali with the uniqueness and diversity of ecotourism is Baru Marga Village, Tabanan-Bali. New Village is famous for its cleanliness and beautiful environment. Recently, many tourists have become interested in ecotourism, trekking or walking through the beauty of forests/gardens and glamping by staying overnight in tents while enjoying the beauty of the environment. Apart from that, the life of the majority of people there is farming, namely as much as 70%. This is supported by the use of agricultural land which still has a portion of

85% of the total village land use. The results of farming for the people of Baru Village are rice and secondary crops.

The phenomenon that occurs in Baru Marga Village, Tabanan-Bali is that there is a lack of information regarding tourist villages such as making village signs, road access to LADUMA Tourism Village still needs to be improved, people are still not aware about the management and processing of plastic waste. From a historical perspective, traditional villages as religious social organizations, Balinese people are believed to have existed since the Ancient Balinese era, around the 9th-14th century Mahesi as recorded in the 10th century Trunyan Village Inscription.

Complementing the opinion above, I Made Suasthawa Dharmayuda stated that the definition of a traditional community is " is a unit of customary law society that adheres to a single tradition of social propriety within the boundaries of the village heaven (a place of collective prayer), has a certain area, has its own management, has its own wealth. tangible or intangible, as well as managing their own household.

In response to this, the Republic of Indonesia's Minister of Home Affairs published Regulation of the Minister of Home Affairs Number 3 of 1997 relating to empowerment, the maintenance and advancement of customs, regional community customs and traditional institutions, as required by the Minister of Home Affairs in Jakarta on February 14 1997. Based on considerations that customs, community habits and traditional institutions are recognized for their existence and used in the lives of the wider community and grow and develop in the regions, qualifying as values, and cultural characteristics and national personality that are empowered, fostered and preserved.

A traditional village is a customary legal community unit in Bali with territory, position, original structure, traditional rights, its own assets, traditions, the social etiquette of community life from generation to generation, within the bounds of the holy place (kahyangan tiga or kahyangan village), duties, and authority to regulate an area.

2 Research Methods

The author in this research used Empirical Legal Research with a qualitative approach because the author in conducting research by providing counseling in Baru Marga Village, Tabanan-Bali has recently attracted a lot of attention from both foreign and local tourists. This is a challenge for village officials because the LADUMA tourist village is managed by the traditional village itself. Therefore, people must be more aware of keeping the area tidy and the splendor of the surroundings, especially the LADUMA tourist village. Its management must be able to provide sustainable socio-economic benefits and incorporate local communities' active participation and tourists in it. The qualitative approach is that the emphasis is on data obtained in the field, so that it is hoped that later data and materials can be determined that have quality and are relevant as material for research.

3 Results and Discussion

3.1 Strengthening Traditional Villages in Traditional Village-Based Ecotourism Arrangements

The intended strengthening is an effort to equip oneself with competence based on the authority one has in using and exploiting one's potential in managing customary land (rights) in accordance with applicable legislation. So strengthening Traditional Villages can take the form of providing Traditional Village HR competencies, Traditional Village Governance, natural resources and budget resources (funding). Traditional Village human resources are the main thing in strengthening Traditional Villages, such as by providing scholarships to attend higher formal education or professional certification as supervisors, LPD financial audit bodies, leaders or business staff, Head of BUMDes/BUPDA, local guides, LPD administrators, Serati, Jero Mangku, IT, a home-based entrepreneur who is able to explore and develop local potential in an integrated manner in one Village forum to prevent unhealthy competition, but on the other hand is able to grow the economy along with the growth of togetherness as a reflection of the religious communal style of customary law itself.

Baru Marga Village, Tabanan-Bali is an expansion of Old Village based on Tabanan Regional Regulation No.1/2014 . This community-based tourist village relies on agriculture and livestock as its main source of income. However, the community is aware of the potential for tourism Ecotourism is starting to become the basis for New Village tourism because it is hoped that the cleanliness and beauty of the village can be maintained. Thus, when there are thoughts and attempts to unify by following the Western legal thought model called Modern law, it is a big mistake, especially when it is associated with efforts to strengthen it. How to strengthen the field of traditional village-based ecotourism in Baru Marga Village, Tabanan-Bali with the tourism village's administration.

Complete tools are needed to impose restrictions on village people' rights, obligations, and punishments related to the management of the LADUMA Tourism Village which is centered on forests and gardens. This potential is also one aspect of ecotourism that is very interesting to disseminate to tourists to improve their understanding on how to manage natural resources. Signposts are required, footpath access has to be improved, and it would be best if there were resting areas surrounded by the beauty of the natural world to promote the aforementioned ecotourism activities. Through participation as a guide or a seller of food and beverages, this activity can also be used to benefit the neighborhood.

Lack of knowledge regarding the impact of waste is an issue that needs to be resolved very now because it seriously detracts from the village's charm. In general, people more often throw rubbish carelessly which results in the environment being polluted and becoming a place for the spread of disease. Not only that, piled up rubbish will give off an unpleasant odor and make the local people uncomfortable living in it. The dangers of non-degradable plastic waste are still ignored by some local communities, so non-degradable waste is still scattered carelessly and public knowledge is still lacking in this area. about disposing of waste in its proper place.

Every traditional village in Bali has an awig-awig (legislation), which is a formal expression of the local customary law that governs the traditional village's territory. Another awig-awig in Baru Marga hamlet, Tabanan-Bali, works to preserve the authenticity of the traditional hamlet.

The problems found in Baru Village are from the results of the village situation analysis that the author has carried out on several problems in Baru Village, Kec. Marga, Kab. Tabanan are as follows:

1. There is a lack of information regarding tourist villages such as making village signs.
2. The general populace still lacks awareness regarding the management and processing of plastic waste. Lack of knowledge about the impact of waste, people more often throw rubbish carelessly and this results in the environment being polluted and becoming a place for the spread of disease, not only that, piled up rubbish will give off an unpleasant odor and make the surrounding community uncomfortable in their residence. The dangers of non-degradable plastic waste are still ignored by some local communities, so non-degradable waste is still scattered everywhere and public knowledge is still lacking in this area. about disposing of waste in its proper place.
3. There is a lack of understanding of financial management among MSME players, as well as minimal promotion related to MSMEs.

3.2 The Existence of Tourism Law in Bali Culture

Bali Island is one of the major tourist destinations in Indonesia which is able to improve the economy of the Balinese people, so it is not strange that the wider community gives the nickname Bali as a tourist island. As a tourist destination, Bali has one mainstay that can be a favorite for tourists, namely the people with their culture. The culture of a society is greatly influenced by the environmental conditions where the community is located, geographical conditions, climate, natural potential and natural challenges which greatly determine the form of culture. In the arts and culture aspect, the Balinese traditional people have demonstrated their abilities, producing various cultural works of art of high value, which amaze foreign tourists. The Balinese people's economy could benefit from this. The attraction of Balinese arts and culture is even an asset for the development of cultural tourism in Bali. The existence of Bali tourism development has both negative and positive impacts both ecologically and culturally. In accordance the Minister of Home Affairs' 1997 Regulation No. 3 relating to empowerment, the preservation of customs, and their development, community habits and traditional institutions in the region. Preservation is an effort to safeguard and maintain the cultural values of the community concerned, morals and customs, customs in society, and traditional institutions so that their existence is maintained, namely by means of community-based cultural tourism. The sustainable way of life in Indonesia serves as the foundation for its tourism industry, namely the relationship between humans and Almighty God, the connection between people on an individual level, between people in society, and between people and the environment in terms of geographical circumstances and natural resources.

Local residents have a very important role in efforts to develop tourist attractions, because local residents are inevitably involved directly in activities related to tourism in the area. The benchmarks for community-based tourism are:

- a. Increased community enthusiasm for development.

Where it is necessary to form an institution/organization and develop a collaboration system with the government. What this means is that local residents and the government are trying to develop their communities, in order to ensure a balance between the use and conservation of resources and to provide satisfaction to tourists. Full community participation with realistic and sustainable programs is very important in generating enthusiasm.

- b. Guaranteed environmental sustainability, resources and tourist satisfaction.
- c. Guaranteed environmental sustainability/physical environment.

Where necessary, conservation of the physical environment, promotion of industry and creation of clear regulations are carried out. The main aim and objective of tourism development is to awaken the strength of local communities by utilizing the resources they have in a balanced

manner. Apart from that, clear rules must be created to prevent the environment from increasing the number of tourists. Such as, littering, entering sacred areas and planning areas that can be used by tourists.

d. Guaranteed sustainability of human resources.

Community tourism development must start from the rediscovery of the natural beauty, culture and history of local communities. It is very important to understand the resources and values of society, how to utilize them. This understanding provides added value in utilizing these resources. Creativity, innovation that provides positive impact and sustainability.

Regulations regarding tourism in Indonesia are regulated in the Law of the Republic of Indonesia number 10 of 2009 concerning Tourism (hereinafter referred to as the Tourism Law). The definition of tourism according to article 1 number (3) of the Tourism Law regulates that:

"Tourism is a variety of tourist activities and is supported by various facilities and services provided by the community, entrepreneurs, government and local governments."

Tourism regulations in Bali are also regulated in regional regulations to regulate tourism, these regulations are Bali provincial regional regulations number 2 of 2012 concerning Bali Cultural Tourism, also known as the Regional Regulation for Bali Cultural Tourism. The Balinese people take advantage of the opportunity to provide tourism accommodation to raise their standard of existence economically by constructing various types of locations or amenities that are rented out to tourists, such as establishing restaurants, shops selling souvenirs, clothing and necessities for tourists and also building hotels. , guess house or villa as tourism accommodation for tourists on holiday. The development of tourism accommodation in Bali does not necessarily only prioritize business and economic aspects for tourism actors, but also prioritizes environmental, cultural and customary aspects. Tri Hita Karana is the name of this idea. According to the Tri Hita Karana concept, harmony should be prioritized in all interactions between people and God, other people, and their environment.

There are provisions in the article which prove that the concept of Tri Hita Karana is the basis for the thinking of the regional government which issues these regional regulations. This provision is article 1 number (14) which regulates the meaning of cultural tourism in Bali. The provisions clearly stipulate that " A dynamic reciprocal relationship between tourism and culture is achieved through Bali cultural tourism, which is Balinese tourism that is based on Balinese culture that is imbued with Hinduism and the Tri Hita Karana philosophy as the main potential. ensuring that the two grow together, in harmony, and sustainably in order to promote societal prosperity and cultural and environmental sustainability." Almost every area in Bali province has an attraction for tourists. This opportunity is seen by tourism entrepreneurs to gain large profits by exploiting the area for use as tourism accommodation.

The impact of profits does indeed cause the economy of entrepreneurs and tourist areas as well as the surrounding community to improve, but in the long term it can eliminate natural sustainability and harm not only the entrepreneur but all tourism business actors including the local community. By recognizing the Tri Hita Karana concept in tourism, in this case it will force business actors and regional communities to continue implementing Bali tourism's continuity and sustainability are ensured by the Tri Hita Karana idea.

With the function of tourism law in tourism development in Bali, it functions to ensure a balance between actors which can be explained as follows:

1. Function of Tourism Law in ensuring Community Interests; One of the most crucial duties of law is to achieve order and order which allows people to live with certainty
2. The laws used in regulating tourism development in Bali Province,
3. At the normative level (component of legal substance), the spirit of taking sides with the community actually has several important regulations

3.3 Theoretical Basis

1. Living Law Theory.

The basis and theory put forward by Ehrlich is that there is a difference between positive law on the one hand and the law that lives in society (living law) on the other hand. Eugen Ehrlich said that positive law only has the power to be effective if it contains or is in line with the laws that exist in society. The central point of legal development is not laws, judge's decisions, or legal science, but society itself.

In the concept of the application of customary sanctions in traditional villages in Bali Province, it is a form of sanctioned social control, useful for giving traditional society a corner, the wishes of which are adjusted to positive law, even though the legal structure in Indonesia, where Customary Law stands is the substance of national law. This is seen in the awig-awig of traditional villages with traditional legal instruments, which can only be binding on their citizens if they are formally ratified through law or formal legitimacy of the local area.

2. Legal Development Theory

Mochtar Kusumaatmaja, elaborated on the sociological jurisprudence way of thinking, namely turning it into a concept for developing Indonesian law, especially in the context of implementing the National Legislation Program. Law is not seen solely as a normative phenomenon, namely the totality of principles and rules governing human life in society. More than that, law is a social phenomenon that is never separated from the values that apply in society. As confirmation of his assumption, Mochtar said that the living law in society is of course in accordance with or is a reflection of the values that apply in society.

4 Conclusion of Suggestions

4.1 Conclusion

From the description and discussion above, the author can draw the conclusion that:

1. In implementing customary sanctions, firmness and objectivity from the traditional village prajuru is very necessary, because the application of customary sanctions based on an element of nepotism will cause a crisis of confidence (krama) of the banjar/village members in the existence of village prajuru and awig-awig who have been highly respected and obeyed.
2. Business actors might utilize the Tri Hita Karana notion as justification in carrying out tourism. Every region in the province of Bali has enormous tourism potential, this great opportunity is an opportunity for tourism entrepreneurs, but the negative impact given by environmental exploitation in terms of building tourism accommodation does not only impact tourism entrepreneurs but also impacts every business actor including the community. Bali region and tourism. He acknowledged that the Tri Hita Karana concept, which is based on the teachings of the Hindu religion and is a foundation or philosophy of life for the Balinese people, will compel business actors and regional communities to continue implementing the Tri Hita Karana concept in order to maintain the continuity and sustainability of Bali tourism.

Tourism management in Bali prioritizes the concept of cultural tourism, namely by empowering the existence of local communities by developing local wisdom which has become an ancestral heritage. This can provide benefits from a financial, social, environmental and cultural standpoint.

4.2 Suggestion

From the conclusions above, the following recommendations are obtained:

1. It is necessary to give a greater role to village heads/traditional village heads within their own areas (Old-fashioned villages), so that the existence of customary village leaders in traditional villages can be maintained.
2. Cultural tourism developed in Bali is derived from Hinduism with the Tri Hita Karana Concept and should be maintained because it can provide benefits for human life. Empowering local communities is very important in the development of cultural tourism due to the fact that it helps to manage existence of a people-based culture. Therefore, the role of traditional villages is very important in developing the preservation of Balinese culture to remain stable, sustainable and sustainable.

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