

## Traditional Architecture Settings in Housing and Residential Area Governance Based on Local Wisdom in Bali Province

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### ABSTRACT

This research uses normative research methods with a statutory approach, historical approach and conceptual approach. The results of this study are The urgency of traditional architectural arrangements in the governance of residential housing based on local wisdom in Bali Province is 1) realizing legal certainty in the implementation of residential housing in Bali Province; 2) realizing housing and residential areas in Bali Province with character; and 3) preserving local wisdom in Bali. Strategies for regulating traditional architecture in the governance of residential housing based on local wisdom in the province of Bali at the present time, including: 1) realizing the change in the status of Bali Province as a special region; 2) adjusting regulations in several fields related to residential housing, spatial planning, land, licensing and building architecture at the central and regional levels of the province of Bali; and 3) supervise the implementation of traditional architectural arrangements in the governance of housing and residential areas based on local wisdom in Bali Province.

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## **INTRODUCTION**

The economic development of housing affects the sociological and cultural life of the community, for example in the Province of Bali which is one of the provinces in Indonesia that carries out economic development along with the preservation of its local wisdom. The rapid economic progress due to the growth of the tourism sector, has created a mismatch between the management of residential housing areas and the determination of zoning areas carried out by the Bali Government. An event that is often in the spotlight is the development of housing in Bali whose function is not for housing, but is intended for commercialization (rented) to tourists. The development of this housing complex can be in the form of villas or semi-villa housing which is spread not only in urban areas in Bali but has also entered rural areas that are still beautiful. This is indicated by several green open areas in rural Bali that have begun to change function into semi-villa housing or villas, both for housing and for commercialization.

The increase in housing development in rural areas with strong customs accompanied by changes in the function of this housing, is then suspected of having a broad impact on the existence of local wisdom maintained by the local indigenous community. For example, currently the development of housing, villas, or semi-villas is more modern in adapting to the needs of a dynamic society, thus forgetting the traditional architecture-culture of housing in Bali. On the other hand, it also has an impact on the subak in Bali. The development of land needs for investment, especially in the real estate sector in Bali, has led to an increase in the conversion of rice fields. In 2020, rice fields in Bali amounted to 74,723.20 hectares, then in 2022 the rice fields in Bali have decreased to 70,996 hectares. The shrinkage of rice field areas is very rapid, especially in locations close to the city, because it is triggered by prices that tend to soar. The impact of this land conversion is that one subak in Tabanan Regency has disappeared. Based on data from the last four years (2020–2023), the lost subak was Subak Banjar Anyar in Kediri District with an area of 11 hectares. Subak Banjar Anyar disappeared in 2020 because the land conversion into housing in that location could not be stopped. Meanwhile, in Denpasar City, Subak Peraupan Timur, North Denpasar is inactive.

The spirit of easy of doing business that is being promoted by the government after the issuance of Law No. 6 of 2023 concerning Job Creation facilitates the rate of commercialization in the housing sector, but this is not balanced with the spirit of preserving local wisdom. The existence of regional autonomy in Indonesia provides broader tasks for local governments to further manage the impact of residential housing developments on local wisdom in their regions. However, it seems that the local government (especially the Province of Bali) has not yet regulated regulations regarding the protection of local wisdom due to the increase in business activities/economic activities in the housing and residential sector, so there is still a legal vacuum. The legal vacuum regarding the governance of residential housing, especially at the provincial level which contains local wisdom values, has resulted in problems, including:

1. Many housing developments, semi-villa houses, and villas are found near sacred areas such as temples, beaches, rice fields, and so on, which actually erode the natural beauty and sacredness of these areas.
2. The development of housing, villas and semi-villa in Bali currently uses more modern architecture that seems to leave behind traditional Balinese architecture. The limited land that is not in line with the increasing needs of investors and the community for real estate forces the architecture of housing, villas, and semi-villa to 'eliminate' the traditional values that have been maintained by the Balinese people since long ago, both in the form of *asta kosala kosali*, the concept of *sanga mandala*, and the carved *patra* ornaments in the building.
3. The degradation of local community customs due to the 'ease' of housing ownership by Foreign Citizens in Bali, both for residence and business, which of course causes problems. For example, the issue of marriage between Local Balinese and Foreign Nationals has become a strategy for Foreign Nationals to control land in Bali, or the number of PT. PMA which easily own land in Bali there is even a foreign national settlement in the Ubud area of Bali, which of course escapes the supervision role of the government and the local customary village.

Based on the above problems, it can be seen that there is a dualism of interests between local communities and investors in the housing sector of residential areas. This dualism of interests is reflected in the Balinese indigenous people who want to live a stable, beautiful, and harmonious community life based on cultural values, customs, and local wisdom. Then, because of the development of economic flows and the encouragement of easy of doing business, indigenous people are not aware of the degradation of local wisdom.

The absence of regulations regarding the management of residential housing areas based on local wisdom, especially at the provincial level of Bali, has the consequence of not realizing the embodiment of the philosophical foundation related to the value of certainty and the benefits of a regulation. The shift in the management of residential housing areas that is increasingly rapid towards business will certainly have an impact on the existence of local wisdom in society. The absence of regulations that provide legal certainty for the protection of local wisdom that has been maintained by indigenous communities so far makes the law feel useless for the existence of customary values themselves.

Based on the literature search and observation carried out, several titles were found regarding the regulation of housing management in residential areas based on local wisdom which are related to this research, namely, first, Dewa Made Atmadja's Research, which focuses on Local Wisdom-Based Spatial Planning Management in the Panglipuran Traditional Community of Bangli Regency. The results of this study indicate that the implementation of the tri

mandala concept in developing the spatial planning of the Penglipuran Traditional area is based on the concept of ulu-teben (binary opposition). In order to maintain environmental conditions and spatial planning, the Penglipuran Traditional Community carries out preservation through, (1) making customary laws, (2) placing spatial planning management in customary institutions, (3) giving responsibility to all members of the community in preserving the environment, (4) establishing protected forests, (5) establishing yard areas and building architecture that show local values, and (6) establishing sanctions for community members who violate applicable legal provisions. Second, I Gede Astra Wesnawa which focuses on the dynamics of local wisdom-based spatial utilization in Buleleng Regency, Bali Province. The results of this study indicate that there are differences in aspects of local wisdom in the utilization of village space and yards of indigenous peoples' houses in urban and rural areas. The layout of elements of traditional village space in urban and rural areas has not fully implemented the traditional Balinese spatial planning concept. The layout of elements of the yard in rural areas is more appropriate than in urban areas. In general, the commitment of indigenous peoples in urban and rural areas is relatively high in the real application of the traditional Balinese spatial planning concept in traditional village areas and yards. This is due to the cultural awareness of the community and their love for the ancestral cultural heritage that has been passed down from generation to generation. Only a small part of the indigenous peoples are not appropriate in implementing the traditional Balinese spatial planning concept in the yard of the house, due to lack of understanding and limited land.

Most of these studies only examine the utilization of local wisdom-based spatial planning in several areas in Bali, so there is a research gap related to research in terms of research scale and research focus to be achieved, namely the existence of housing and settlement management in Bali Province focusing on its traditional architecture in order to preserve the functions of housing buildings in Bali. This study aims to determine, examine, and analyze the urgency of local wisdom-based residential architectural planning in Bali Province and strategies for the utilization and development of residential housing through local wisdom-based housing management that is relevant in this modern era.

## **LITERATURE REVIEW**

The importance of Balinese architecture has led the Bali provincial government to create a regulation governing the use of Balinese architecture in buildings, one of which is housing. This regulation is in the form of Bali Provincial Regulation Number 5 of 2005 concerning Building Architecture Requirements (hereinafter referred to as Perda No. 5 of 2005). Through this Perda, it is explained that building structures can determine the safety of users and their environment, as well as influence the image of the cultural identity of a society, including the Balinese people as a community that has a distinctive culture inspired by the Hindu religion. Therefore, building structures must be organized based on the Tri Hita Karana philosophy, the noble values of

Balinese culture in the field of building architecture, the principles of traditional Balinese architecture, the requirements, forms, characters and principles of building architecture.

Although the existence of Regional Regulation No. 5 of 2005 requires Balinese architecture in buildings, it turns out that Regional Regulation No. 5 of 2005 is considered to have faded in validity. The need for housing for the community towards efficient and modern values, has caused local wisdom values in housing development in Bali to be abandoned. This is what then becomes the threat of the extinction of traditional Balinese architecture. Specifically, changes in traditional houses due to the entry or influence of architectural modernization so that there are several basic changes that are found, for example, an entire traditional Balinese house but there is no meaning in it because there is a change in function in each building, or a modern house that functions to equate a traditional Balinese house.

## **METHODOLOGY**

This study uses a normative legal research method that examines in depth the related laws and legal doctrines and sources of legal materials related to the research topic, namely legal protection for the physically disabled against authentic deeds made before a Notary. The approaches used to solve the problems in this study are the Statute Approach, the Historical Approach, and the Conceptual Approach. The sources of legal materials used in this writing use three sources of legal materials, namely primary legal materials, secondary legal materials, and tertiary legal materials. The legal material collection technique used is the literature study technique. The analysis techniques used in this study are description techniques, analysis techniques, and argumentation techniques.

## **RESEARCH RESULTS AND DISCUSSION**

### ***The Urgency of Regulating Traditional Architecture Inlocal Wisdom-Based Housing Governance of Residential Area in Bali Province***

Housing built in Bali has its own uniqueness by presenting architecture that reflects the culture and traditions of the local community in Bali. This architecture has been adopted in the culture of the Balinese people since the Bali Aga era. This is what then makes Balinese architecture can be said to be one of the local wisdoms of the Balinese people. The philosophy of traditional Balinese architecture in the prehistoric era to the Majapahit era is considered as the period of growth and development of traditional Balinese architecture which is based on the lontar asta kosala - kosali and lontar asta bumi. Basic character variants appear among the residents of the lowland areas and the mountains as well as the residents of South Bali with the residents of North Bali. However, there is a basic philosophy or main philosophy that is the reference point for traditional Balinese architecture, namely the principle of tri angga or tri loka, the cosmological concept (tri hita karana) and cosmological orientation. Based on this, in the beliefs of the Balinese people, traditional Balinese architectural buildings do have a concept that links the relationship between humans and nature.

Because Balinese architecture has its own uniqueness, the management of housing in residential areas in Bali cannot be separated from it. Since the 70s, the government and the people of Bali have agreed to preserve and develop local architecture to answer all the challenges of contemporary and future architecture. For this reason, various efforts have been made to inventory the basic patterns of existing architecture, both in terms of philosophy, spatial planning, form, decorative variety, and so on. In addition, research has also been conducted in the field of architecture that tries to reveal various phenomena that appear in the architectural transition in the Bali area.

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Although the existence of Regional Regulation No. 5 of 2005 requires Balinese architecture in buildings, it turns out that Regional Regulation No. 5 of 2005 is considered to have faded in validity. The need for housing for the community towards efficient and modern values, has caused local wisdom values in housing development in Bali to be abandoned. This is what then becomes the threat of the extinction of traditional Balinese architecture. Specifically, changes in traditional houses due to the entry or influence of architectural modernization so that there are several basic changes that are found, for example, an entire traditional Balinese house but there is no meaning in it because there is a change in function in each building, or a modern house that functions to equate a traditional Balinese house.

The building of a house in a traditional Balinese housing complex is planned taking into account the abiotic environment by enclosing the building with a retaining wall (surrounding wall), while each building inside is left open so that it can utilize light and air freely by opening up as wide a space as possible that can be oriented to the center (*natah*). One yard area in a traditional Balinese house is generally divided into three parts, namely the *luan* (upper) part is used for a place of worship, the middle part for a residence, while the *teben* (lower) part is used to store materials that are no longer useful and to keep animals. In the development of modern housing in Bali today which is influenced by the high population growth rate in Bali, causing the need for land for settlements to also increase so that the population in Bali lives and builds houses on narrow land. Therefore, the architectural transformation offered for Balinese houses today is a house with more than one floor to accommodate the increasing need

for activity space. The upper floor is a more important area than the ground floor, and all floors have a flexible function unit.



Figure 1 The embodiment of a house in Bali with traditional Balinese architecture

Source: *Unity Journal of Architecture*



Figure 2 The embodiment of a house in Bali with modern architecture

Source: <https://agoradesignbali.com/portfolio/modern-tropical-house-design-4-2-storey-room-gianyarbali.html>

The dynamics of architectural change can occur possibly due to two factors, namely primary factors and modifying factors. Primary factors include: socio-cultural factors, modifying factors include climate factors, material factors, technology and construction factors, land factors and so on. Changes depend on the position of the elements that change in the overall cultural system. Report, divides these elements into three parts; namely core elements, additional elements and peripheral elements. Changes have three implications, namely: (a) the side of creating a new concept; (b) development and strengthening of existing concepts; (c) loss of the original concept.

For this reason, it is necessary to have local wisdom-based housing management in Bali Province in order to:

1. realizing legal certainty in the implementation of housing in residential areas in Bali Province
2. to create housing and residential areas in Bali Province that have traditional character and characteristics
3. preserving local wisdom in Bali

Seeing the scope of the theme of Traditional Balinese Architecture which is so broad because it not only concerns physical (sekala), social and cultural aspects, but also concerns non-physical (niskala), psychological and spiritual aspects, special attention is needed regarding the architectural layout of housing in Bali.

### ***Strategy of Traditional Architecture Regulation in Local Wisdom-Based Housing Management in Bali Province in the Present Day***

Building architecture is organized based on the principles of benefits, desires, beauty, and uniqueness of architectural form/character and the harmony of the building with its environment. The existence of Regional Regulation No. 5 of 2005 concerning Building Architecture Requirements is indeed the only legal

umbrella for preserving Balinese architecture. The regulation of building architecture requirements aims to;

- a. To create buildings that have traditional Balinese architectural styles and characteristics in general as well as local architectural styles that are harmonious and integrated with their environment; and
- b. To realize legal certainty in the implementation of building construction in order to produce buildings that are in accordance with the principles of traditional Balinese architecture.

However, after the increase in population in Bali Province which is not comparable to the availability of housing land, the development of housing and residential areas is carried out on narrow land. For that, it can be said that the housing situation in Bali Province is still far from adequate, both in terms of quantity and quality/condition of the housing, most of which do not meet the proper requirements. Housing problems are usually found in urban areas, characterized by a very small number of houses compared to the number of residents, as well as many houses that do not meet the requirements of decent living and development, such as villages on the outskirts of the city and illegal shacks in the city. Likewise, there are difficulties regarding land, drinking water facilities, lighting conditions, environmental health and so on. Then on the other hand, there are difficulties for local Balinese to own a house, especially in the economic center of Bali, for example, buyers of houses in Denpasar sold by developers are only 40% Balinese, as many as 60% of buyers are people from outside Bali, on the other hand, in Badung Regency only 30% of buyers of houses in Badung are local residents, while the rest (70%), consumers are foreign nationals. Due to the change in the consumer, of course, interest in modern architectural designs is more in demand today, so that Balinese architecture and traditional Balinese houses are starting to be forgotten. For this reason, the Bali Provincial Government must have a strategy for regulating traditional architecture in the management of residential areas based on local wisdom today. Some strategies that can be carried out by the Bali provincial government include:

First, realizing the change in status of Bali Province as a special region. Bali is considered worthy of obtaining status as a special region like Jakarta. Law Number 9 of 2015 in conjunction with Law Number 23 of 2014 concerning Regional Government states that the regional government grants special autonomy, namely special authority that is recognized and given to the province to regulate and manage the interests of the local community according to its own initiative based on the aspirations of the community. In other words, in the region there is freedom for the people to regulate and manage their own households. Special regions often also become the center of all aspects of national life, namely starting from ideology, politics, economy, socio-culture as well as defense and security. For this reason, Bali Province is considered capable and has the right to become a special region for several reasons including:

- a. the existence of culture and traditions in the socio-cultural life of the Balinese people which still exist and are firmly held as a philosophy and

basis for life, so that the Republic of Indonesia must continue to maintain this equality and diversity.

- b. The dynamic aspirations of the Balinese people are not only in their traditional, cultural, social and political lives to adopt Balinese specialties, but also to provide a guarantee of legal certainty in all matters because the basis of the religious life of the Balinese people (the majority are Hindu) has formed an attitude, high fighting spirit and a culture based on the strong Hindu religion.
- c. There is a history of the Balinese people's struggle to join the army in seizing Indonesian independence which was marked by the Puputan Margarana War. Puputan Margarana was the peak of the Balinese people's battle against the Dutch under the leadership of I Gusti Ngurah Rai on November 20, 1946. This battle was caused by the results of the Linggarjati agreement which stated that the Netherlands de facto recognized the existence of the Republic of Indonesia only covering Sumatra, Java and Madura. This means that Bali was not included in the Linggarjati Agreement, which made the Balinese people disappointed and sparked resistance.
- d. Bali's role as a contributor to the country's foreign exchange due to economic growth through the tourism sector. One of the efforts to increase foreign exchange earnings is by developing tourism as a strategic core to create investment and accelerate economic growth. Bali as the central core of Indonesian tourism, must be managed and developed while still paying attention to the sustainability and naturalness of its people, environment, and culture.

After Bali is realized as a special region, the authorities of the Province of Bali in implementing Special Autonomy can be optimized. In the context of government, the formation of a special area can optimize the implementation of government functions, which include service functions, empowerment functions and development functions. The estuary of the implementation of these government functions is that the formation of a special area has the greatest benefits for the Indonesian people. However, the position of the regional government that is special or special in nature is parallel to the Regional Government, namely autonomous regions that are subject to and responsible to the Central Government. The division of relations between the central government and regional governments, which also includes regional governments that are special or special in nature, is hierarchical with a bottom-up pattern, meaning that districts and cities must coordinate with the province, and the province must also coordinate with the central government so that the center of government here is not the regional government but the central government as the highest peak of power in a country.

Second, adjust regulations in several areas related to housing, spatial planning, land, licensing and building architecture at the central and regional levels of the province of Bali. After the issuance of Law No. 6 of 2023 concerning the stipulation of Government Regulation in Lieu of Law Number 2 of 2022 concerning Job Creation (hereinafter referred to as the Job Creation Law), the

government officially replaced the Building Construction Permit (IMB) with the Building Construction Approval (PBG) and also to utilize the building, the building owner must have a Certificate of Functional Eligibility (SLF). However, these provisions have not been followed by provisions requiring traditional architecture to be maintained in sustainable development. On the other hand, although Bali already has Regional Regulation No. 5 of 2005, this Regional Regulation has not been able to accommodate the latest permits after the issuance of the Job Creation Law above. For this reason, the Bali Government needs to change and adjust the substance Bali Provincial Regulation Number 5 of 2005 concerning Building Architecture Requirements, with the development and needs of the community for housing, and forming technical regional regulations while still referring to central and other Bali regional laws and regulations. Then, the Bali government must also consider the validity of the desired Regional Regulation for housing that has been built without traditional Balinese architecture and housing that will be built, with the following solutions:

- a. For housing that has been built without traditional Balinese architecture, the government requires that within the next 5 years, homeowners must carry out a little renovation by installing several Balinese ornaments on several sides.
- b. For housing that will be built, the government requires homeowners, developers, and contractors to install at least 5 Balinese ornaments at several points in the house building.

In general, ornaments on Balinese buildings display a variety of flora and fauna. Ornaments of floral variety are ornaments taken from basic plant forms such as leaf paths, flowers, pistils, and ratings. These plant forms are arranged repeatedly and are usually displayed as decorative motifs. Examples of ornaments with a floral theme are pepatraan and keketusan. Meanwhile, ornaments of fauna variety are ornaments taken from various animal forms and are generally combined with floral forms. Fauna carvings on relief areas on walls usually apply folk tales or legends about the animal world. Animals that are usually used are generally related to religious stories or beliefs of the Balinese people such as birds, lions, elephants, and others. Examples of fauna-shaped ornaments are kekarangan.

Third, carry out supervision in the implementation traditional architectural arrangements in the management of residential areas based on local wisdom in the province of Bali. The supervision in question is supervision of the implementation of the Regional Regulations that will be formed and that already exist. This supervision can be in the form of preventive supervision and repressive supervision. Preventive Supervision Preventive supervision is interpreted as being temporary preventive, interpreted as preventing something from happening and its authority is placed on authorized officials. In general, supervision has a broad meaning, namely a process, a method of controlling, maintaining and inspecting by providing instructions or guidelines for carrying out an activity. Repressive Supervision Regional Regulations after being formed by the region (local government) and meeting the requirements for formation and obtaining ratification, can be enforced. The enactment of this Regional

Regulation is through an announcement in the regional gazette. The announcement or promulgation of the Regional Regulation is carried out so that the Regional Regulation can be implemented (applied) and has legal force to apply and be binding in general. If in its implementation it raises problems, then the Regional Regulation can be tested. Testing of the Regional Regulation is carried out, as is the case with laws and regulations in general. The testing is carried out both formally and materially.

## **CONCLUSIONS AND RECOMMENDATIONS**

The urgency of traditional architectural arrangements in governance housing settlement areas based on local wisdom in Bali Province in order to: 1) realize legal certainty in the implementation of housing settlement areas in Bali Province; 2) realize housing and settlement areas in Bali Province that have traditional character and characteristics; and 3) preserve local wisdom in Bali. The strategy for regulating traditional architecture in the management of housing settlement areas based on local wisdom in Bali Province at present, including: 1) realizing the change in status of Bali Province as a special region; 2) adjusting regulations in several areas related to residential housing, spatial planning, land, licensing and building architecture at the central and regional levels of Bali Province; and 3) carrying out supervision in the implementation traditional architectural arrangements in the management of residential areas based on local wisdom in Bali Province.

## **ADVANCED RESEARCH**

Further research can add other contingent variables such adjusting regulations in several areas related to residential housing, spatial planning, land, licensing and building architecture at the central and regional levels of Bali Province.

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