

The Development of the Duality Model of Village Government Based on Local Wisdom Tri Hita Karana in Bali Province 1979 to 2019

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Abstract

The Decentralization and Regional Autonomy Policy issued by the Central Government and the Bali Regional Regulation on Pakraman/Indigenous Villages significantly affects the relationship between the two villages, which is currently a concern that leads to dualism and rivalry. In this regard, Balinese local wisdom, Tri Hita Karana, is urgently laying the foundation for harmonious relationship governance for the two village government systems. A descriptive approach is used in this study. The research was carried out in the Province of Bali. This study uses a purposive sampling technique to determine the research subjects. Collecting data using observation methods, document recording methods, and interview methods. The research was carried out using qualitative methods. The first stage consists of gathering primary and secondary data. The second step is to select a theory to study the data. The third stage is to analyze and interpret the selected data. The fourth stage involves writing and constructing research findings. The findings demonstrated the evolution of the duality model of village government from 1979 to 2019. The Duality Model of Village Government Period I. Overall, the Duality Model of Village Government Period I from 1979 to 1998 can be concluded, with the applicable regulations being Law No. 6 of 1986 concerning the Position, Function, and Role of Traditional Villages as Units of Customary Law Communities in Bali. Duality in Functional Relations and leading government administration between the Traditional Village and the Tri Hita Karana Local Wisdom-Based Service Village has been running well. Village Government Duality Model Period II. Overall, it can be concluded that the Village Government Duality Model Period II in the period 1999 to 2013 with the applicable Regional Regulation No. 3 of 2001 concerning Desa Pakraman and Regional Regulation No. 3 of 2003 concerning Amendments to the Regional Regulation of the Province of Bali No. 3 of 2001 concerning

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Pakraman Village are the regulations. Duality in Functional Relations and leading government administration between the Traditional Village and the Tri Hita Karana Local Wisdom-Based Service Village has been running well. Village Government Duality Model Period III. Overall, it can be concluded that the Village Government Duality Model Period III in the period 2014 to 2019 with the applicable Law No. 23 of 2014 on Regional Government, Law No. 6 of 2014 on Villages, and Regional Regulation No. 4 of 2019 on Traditional Villages in Bali are the regulations. Duality in Functional Relations and leading government administration between Traditional Villages and Tri Hita Karana Local Wisdom-Based Service Villages can still run well. The success of indigenous peoples in overcoming the intervention of various external forces is evident in Bali. The principle of duality, the basis of religious teachings, has succeeded in maintaining the coexistence of the Dinas village and the traditional village/ pekraman that live in harmony. It is recognized that it is in the Customary Village unit or Pekramansocial solidarity and social order can be enforced, two things that the Balinese people need to optimize the benefits of government and development that will be more prosperous.

Keywords: Village Duality, Local Wisdom, Village Governance in Bali.

INTRODUCTION

The dynamics of implementing village governance in Indonesia are aligned with changes in regional and village governance regulations. The position of the village did not have sovereignty during the enactment of Law Number 5 of 1974 concerning Regional Government, which was followed by the enactment of Law Number 5 of 1979, which explicitly regulates Villages. The village became politically and economically powerless during the Soeharto era.

Village sovereignty did not reappear until the reform era, with the passage of Law Number 22 of 1999. Village sovereignty, however, was short-lived, as it was replaced by Law Number 32 of 2004 concerning Regional Government, followed by Government Regulation Number 72 of 2005 on the Village. This government regulation eventually gave birth to Law Number 6 of 2014 Concerning Villages. The village's existence is reinforced by Law No. 6 of 2014..

It is just that the emergence of this regulation does not necessarily make the village government understand the duties and positions in the new government as mandated by Law Number 6 of 2014. Many problems arise related to procedures that must be understood and The Village Head is then in charge of leading the village. Even in this context, many village governance procedures must be thoroughly understood and time-consuming.

It is just that this mutual opinion, apart from bringing about multiple interpretations of the existing articles, also ignores other essences that are also more important to address from this regulation, in particular the potential support and obstacles to In terms of the authority and position of the official village and the official village as a whole Administrative Law Number 6 of 2014.

Meanwhile, more comprehensive implementation of democracy at the village level still faces several obstacles, such as the potential for conflicts based on ethnicity because the villagers are heterogeneous; a decrease in the quantity and quality of human resources available in the village; and the tendency to maximize rights under the umbrella of authority known as the concept of autonomy (Imawan, 2003:67-68). Likewise, as a socio-political entity, the existence of a village that appears earlier than the birth of a country is increasingly burdened by a system of power relations with various supra-village powers (Darmawan, 2007).

In addition, there are still two different views regarding the implementation of democracy in village governance administration First, whatever the issue is, the village, as the foundation of the lowest community's life, must be addressed, holds various potentials of local wisdom that must be revived. Second, the village (in the past) had 'genuine autonomy' and a good experience of local democracy.

Villages in Bali, especially adat/pakraman villages, are often perceived as non-formal institutions that are relatively democratic and autonomous, so they are entirely 'independent' from other forces outside (Karim, 2003; Parimatha, 2003). In fact, along with political developments, traditional villages/pakraman face various problems. Internally, adat/pakraman villages struggle with democratization, governance and financial management. Meanwhile, external challenges also emerged, as well as the establishment of regional autonomy

The problems that the two types of villages, the official village/administrative village and the traditional village/pakraman village, face are quite different. Conditions in traditional villages / Pakraman in Bali until entering the transition era were generally still powerless because of resources and were under the 'shadow' of the official village. However, some traditional villages/pakraman, such as the traditional village elite and their village manners, actually play a larger role than the official village elite, which is an extension of the village government (Rukmawati, 1999).

Moreover, the implementation of democratization policies down to the village level (Antlov, 2003) was followed by the enactment of Law No. 6 of 2014 concerning Villages (hereinafter referred to as the Village Law) in the condition of village government that is changing along with

the shift in the pattern of central-regional power relations with the village, cannot be separated from pros and cons. When thousands of village heads throughout Indonesia responded enthusiastically, and with joy, the West Sumatra region rejected the law. This is because, according to the Minangkabau Natural Density Institute (LKAAM), throughout West Sumatra, the Law on Villages will weaken the existence of Nagari in West Sumatra as a customary, cultural and socio-economic unit.

Meanwhile, the area of Bali, which has long adhered to the duality of villages, was initially divided between the registration of customary/pakraman villages or service/administrative villages as villages intended by the Law on Villages. However, until the deadline for registration, an agreement could not be reached so that the duality was automatically considered to still apply with the village/administrative service as implementing the tasks and functions of government at the lower level.

The following is a formulation of the research problem: How is Bali's duality model of government based on Tri Hita Karana's local wisdom? From 1979 to 2019, how has the duality model of government in Bali evolved based on the local wisdom of Tri Hita Karana?

The purpose of this research is to look into the existence of village governments and the duality model based on local wisdom Tri Hita Karana in the Bali Province from 1979 to 2019.). The urgency of the research is to understand and overcome problems resulting from implementing the Law on Villages and Regional Regulations on Villages following the situation and conditions of the region and the people of Bali.

METHOD

A descriptive approach is used in this study. The investigation was carried out in the province of Bali. Purposive sampling is used in this study to select research subjects. Collecting data using observation methods, document recording methods and interview methods. The research was carried out using qualitative methods. The first stage entails collecting primary and secondary data. The Second Step is to choose a theory to use to analyze the data. The third stage involves analyzing and interpreting the chosen data. The fourth stage involves writing and building research findings.

RESULTS AND DISCUSSION

The Duality Model of Village Administration in Bali Based on Local Wisdom Tri Hita Karana Period I (1979 to 1998)

The existence of traditional villages and the functions they perform cannot be overlooked in order to comprehend the existence of an official village government. When Law No. 5/1979 divided the village into several hamlets, Village Service (Supplies) was created. The hamlets match the territory with the banjars and use the Banjar as a hamlet hall or meeting place. The head of the hamlet is appointed and dismissed by the Camat on behalf of the Regent at the suggestion of the Village Head.

In this case, it appears that the mechanism for appointing a hamlet head is still top-down, reflecting the strong centralization and hegemony of the state through the superior government. Village communities are still in a passive position. That is, they only accept any decisions from the superior government. This condition is still far from the form of participant political culture if Gabriel Almond and Sidney Verba's theory of Political Culture is used (1984). Village communities still adhere to the political culture of subjects or subjects who passively obey the government, and Law no. 5/1979 is very centralized. They sometimes do not realize and do not get involved in government or politics, which reflects the prevailing parochial political culture.

According to village government law, the Village Head or Village Perbekel is assisted in carrying out daily tasks by the secretary, head of financial affairs, government, development, general and people's welfare. The Village Head is assisted by a hamlet head in the context of regional development and to expedite government and development tasks. The hamlet head is the highest authority in each hamlet, and he is fully accountable to both the village head and the hamlet community. However, because a superior government official, rather than the community, is appointed, accountability is oriented "upwards" rather than "downwards."

Because the tasks of a village head are broad in scope, in terms of planning and implementing mental-spiritual development tasks, the village head is assisted by an institution known as the Resilience Institution, in addition to being the spearhead of all fields of work in the village. LKMD is a village institution comprised of village community leaders, religious leaders, and other community organizations in this case. The establishment of this institution is based on Minister of Home Affairs Decree No. 225/1980 as a refinement of existing social institutions. Similarly, LKMD is still the embodiment of a formal corporate organization, Specifically as a village government supporter in the field of village development.

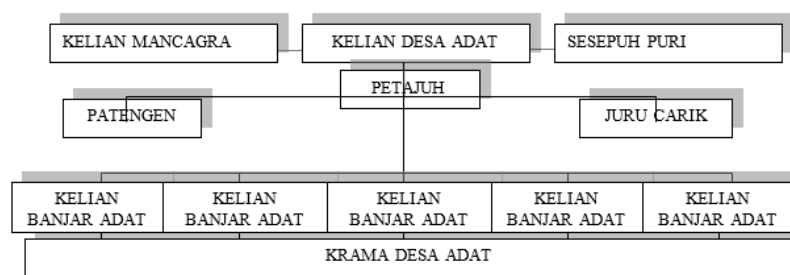
For example, in Mengwi Village, to support daily tasks, the Perbekel Village is assisted by nineteen village staff and officials, namely a village secretary, five heads of affairs (Kaur), a freelance daily worker (THL), eleven people Banjar and an office guard. In the context of regional development and to expedite government and development

tasks, village staff and officials, including Banjar kelian (UU No. 5 of 1979 mentions the hamlet head), must continue to carry out their duties and be accountable for perbekel and Banjar.

Meanwhile, the designation and style of governance of the Traditional Village as an informal institution that deals with the fields of custom and religion remains unchanged as the designation and style of most traditional villages or Pakraman in the Bali Dataran area.

The traditional village leadership is held by village prajuru consisting of kelian Desa adat (customary village head), mancagra (advisor of village prajuru), petajuh (representative of traditional village kelian), interpreter carik (secretary), petengen (treasurer) and thirteen people kelian Banjar (head of the traditional Banjar). The description of the structure of leadership positions in the conventional village government system is shown in the following figure 1.

Figure 1. Traditional Village Government Structure



Kelian Mancagra is an advisory and supervisory body for implementing the duties of prajuru. Kelian mancagra is also assisted by a petajuh (deputy), an interpreter carik (secretary), a patentgen (treasurer), and members of representatives from each of the traditional banjars.

Traditional village kelian is the customary head who is tasked with leading and planning every traditional and religious activity as well as serving the interests manners of customary village traditional is chosen by krama, the customary village

Petajuh is the representative of the customary village officer tasked with assisting the implementation of the duties of the traditional village in collecting data and compiling a work plan. In addition, he is in charge of scheduling village meetings and meetings.

The carpenter is a secretary or clerk in charge of assisting the traditional village people in collecting data and compiling work plans. Likewise, he is in charge of doubling the results of the paruman village and paruman village program.

Patenten is the treasurer in charge of assisting the traditional village treasury in handling the traditional village treasury. Furthermore, he records the finances of the traditional village, including the proceeds

from the contributions from manners which are used to support development activities and ceremonies in the traditional village.

Kelian banjar adat is a leader at the level of the banjar or sub-community of the adat village, which is also the pangliman (representative kelian of the traditional village).

In the duality system of government that is still ongoing today, the village government and prajuru often synergize in carrying out their respective main tasks and functions (tupoksi). In its primary functions, the official village remains the lowest village apparatus and is directly under the sub-district. Furthermore, traditional villages, as well as all traditional villages or pakraman in Bali, still get recognition through Article 18 of the 1945 Constitution.

A further implication of maintaining the quality of this village government is the narrowing of the field of customary village autonomy, namely from regulation in the realms of parahyangan, palemahan, and pawongan become more focused only on the area of parahyangan. The other two fields are or at least overlap with the village's official duties, which also regulate welfare and development. However, due to the solid economic base of the traditional village through the Village Credit Institution (LPD) and the Traditional Village Market, as well as the attention and concessions, both from the Regency Government and the Provincial Government, the traditional village can still exist in carrying out these functions until now.

Traditional villages as informal institutions in the village are not structurally linked to the official village or supra-village, namely higher formal government institutions, such as sub-districts or districts. Traditional villages are only functionally intertwined, especially in custom and religion. In the field of service or administration, which includes the fields of formal education, health, family planning and transmigration, traditional villages are not related in a structural relationship.

Thus, the relationship between the Regency and the traditional village has not been formulated - both institutionally and financially, so any policies regarding the empowerment of traditional villages that are built still seem to be ad-hoc. The condition of the uncertainty of the relationship arrangement is not regulated in Perda No. 6/1986 or the following regional regulation, namely Regional Regulation No. 3/ 2001 on Pakraman Village.

The Duality Model of Village Government in Bali Based on Local Wisdom Tri Hita Karana Period II (1999 to 2013)

The village-style, which was made uniform and top-down during the New Order, changed with the rationale in arrangements that prioritized diversity, participation, genuine autonomy, democratization, and community empowerment during this period.

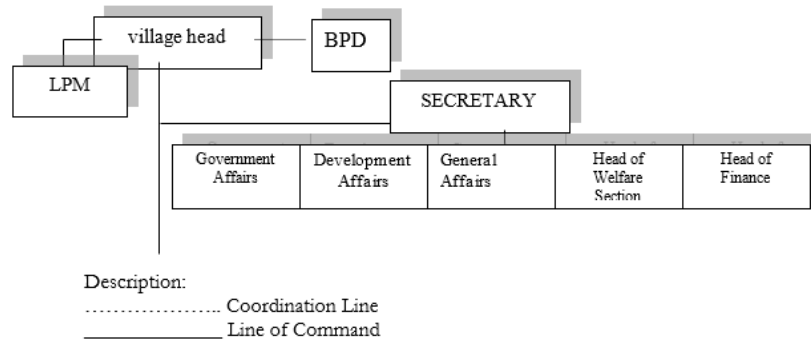
The peak of granting village autonomy occurs when the country enters the transition period, specifically with the passage of Law No. 22/1999, a year after the reform movement. The authority of the village is apparent and vital, for example, with the authority or the right to refuse if it is not included in the planning, implementation and supervision.

However, the limitations on village autonomy began to appear when Law no. 32/2004 eliminated this authority/right. Likewise, the Village Representative Body (BPD), whose membership is based on election, is determined by way of deliberation and consensus (Article 30 Paragraph (1) PP No. 72/2005). This condition indicates that decentralization approached the village-style during the New Order era, where members of the Village Consultative Body (LMD) were appointed by appointment (Article 17, Paragraph (1) of Law No. 5/1979). Moreover, the designation and authority of the BPD, which has changed from the Village Representative Body to the Village Consultative Body, has dramatically reduced the community's rights and participation in planning, implementing, and supervising village development.

BPD is located as an element of village administration. The village head (in Bali in general, including in the village, the title is returned to be a *perbekel*). Because the tasks of the workshop are extensive in scope and are the spearhead for all departments in the village, in terms of planning and implementing physical and mental development tasks, the workshop is assisted by a Community Empowerment Institute (LPM). In this case, the LPM, which was formed based on village regulations based on laws and regulations, consisted of village community leaders, religious leaders, and other community organizations. Likewise, LPM is tasked with assisting the village government as well as being a partner in empowering village communities. In general, the previous LPM and LKMD functions were the same, but the accountability model differed. If the LKMD is accountable every five years to the community, the LPM's accountability is carried out annually to the BPD

The Organizational structure of the service village government is based on Law Number 8 of 2005 concerning Amendments to Law Number 32 of 2004 concerning Regional Government and Government Regulation of the Republic of Indonesia Number 72 of 2005 concerning Villages.

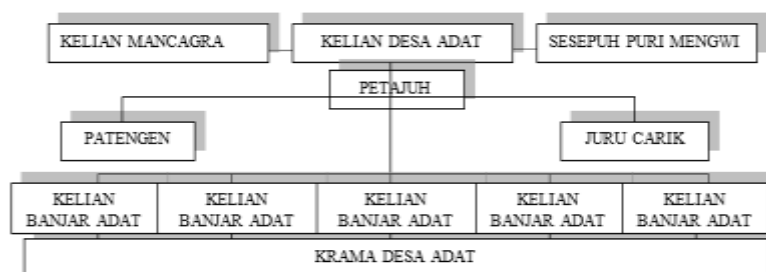
Figure 2. Village Administration Structure Office



Meanwhile, the designation and style of governance of the Traditional Village as an informal institution that deals with customs and religion remains unchanged as the designation and style of most villages - traditional villages or pakraman in the Bali Plain area. The term traditional village in Perda no. was replaced with the term Pakraman Village (the origin of the word Karaman in the Old Bali era) after the issuance of Regional Regulation No. 3/ 2001. However, with various considerations, the Village community still maintains the term traditional village, not Pakraman village, even though Perda no. 3/ 2001 has been in effect for a long time. The Badung Regency Government maintains the term traditional village. After all, it is felt to be more familiar and appropriate because it has been used for a long time. However, "not daring" to use the designation and style of Pakraman village as referred to in Perda No. According to him, 3/2001 concerns the emergence of village manners (members) of Pakraman village from non-Hindu circles.

The traditional village leadership is held by village prajuru consisting of kelian desa adat (customary village head), mancagra (advisor to village prajuru), petajuh (representative of kelian traditional village), interpreter carik (secretary), petengen (treasurer) and kelian banjar (head of the traditional banjar). The description of the structure of leadership positions in the conventional village government system is shown in the following chart IV.2.

Figure 3. Traditional Village Government Structure



Kelian Adat Village Government Structure, assisted by Kelian Mancagra, serves as an advisory and supervisory body for the execution of prajuru duties. A petajuh (deputy), a carik (secretary), a patenten (treasurer), and representatives from each of the traditional banjars assist the traditional village Kelian Adat.

Traditional village kelian is the customary head who is tasked with leading and planning every traditional and religious activity as well as serving the interests manners of customary village traditional is chosen by krama, the customary village

Petajuh is the representative of the customary village officer tasked with assisting the implementation of the duties of the traditional village in collecting data and compiling a work plan. In addition, he is in charge of scheduling village meetings and meetings.

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Kelian banjar adat is a leader at the level of the adat village's banjar or sub-community, which is also the pangliman (representative kelian of the traditional village).

Kelian adat village, kelian mancagra, and kelian banjar adat according to Awig-awig Desa Adat come from the krama pangarep of the Traditional Village. In this case, it is the result of the choice of manners for a five-year term unless there are other things.

In the duality system of government that is still ongoing today, the village government and prajuru often synergize in carrying out their respective main tasks and functions (tupoksi). In its primary functions, the official village remains the lowest village apparatus and is directly under the sub-district. Furthermore, like all traditional villages or Pakraman in Bali, traditional villages still get recognition through Article 18 of the 1945 Constitution.

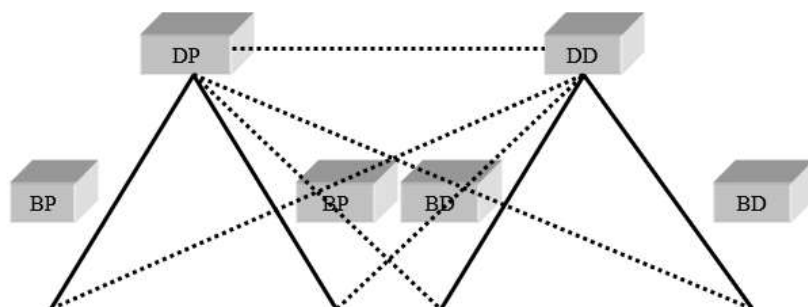
A further implication of maintaining this duality of village governance is the narrowing of the autonomy area of traditional villages, namely from regulation in the realms of Parahyangan, Palemahan, and Pawongan became more focused only on the area of Parahyangan. The other two fields are or at least overlap with the village's official duties, which also regulate welfare and development.

Pakraman village as an informal institution is not structurally related to the official village or supra-village, namely higher formal government institutions, such as sub-districts or districts. Pakraman village is only functionally intertwined, especially in customs and religion. In the service or administration field, which includes formal education, health, family planning and transmigration, Pakraman village is not related in a structural relationship.

Thus, the relationship between the Regency and Pakraman villages has not been formulated (both institutionally and financially), so any policies on empowering Pakraman villages that are built still seem ad-hoc. The condition of the uncertainty of the relationship arrangement, which is not regulated in Perda No. 6/1986 or Regional Regulation No. 3/ 2001, is an implication of the duality of the village, which has been applied until now.

As previously stated, the official village overseeing the official banjar is in charge of the fields of service. The chart below depicts the pattern of structural and functional relationships between the official village, the traditional village, as well as the official banjar and the pakraman banjar.

Figure 4. Official Village Institutional Relations with Informal Institutions in Desa Pakraman



Note:

DD = Village Service ————— = Structural Relationship
 DP = Pakraman Village = Functional Relationship
 BD = Banjar Service
 BP = Banjar Pakraman

The horizontal relationship to the side reminds us that village autonomy from informal institutions in Desa Pakraman is developing well. This relationship relates to the level of position prajuru and the Village Service apparatus in the village government structure. The relationship between prajuru or village officials who are in a higher position and their respective subordinates is instructive. Furthermore, prajuru or officers with the equal position are usually consultative. Although formally, the nature and characteristics of such a relationship should exist, in reality, the horizontal relationship

between Prajuru, or village officials, are more based on Balinese local wisdom principles and values such as *tat twam asi*, *paras-paros sarpanaya*, and *sagilik-saguluk*. To achieve the goal of living together, *salunglung-sabayantaka*.

The vertical downward relationship is structurally developed towards several banjar pakraman or agencies as sub-communities. This relationship, on the one hand, can be a command (instructive) relationship, namely a relationship that involves matters that are usually the implementation of a decision resulting from deliberation or a pair prajuru or official village officials. For example, the decision to build a village road or raise funds to repair a temple or wantilan. In such a case, based on the village meeting's decision, the village head or bendesa pakraman instructs the kelian banjar pakraman or the service to collect a certain amount of funds from the residents or krama banjar in their banjar. On the other hand, the relationship is consultative, usually involving matters that have not been discussed or decided through village deliberations. Although the two traits mentioned above are often seen, the ideal foundation in a vertical village leadership relationship is a cooperative foundation (*gotong royong*) to complete village tasks. Government relations between equal communities are generally based on the principle of reciprocity, namely the existence of gifts or assistance that creates an obligation to reciprocate. Based on these principles, cooperation activities are realized between two or more communities. In addition, this principle can also realize cooperation activities or community service between two communities to complete everyday tasks, for example, ceremonies, temple construction, village hall construction, and so on. The fact is that the Perbekel Dinas Desa Kelian is in the exact location, making it possible to cooperate and coordinate between the Dinas Desa officials and Prajuru in terms of planning, implementing, and supervising village development.

The Duality Model of Village Government in Bali Based on Local Wisdom Tri Hita Karana Period III (2014 to 2019)

Since January 15, 2014, the enactment of Law Number 6 of 2014 Concerning Villages has included its various dynamics. Although it was accompanied by Government Regulation Number 43 of 2014, the implementation of this Law is still being debated by many parties. The conditions being debated in this Law concern two objects: the New Order Village (also known as the official village) and the Traditional Village. Suharto established the New Order Village through Law No. 5 of 1979, which was continued by Law No. 22 of 1999. Meanwhile, the official village is the original village, which was known as *volks gemeenschappen* or indigenous customary law community unit during the Dutch colonial era (Nurcholis, 2014).

On the surface, Bali certainly differs from other villages in Indonesia. This characteristic is distinguished by the continued decisive role of traditional villages in addition to official villages, as well as more disagreements on this Law, such as territorial status and authority limits based on socio-historical grounds. The polemic finally split two opinions among Balinese people between registering an official village or a traditional village following the provisions of this village regulation (Metro Bali, January 15, 2015). It is just that this mutual opinion, apart from bringing about multiple interpretations of the existing articles, also ignores other essences that are also more important to address from this regulation, in particular the potential support and obstacles to Law No. 16 of 2004 in terms of the authority and position of traditional villages and service villages in general Administrative. This is, for example, related to Article 72 regarding the amount of village fund allocation of 10%, which is decentralized by the Central Government of 1 billion rupiahs to each village or Article 66 concerning the term of office of village heads, village officials and their welfare (Rosdiana, 2014).

In Bali itself, the implementation of this article needs special attention. Although the characteristics of traditional and official villages differ in function and authority, organizational performance often overlaps, especially in controlling deconcentration tasks. For example, regarding grants for the management of agricultural and irrigation affairs from the provincial government to certain customary village subak groups, local service village assistants complained that they felt they had to be burdened with making accountability reports without knowing the actual budget allocation. On the other hand, when the central government plans to allocate village funds of 1 billion rupiahs, the traditional village bendesa and service village assistants share concerns about the form reports in the hope of not being entangled in cases of criminal acts of corruption.

The Implementation of the Tri Hita Karana Duality Model of Village Government in Bali

Table 1. The Development of the Duality Model of Village Government

Period	Characteristics: Village Style, Structure, and Authority
First Law no. 5/1979	1. Uniformity (General explanation number 4), new administrative village style (General explanation number 6). 2. The Village government is made up of the village head and the village consultative body (LMD) (article 1, paragraph 1) 3. Uncertain authority, summarized as follows: "The village....has the right to organize its domestic affairs within the boundaries of the Republic of Indonesia's Unitary State" (Article 1, letter a). 4. Does not have the authority/right to reject the effort to change the function of land in the village area.
Second Law no. 22/1999	1. Diversity (General explanation number 9 sub 1). Originating from customary law community units (Article 1 letter o) 2. The Village Haed and village apparatus comprise the village government . (Article 95 paragraph 1) Note: The Village Representative Body is not an official body of the Village Government. 3. The authority is apparent, namely as follows. - Original authority. - Authority that has not been put into action by the Region or the Government - Authority derived from co-administration (Article 99). 4. Has the authority/right to refuse if it is not included in the planning, implementation and supervision (Article 110 and its explanation)
Law no. 32/2004 and PP No. 72/2005	1. Diversity (General Explanation number 10). Coming from customary law communities (General Provisions Paragraph 12; General Explanation number 10). 2. The Village Government is made up of two parts: the Village Head and the Village Apparatus (Article 202, Paragraph 1) Note: The Village Consultative Body is not part of from the village government 3. The authority is apparent, namely as follows. - Original authority based on village origin rights. - The authority of the regency/municipality is handed over to the village for its regulation. - Authority derived from co-administration tasks. - Other powers are delegated to the village by legislation (Article 206). Note: Further village regulation is stated in PP No. 72/2005 concerning Villages. 4. There is no authority/right to refuse if it is not included in the planning, implementation, and supervision.
Third	1. This law also regulates customary village government 2. Coming from the customary law community (General Provisions Paragraph 1) 3. The village head and village apparatus comprise the village government (pargraph 25)

Law no. 6/ 2014	Note: Same with the third period, the Village Consultative Body is not part of the Village Government
Law no. 23/2014 and	4. Rights: - Regulate and manage the community's in accordance with the village community's right of origin, customs, and sosial – cultural values; - Create and oversee village situation; and - Find a way take a money. 4. Obligations: - In the context of national harmony and integrity of the unitary state of the republic of Indonesia, protect and maintain the village community's, unity, integrity, and harmony ; - Improving the quality of life in the village community ; - Creating a democratic life; - Increasing community empowerment in the village; and - Providing and improving village community service (paragraph 67)

Source: Diantha (2001:82) with additional village characteristics in Law no. 32/2004, PP No. 72/2005, Law no. 23/ 2014, Law no. 6/ 2014 from the author.

The continued presence of dualism in village governance cannot be separated from Bali's long history of villages. In historical studies, it can be seen that villages in Bali are estimated to have existed for centuries ago, which is around the 9th century AD. During the ancient Balinese kingdom (9-10 AD), the village was a group of forerunners or descendants of the founders of settlements who, from the beginning, had inhabited certain areas (Ardana, 2004).

Even though there was a so-called king at that time, his power did not interfere with the situation in the village, so the village had a completely independent position with its government system and structure. Even according to Lieftrinck (1986-1987), as quoted by Parimartha, the village was a small republic that had its customary laws or rules at that time. Then, with the influence of Hindu power (Javanese-Majapahit) in the 14th century AD), the village began to get the influence of supra-village power, in this case, the kingdom. At least supervision over villages in Bali began in the 15th century after the king of Bali (Descendants of Majapahit) to Pekraman whose traditional cultural status was more stable. Desa Pakraman's main assembly, a traditional village organization in Bali, decided to keep the adat village's position in relation to the official village.

The marginalization of Bali's traditional villages began with the entry of the Dutch East Indies government into South Bali (1906-1908), which replaced the kingdom's position over the villages in Bali. The Dutch colonial government implemented two systems of government

in Bali: a system of government directly under the Dutch and a system of self-government by the kings known as the autonomous regions. In the government administration, the Dutch government used Perbekel as its representative to oversee the situation in the village. With the self-appointed Perbekel, the Dutch established an administrative institution at the village level by forming a new village by the colonial government. With the new village, it is hoped that there will be 200 villagers who are ready to carry out labour duties.

As a result, the village became divided into two parts: the traditional village and the official village. The traditional village handles religious and customary matters, while the official village handles government administrative matters. The official village's function is in the general government's field, except for customs and religion, while the Subak manages irrigation/agriculture. Thus the official village can also be considered an administrative village in a certain sense because its task is only to carry out government administrative affairs.

CONCLUSION

The evolution of government dualism in Bali cannot be separated from changes in national and regional policies that govern regional and village governance. The study's findings indicate that the duality model of government has evolved from 1979 to 2019. The success of indigenous peoples in overcoming interventions from various external forces. The principle of duality, the basis of religious teachings, has succeeded in maintaining the coexistence of the official village and the traditional village/ pekraman that coexist harmoniously. It is acknowledged that it is in the Desa Adat or Desa Pekraman social solidarity and social order that can be enforced, two things that the Balinese people need to optimize the benefits of government and development that will be more prosperous. There are notes that duality and coexistence place the position of the Traditional Village or Pekraman legally still weak. Although traditional villages in Bali have been protected by the Bali Provincial Regulation Number 3 of 2001 concerning Pekraman, the position of Pekraman is nothing more than a 'cultural institution'. It is not yet a 'legal subject' of its assets. The Bali Provincial Regulation Number 4 of 2019 concerning Traditional Villages has begun to explicitly state the recognition of traditional villages as legal subjects. During the First Period, (1979 to 1998), the traditional village as an informal institution in the village was not structurally linked to the official village or supra-village, namely higher formal government institutions, such as the sub-district or district. Traditional villages are only functionally intertwined, especially in custom and religion. In the field of service or administration, which includes the fields of formal education, health, family planning and

transmigration, traditional villages are not related in a structural relationship. Thus, the relationship between the Regency and the traditional village has not been formulated (both institutionally and financially), so any policies regarding the empowerment of traditional villages that are built still seem ad-hoc. The condition of the uncertainty of the relationship arrangement is not regulated in Perda No. 6/1986. The Duality Model of Village Government Period I Overall, the Duality Model of Village Government Period I in the period 1979 to 1998 can be concluded, with the applicable regulations being Law No. 6 of 1986 concerning the Position, Function, and Role of Traditional Villages as Units of Customary Law Communities in Bali. Duality in Functional Relations and leading government administration between the Traditional Village and the Tri Hita Karana Local Wisdom-Based Service Village has been running well. In the Second Period (1999 to 2013), the horizontal relationship to the side reminded us that village autonomy from informal institutions of the Pakraman village was developing well. This relationship is related to the level of position prajuru and village officials in the village government structure. The relationship between prajuru or village officials who are in a higher position and their respective subordinates is instructive. Furthermore, prajuru or officers with the equal position are usually consultative. Although formally, the nature and characteristics of such a relationship should exist, in reality, the horizontal relationship between prajuru or Village officials are more based on Balinese local wisdom principles and values such as *tat twam asi*, *paras-paros sarpanaya*, and *sagilik-saguluk*. *salunglung-sabayantaka* to achieve the goal of cohabitation. Village Government Duality Model Period II. Overall, it can be concluded that the Village Government Duality Model Period II in the period 1999 to 2013 with the applicable Regional Regulation No. 3 of 2001 concerning Desa Pakraman and Regional Regulation No. 3 of 2003 concerning Amendments to the Regional Regulation of the Province of Bali No. 3 of 2001 concerning Pakraman Village are the regulations. Duality in Functional Relations and leading government administration between the Traditional Village and the Tri Hita Karana Local Wisdom-Based Service Village has been running well. In the third period (2014 to 2019), the enactment of Law No. 6/2014 on Villages requires each region to choose a traditional village or an official village. In Bali, the position of the official village is to take care of the government, while the traditional village takes care of the customs and the Balinese Hindu religion. The number of traditional villages currently reaches 1,493 Official villages number up to 716. Furthermore, the adoption of Regional Regulation No. 4 of 2019 concerning traditional villages strengthens traditional villages' position and authority. Traditional villages are given the task and authority in this regional regulation to realize the *Kasukertan* of indigenous peoples, which includes peace, prosperity, happiness, and

sekala and niskala peace. In addition, traditional villages are also obliged to regulate, manage and protect the implementation of the Parahyangan, Pawongan, and Palemahan traditional villages. Village Government Duality Model Period III. Overall, it can be concluded that the Village Government Duality Model Period III in the period 2014 to 2019 with the applicable Law No. 23 of 2014 on Regional Government, Law No. 6 of 2014 on Villages, and Regional Regulation No. 4 of 2019 on Traditional Villages in Bali are the regulations. Duality in Functional Relations and leading government administration between Traditional Villages and Tri Hita Karana Local Wisdom-Based Service Villages can still run well. Although since the issuance of Law 6/2014, there has been a discourse related to the emergence of the option to register Traditional Villages as the sole government administrator in Bali.

Bibliography

- Agger, Ben, 2003. *Teori Sosial Kritis: Kritik, Penerapan dan Implikasinya*, (penerjemah Nurhadi), Kreasi Wacana, Yogyakarta.
- Almond, Gabriel A., *Comparative Political Systems*, dalam dalam Macridis and Brown, 1977. *Comparative Politics: Notes and Reading*, The Dorsey Press.
- Almond, G. A., Verba, S., & Simamora, S. (1990). *Budaya politik: tingkah laku politik dan demokrasi di lima negara*. Bumi Aksara.
- Anderson, Benedict R.O'G, *The Idea of Power in Javanese Culture* dalam Holt, Claire (ed), 1972. *Culture and Politics in Indonesia*, Cornell University Press, Ithaca and London.
- Antlov, Hans, "Village Government and Rural Development in Indonesia: The New Democratic Framework, *Bulletin of Indonesia Economic Studies*, Vo. 39, No. 2, 2003 hlm. 193-214
- Ardana, I Ketut (ed), 2020, *Pemetaan Tipologi dan Karakteristi Desa Adat di Bali*, Cakra Media Utama Denpasar
- Breman, Jan, 1980, "The Village on Java and the Early-Colonial State" on *Comparative Asian Studies Programme (CASP) I*, Erasmus University, Rotterdam.
- Djadijono, M., et al. (ed), 2006, *Membangun Indonesia dari Daerah*, Centre for Strategic and International Studies, Jakarta.
- Dwipayana, Ari, dan Eko, Sutoro (ed), 2003. *Membangun Good Governance di Desa*, IRE Press, Yogyakarta.
- Eko, Sutoro dan Rozaki, Abdur (ed), 2005. *Prakarsa Desentralisasi dan Otonomi Desa*, Penerbit IRE Press, Yogyakarta.
- Haris, Syamsuddin (ed), 2005, *Desentralisasi dan Otonomi Daerah: Desentralisasi, Demokratisasi dan Akuntabilitas Pemerintahan Daerah*, LIPI Press, Jakarta
- Haruya, Kagami, "Regional Autonomy in Process: A Case Study in Bali 2001-2003", *Asia and African Area Studies*, 5 (I): 46-71, 2005

- Indonesia. (1974). Undang-undang no. 5 tahun 1974 tentang pokok-pokok pemerintahan di daerah. Pantjuran Tudjuh.
- Indonesia, R. (1979). Undang-Undang No. 5 Tahun 1979 tentang Pemerintahan Desa. Jakarta: Sekretariat Negara.
- Indonesia, R. (1999). Undang-undang Nomor 22 Tahun 1999 tentang pemerintahan daerah. Bagian Proyek Peningkatan Publikasi Pemerintah, Direktorat Publikasi, Ditjen PPG, Deppen RI.
- Indonesia, R. (2004). Undang-Undang No. 32 Tahun 2004 tentang Pemerintah Daerah. Lembaran Negara Republik Indonesia Tahun, 125.
- Iskandar, R. K. (2014). UU No. 23 Tahun 2014 Tentang Pemerintahan Daerah.
- Kartodirdjo, Sartono, Agrarian Radicalism in Java: Its Setting and Development dalam Holt, Claire (ed), 1972. Culture and Politics in Indonesia, Cornell University Press, Ithaca and London.
- Nordholt, Henk Schulte dan Abdullah, Irwan, 2002. Indonesia in Search of Transition, Pustaka Pelajar, Yogyakarta.
- No, U. U. (6). tahun 2014 tentang Desa.
- Nurcholish, Hanif. 2013. Administrasi Pemerintahan Desa. Jakarta : Universitas Terbuka
- Majalah Prisma Prisma 12, Desember 1994
- Palguna, Dewa Gde, 2020, "Beberapa Catatan Untuk Perda Nomor 4 Tahun 2019 tentang Desa Adat Di Bali" disampaikan pada Webinar Pemajuan dan Penguatan Desa Adat Yang Diselenggarakan oleh DPD Partai Golkar Provinsi Bali 22 Januari 2020
- Parimatha, I Gde, 2003, Memahami Desa Adat, Desa Dinas dan Desa Pakraman: Suatu Tinjauan Historis, Kritis, Orasi Ilmiah/ Pidato Pengukuhan Jabatan Guru Besar Tetap dalam Bidang Ilmu Sastra pada Fakultas Sastra, Universitas Udayana, Denpasar
- Pasek Diantha, I Made, "Eksistensi Desa Menurut UU Nomor 22 Tahun 1999", dalam Jurnal Sosial Politik Sarathi Vol. 8 No. 2 Agustus 2001. Hlm 77-86.
- Peraturan Daerah Propinsi Dati I Bali Nomor 6 tahun 1986 tentang Kedudukan, Fungsi dan Peranan Desa Adat sebagai Kesatuan Masyarakat Hukum Adat dalam Propinsi Dati I Bali
- Peraturan Daerah Propinsi Bali Nomor 3 tahun 2001 tentang Desa Pakraman
- Peraturan Daerah Provinsi Bali Nomor 3 tahun 2003 tentang Perubahan Atas Perda Provinsi Bali Nomor 3 tahun 2001 tentang Desa Pakraman
- Perda No. 4 tahun 2019 tentang Desa Adat di Bali
- Pitana, I Gde, "Desa Adat dalam Arus Modernisasi", dalam Pitana, I Gde (ed), 1994, Dinamika Masyarakat dan Kebudayaan Bali, Penerbit BP, Denpasar.
- Pitana, I. G. (1994). Desa adat dalam arus modernisasi. dalam Dinamika Masyarakat dan Kebudayaan Bali (Editor: Pitana). Denpasar: Bali.
- _____, 2004, Revitalisasi Awig-awig Desa Pakraman dalam Konteks Ajeg Bali dan Kaitannya dengan Pembangunan Pariwisata, Paper disampaikan dalam Simposium dengan tema "Revitalisasi Awig-awig Desa Pakraman Menuju Ajeg Bali" Fakultas Hukum Universitas Udayana, Denpasar.
- Reuter, Thomas A., 2005. Custodians of the Sacred Mountains: Budaya dan Masyarakat di Pegunungan Bali, Yayasan Obor Indonesia, Jakarta.

- Rukmawati, Diah, *Dinamika Elit Desa Adat dan Elit Desa Dinas di Desa*, Tesis S2 Program Ilmu Politik, UGM, Yogyakarta.
- Tata Kelola dalam UU Desa, <http://desa.membangun.or.id/2014/04/tata-kelola-desa-dalam-uu-desa/> diunduh 12 April 2020.
- Sirtha, I Nyoman, 2016. *Desa Pakraman*, Penelitian Mandiri, Program Studi Ilmu Hukum, Fakultas Hukum, Universitas Udayana, Denpasar.
- Suacana, I Wayan Gede, et.al (ed), 2003, *Eksistensi Desa Pakraman di Bali*, Penerbit Yayasan Tri Hita Karana, Denpasar.
- Suacana, I., & Gede, W., 2006, *Budaya Demokrasi dalam Kehidupan Masyarakat Desa di Bali*, dalam *Bali Bangkit Bali Kembali*, 2006, Kerjasama Departemen Kebudayaan dan Pariwisata RI dan Universitas Udayana, Jakarta, Desember.
- Universitas Udayana, 2014. *Otonomi Desa dalam Konteks Undang-Undang No.6 Tahun 2014*. Bali : Udayana Press & ASiAN.
- Warren, Carol, 1993, *Adat and Dinas: Balinese Communities in the Indonesian State*, Oxford University Press, Kuala Lumpur.
- Website <https://definienda.blogspot.com/2016/01/pengertian-desa-adat.htm> diunduh 5 Nopember 2021
- Website <http://ejurnal.fisip-untirta.ac.id/index.php/JRK/article/.../86>
<http://netsains.com/2009/04/psikologi-remaja-karakteristik-dan-permasalahannya> diunduh 12-Oktober 2021
- Windia, Wayan P, 2005, *Desa dan Desa Pakraman: Masalah Hubungan Kerja antara Desa Dinas dan Desa Pakraman di Bali*, paper disampaikan pada Semiloka “Konsep dan Implementasi Desa serta Pemberdayaan Desa Sesudah berlakunya UU Nomor 32 tahun 2004”, yang diselenggarakan oleh Pusat Penelitian Hukum Adat Universitas Udayana bekerjasama dengan yayasan Harkat Bangsa, Jakarta di Denpasar, 15 November
- Windia, W. P. (2010). *Bali mawacara: gagasan satu hukum adat (awig-awig) dan pemerintahan di Bali*. Pusat Penelitian Hukum Adat, Universitas Udayana bekerjasama dengan Penerbit Pelawa Sari.