SOCIALIZATION OF REGIONAL REGULATION NO. 11 OF 2017 REGARDING EMBANKMENTS IN THE SARI BARUNA FISHERMEN'S GROUP OF BANJAR KHUBUR, KETEWEL VILLAGE, GIANYAR

I Wayan Novy Purwanto[1*], I Gusti Ayu Putri Kartika[2], I Nyoman Bagiastra[3], Ayu Putu Laksmi Danyati[4], Dewa Gede Pradnyana Yustiawan[5]
[1-5] Faculty of Law, Universitas Udayana
E-mail: [1)] novy_purwanto@unud.ac.id

Abstract

The purpose of this socialization is to educate and inform the Sari Baruna Fishermen Group of Banjar Khubur Ketewel Village, Gianyar about Regional Regulation Number 11 of 2017 regarding Bendega. It is crucial for the fishermen to understand this regulation as it addresses the problems they face. The Regional Government is committed to preserving and protecting Bendega, which is an integral part of Balinese culture. By safeguarding the ethical, moral, and civilizational values of Balinese customs, the government ensures the continuity of these traditions. Bendega holds significant economic, social, cultural, and religious importance in the indigenous communities of Bali's coastal areas. To protect and preserve Bendega, various strategies are implemented, including the continuous application of Tri Hita Karana principles, enhancing the skills and knowledge of Bendega personnel, and empowering Bendega through economic activities rooted in local wisdom. Additionally, the strengthening of Bendega institutions and financial support are provided. It is essential to socialize these efforts to the fishermen groups so that they can fully comprehend the protection offered by the Regional Government. This understanding will enable the fishermen to exercise their rights and responsibilities as coastal fishermen.

Keywords: *Socialization, Fishermen, and Local Regulations*

1. INTRODUCTION

The *Krama Bendega* Forum plays a crucial role in upholding Regional Regulation Number 11 of 2017, which focuses on *Bendega* (Bisnis Bali. (n.d.). This forum holds immense strategic importance as it represents the interests of coastal communities in safeguarding Bali's marine ecosystem for generations to come. In order to enhance the well-being of these fishing communities, it is essential to raise awareness and educate the Bendega groups about their responsibilities.

Bendega, as an institution within Bali Province's coastal communities, deserves the same recognition as traditional institutions. Bali has become a popular choice for investors looking to develop tourism. The coastal areas, in particular, attract many investors for business opportunities. Without proper regulations, such as those set by the Regent, conflicts in the coastal areas are bound to arise every year (Adonara, 2016). These conflicts often involve clashes between investors and fishermen groups. Therefore, it is crucial to establish a clear position and role for fishermen, as they are the ones at the forefront of protecting the coastal areas.

Coastal conflicts are a common occurrence, especially in places like Ketewel village, where fishermen are facing restricted access to the beach due to buildings owned by investors (Ahmad, 2002). The root cause of this issue lies in the absence of a legal

framework that allows fishermen in Bali to claim their territory. Despite the long-standing presence of these fishermen groups, the entire coastline of Bali lacks a solid legal foundation. In response to this, the All Indonesian Fishermen Association has established the Bendega Forum, aimed at safeguarding the rights of fishermen (Balipuspanews.com. (n.d.). Through regional regulations, the Wanasari fishermen group now has a legitimate basis to ensure their access to coastal areas. Just as rice fields have the subak institution and villages have traditional village institutions, the sea has the Bendega institution to protect the interests of fishermen.

According to the Marine Product Management Law No. 27/2017, coastal communities are referred to as "local communities with local wisdom." It is crucial that we increase the awareness of Regional Regulation No. 11/2017 on Bendega among the people. Every individual in Bali should comprehend that this regional regulation is in place to safeguard the livelihoods of coastal fishing communities. The advantage of this regulation is that it provides assistance to qualified Bendega krama, enabling them to educate fishermen and preserve the values of local wisdom. Nowadays, beaches have become popular tourist destinations, but we must not overlook the potential conflicts that may arise if they are not adequately protected.

Artana, the Chairman of the All Indonesian Fishermen Association in Bali, revealed that Bali is home to a staggering 900 fishermen groups, comprising a total of 4,500 dedicated members. Additionally, the coastal region of Bali boasts an impressive count of 150 Segara temples. Prior to the implementation of the Bendega regulation, our organization functioned akin to a subak organization, with existing responsibilities and duties. However, with the introduction of this regional regulation, the well-being of both the local community and the fishermen along the coastal areas of Bali can now be effectively safeguarded.

The Bendega Wanasari community is a vibrant group located along the coast of Badung Regency. They actively engage in various economic, social, cultural, and religious activities. Unlike the fishermen community groups who solely focus on economic activities to sustain their livelihoods, the Bendega Wanasari group is a unique traditional institution deeply rooted in the marine and fisheries sector of the indigenous Balinese communities. Throughout history, Bendega has thrived and evolved in harmony with the rich Balinese culture and local wisdom.

According to I Gusti Putu Budhiarta, the Chairman of the Special Committee (*Pansus*) of Bendega in Bali Province, Bendega holds great significance as it encompasses Parahyangan (*Pura Segara*), Pawongan (*krama bendega*), and Palemahan (a place for livelihood). It is crucial to acknowledge and safeguard the existence of Bendega through local regulations. Just like other socio-cultural organizations in Bali, such as Subak and Pakraman Village organizations, Bendega deserves legal recognition and protection. Despite its existence since ancient times, Bendega has not yet received the recognition and protection it deserves through local regulations. Therefore, it is essential to strive for the legal rights of Bendega, along with Subak and Desa Adat, to fully realize the three traditional institutions in Bali, aligning with the Hindu philosophy concept of Segara-Gunung.

The implementation of the Bendega Local Regulation will bring about significant changes in various aspects of the fishing community's life. The establishment of the Bendega Group serves as an organized effort to safeguard the local wisdom, encompassing social, economic, and cultural traits, along with the noble values that shape

the community's way of life. Moreover, it ensures a comprehensive understanding of the boundaries and relationships concerning the rights, responsibilities, obligations, and authorities of all parties involved with Bendega. Ultimately, it guarantees the community's protection and legal assurance during the implementation of Bendega.

The implementation of Regional Regulation No. 11/2017 on Bendega has not been fully embraced, leading to suboptimal results. Consequently, fishermen's rights are not adequately protected, particularly with the shrinking coastal areas due to the influx of tourism. This pressing issue was recently addressed in a thought-provoking webinar titled "Regional Regulation Number 11 of 2017 concerning Bendega as the Implementation of Nangun Sat Kerthi Loka Bali, namely Segara Kerthi." The webinar, organized by the Mandhara Research Institute Foundation in collaboration with the All Indonesian Fishermen Association (HNSI), took place at Warung 63 in Denpasar on Thursday, March 25, 2021.

I Nengah Manumudhita, the Chairman of DPD HNSI, emphasized the importance of considering various factors to protect the livelihood of fishermen and ensure the sustainability of marine resources. Unfortunately, coastal areas have been shrinking due to the rapid development of tourism, which has limited the space for fishermen to carry out their activities. This issue arises from a lack of clear understanding about bendega. However, it is crucial to recognize that tourism development and the preservation of bendega can go hand in hand. In Bali, bendega activities can be integrated into cultural tourism, offering a unique attraction for visitors. Therefore, the implementation of Regional Regulation No. 11/2017 regarding bendega is of utmost importance (Ridwan, 2006).

Broadly speaking, the regional regulation encompasses various aspects such as safeguarding and empowering communities, preserving cultural heritage, fostering harmony, providing oversight and guidance, and allocating resources (Huda, 2015). Nevertheless, the execution of this regulation has not reached its full potential, thus necessitating additional efforts in raising awareness and promoting understanding among the public (Djindang, 1989).

In reality, there has been a lack of socialization from the beginning until now (Amanwinata, 1996). Without proper socialization, the fishermen group is unaware of what needs to be done. Numerous obstacles have arisen in the field regarding the implementation of the Bendega Regional Regulation (Kusumaatmadja, 2012). One of these obstacles is the lack of coordination between Subak, Desa Adat, and Bendega regulations. To address this, the Faculty of Law at Udayana University will continue to collaborate in the harmonization process of these three local regulations. Our aim is to effectively socialize Local Regulation No. 11 of 2017 concerning Bendega.

The problem at hand involves understanding Regional Regulation No. 11/2017 on Bendega within the community and exploring the role of the Sari Baruna Banjar Khubur Fishermen's group in Ketewel Village in preserving Bendega. The objectives of the activity are twofold: firstly, to advance understanding in the legal field, particularly the science of law related to the process of scientific exploration, focusing on the Regional Regulation on Bendega (Atmasasmita, n.d.). Secondly, it aims to gauge the comprehension of the Bendega Sari Baruna Group in Banjar Khubur, Ketewel Village, towards the mentioned regulation and to assess the community's awareness regarding Bendega protection in Bali. The anticipated benefits encompass theoretical contributions to legal science, especially in community protection, and practical advantages such as

aiding government efforts in socializing and informing the public about Bendega. The overall purpose is to enhance public understanding of Bendega and promote its protection through community service activities.

2. RESEARCH METHOD

The community service activity conducted in Banjar Khubur Fishermen Group, Ketewel Village, Gianyar, focused on the socialization of Regional Regulation No. 11 of 2017 concerning Bendega. Various methods were employed to ensure effective dissemination of information and knowledge regarding the protection and preservation of Bendega (Fuady, 2009).

Firstly, the socialization process involved counseling sessions and lectures, where participants were educated about Bendega and its significance. These sessions aimed to raise awareness about the importance of protecting and preserving Bendega.

Secondly, the lecture method was implemented in a structured manner, utilizing interactive delivery techniques. This approach involved multiple stages of presentation, allowing for active reflection and engagement from the participants. Visual aids such as pictures, news articles, and relevant regulations were incorporated to enhance understanding and facilitate discussions.

Furthermore, interactive discussions were conducted to encourage in-depth exploration of the topic. Participants were encouraged to ask questions and actively participate in the exchange of ideas. This interactive approach fostered a deeper understanding of the subject matter.

Additionally, to supplement the lectures and discussions, extension materials in the form of printouts were distributed to the participants. These materials contained relevant information and the Regional Regulations on Bendega, serving as a reference for further study and reinforcement of the socialization process.

To ensure the success of this community service activity, the involvement of lecturers from the Faculty of Law was crucial. They served as a team of facilitators, providing expertise and guidance to the participants. Their involvement helped participants understand the significance of socializing Regional Regulation No. 11 of 2017 concerning Bendega and the rights and obligations associated with it, particularly in relation to the protection of fishermen groups.

In order to encourage active participation, participants were given the opportunity to ask questions related to the socialization or counseling material. This interactive approach fostered a collaborative learning environment, enabling participants to gain a comprehensive understanding of the subject matter (Marzuki, 2012; Mertokusumo, 1996).

3. RESULTS AND DISCUSSION

The community service activity "Socialization of Regional Regulation No. 11 of 2017 concerning Bendega at Sari Baruna Fishermen Group Banjar Khubur Ketewel Gianyar Village", was carried out at the Sari Baruna Fishermen Group Hall Banjar Khubur Ketewel Gianyar Village.

Regarding the schedule of this activity, it is organized systematically and carried out in several stages including:

1. Meeting with all service members discussing the implementation of this community service;
2. Approaching the location of community service to apply for the implementation of community service to the Head of the Sari Baruna Fishermen Group Banjar Khubur Ketewel Gianyar Village.
3. Preparing and organizing extension materials including duplicating materials, and preparing materials about Bendega.
4. Conducting community service activities using the socialization method which is divided into several meetings considering the Health Protocol.
5. Evaluating activities and reporting 70% of community service implementation activities.
6. The last stage is the stage of completing the report on the results of community service activities.

During the counseling session, the Fishermen Group displayed great enthusiasm as they attentively listened to the presentation delivered by the educator/instructor. They maintained an orderly and serious demeanor throughout the entire activity. However, it is concerning that the community and the fishermen group of Sari Baruna Banjar Khubur Village Ketewel Gianyar are still unaware of the existence of Regional Regulation No. 11 of 2017 regarding Bendega. According to them, there has been no knowledge or understanding of the contents and protection provided by this regulation. Even Mr. I Wayan Rujawan, the head of the Sari Baruna fishing group, admits that their group is completely unaware of any local regulations pertaining to Bendega. This includes regulations at the provincial, regional, or village level, which have failed to address the existence of Bendega.

The Sari Baruna Fishermen Group of Banjar Khubur Ketewel Village Gianyar has recognized that the lack of communication from the legal authorities responsible for this matter has contributed to their current situation. Additionally, they admit that they themselves have a limited understanding of what is protected by the state in terms of the rights of Bendega and Fishermen Group. It is crucial for the community to understand the significance of preserving and protecting Bendega, especially in Banjar Khubur Ketewel Village Gianyar. This village holds a strategic location, being in close proximity to fishermen groups from Lebih, Purnama, Gumicik Gianyar, as well as the cities of Denpasar, Sanur, and Padanggalak.

The main goal of this service is to raise public awareness about the significance of safeguarding the rights of fishermen communities. Moreover, it is expected that through the dissemination of Regional Regulation No.11 of 2017, the sari Baruna Banjar Khubur fishing group in Ketewel Village, Gianyar will gain knowledge about the protection and conservation of Bendega in the Bali Province area. They will also be encouraged to promptly establish *awiig-awig* (traditional regulations) in line with the guidelines of the Regional Regulation. Consequently, it is anticipated that the fishermen group will become more confident in asserting their existence, knowing that they are supported by the Bali Provincial Government within the Ketewel Gianyar Village community.

During this community service initiative, the primary targets include the Bendega Management or Fishermen's Group, the Chairman of the Fishermen's Group, Fishermen's Group Members, as well as several krama wives of the Fishermen's Group and representatives of the local banjar (traditional community organization). The activities are

conducted through engaging discussions and thorough question-and-answer sessions, ensuring that the objectives of this endeavor are successfully accomplished.

The community service initiatives currently in progress have demonstrated significant benefits not only for the team responsible for their implementation, but also for the management and members of the Sari Baruna Fishermen Group in Banjar Khubur Ketewel Gianyar Village.

4. CONCLUSION

In conclusion, the Sari Baruna Banjar Khubur Fishermen Group in Ketewel Gianyar Village lacks a comprehensive understanding of Regional Regulation No. 11 of 2017, which focuses on the protection and preservation of Bendega. The community's minimal awareness stems from insufficient socialization efforts on Bendega protection and preservation. The Fishermen's Group serves as a key organization in Bendega-related matters, with its chairman disseminating information, addressing conflicts, and actively seeking data on Bendega protection and preservation.

Recommendations based on these findings include a more assertive role for the Gianyar Regency government in disseminating and enforcing Regional Regulation No. 11 of 2017 for Bendega protection. Additionally, empowering the Village Head or Bendesa to educate and create regulations (*Perarem* or *awig-awig*) regarding Bendega is advised. Broadening community service activities to increase socialization about Bendega regulations among various fishermen groups is crucial for enhanced awareness. Lastly, it is suggested that similar community service initiatives be extended to other villages in Bali to facilitate a comprehensive understanding and optimal implementation of Bendega protection and preservation efforts.

REFERENCES

Adonara, F. F. (2016). Implementasi Prinsip Negara Hukum Dalam Memberikan Perlindungan Hukum Terhadap Notaris. Perspektif, Volume XXI(No. 1), Edisi Januari 2016, Fakultas Hukum Universitas Jember.

Ahmad, S. (2002). Pemerintahan Desa/kelurahan. Depdagri, Jakarta.

Amanwinata, R. (1996). Pengaturan dan batas Implementasi Kemerdekaan Berserikat dan Berkumpul dalam Pasal 28 UUD 1945. Disertasi Fakultas Hukum Pasca Sarjana Universitas Padjadjaran, Bandung.

Atmasasmita, R. (Ed.). (n.d.). Teori Hukum Integraf Rekonstruksi Terhadap Teori Hukum Pembangunan dan Teori Hukum Progresif. Yogyakarta: Genta Publishing, Cet. Pertama.

Balipuspanews.com. (n.d.). Bendega, Lembaga Tradisional yang Belum Mendapatkan Perlindungan. https://www.balipuspanews.com/bendega-lembaga-tradisional-yang-belum-mendapatkan-perlindungan.html. Diakses pada tanggal 2 Juni 2021.

Bisnis Bali. (n.d.). Tak Maksimal, Implementasi Perda Bendega. http://bisnisbali.com/tak-maksimal-implementasi-perda-bendega. Diakses pada tanggal 2 Juni 2021.

Djindang, M. S. (1989). Pengantar Dalam Hukum Indonesia. Jakarta: Ichar Baru dan Sinar Harapan.

Fuady, M. (2009). Teori Negara Hukum Modern (Rechtstaat). Bandung: Refika Aditama.
Huda, N. (2015). Hukum Pemerintahan Desa. Malang: Setara Press.
Kusumaatmadja, M. (2012). Fungsi dan Perkembangan Hukum dalam Pembangunan Nasional. Bandung: Bina Cipta.
Mahmud, W. A. (2006). Perlindungan Hukum Bagi Wajib Pajak Dalam Penyelesaian Sengketa Pajak. Bandung: Refika Aditama, Cet ke 1.
Marzuki, P. M. (2012). Pengantar Ilmu Hukum. Jakarta: Kencana Prenadamedia Grpu.
Mertokusumo, S. (1996). Mengenal Hukum Suatu Pengantar. Yogyakarta: Liberty.
Ridwan, H. R. (2006). Hukum Administrasi Negara. Jakarta: Raja Grafindo Persada.

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