

# Bali Traditional Dance In The Holistic Approach Of Antropology Of Law

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**Abstract:** Pendet dance is a worship dance that is only performed in Hindu temples as a welcome greeting for the descent of worshiped gods / spirits descended from heaven to earth, and placed in temples to be given tribute. This study aims to analyze the pendet dance as part of the ritual the religious community of Bali, which contains historical, philosophical, religious, creative and educative values in looking at Balinese culture. This study used holistic approach that contains elements of religion, namely Hindu sacred dance namely Pendet which symbolizes the welcome of the descent of the gods in the world in religious procedures through traditional dances that are inherited from cultural hereditary. The results showed that the dance is a reflection of an effort to maintain harmony with the environment, as a sense of gratitude for the protection and blessings enjoyed by offering offerings and offerings of performing arts in each ceremony of Pendet dance as a traditional Balinese dance. This suggests to help preserve the culture of Balinese society are of magical value and to maintain religious elements in the framework of legal protection for traditional Balinese dance culture.

**Keywords:** Pendet, Balinese Traditional Dance, Holistic Approach to Legal Anthropology

## 1. INTRODUCTION

TRADITIONAL dance is one form of performing arts. Performing arts are works of art that involve individuals or groups at a particular place and time, which involves several elements, namely: time, space, gestures of artists (dancers) and spectators. Some traditional performances are an integral part of religious procedures or ceremonies. For this reason, in the research the researchers saw that there were religious elements here, so it would be very appropriate to analyze using the Holistic Anthropology of Law approach, whose object of research was traditional dance, especially pendet dance as a traditional Balinese dance that functionally built a national identity and national identity. which can be used as capital to deal with the penetration of global culture that is taking place so fast. So it can be concluded that pendet dance is a worship dance that is only exhibited in Hinduism temples as a welcome greeting for the descent to Earth. But after developing, this dance turns into a dance or a welcome dance and contains historical, philosophical, religious, creative and educational values making Pendet as a traditional Balinese dance intended as a legendary performance or folk performance, so that it can be understood as a dance sacred for hindhu religious events which must be preserved for the development of traditional culture.

## 2 FORMULATION OF THE PROBLEM

Based on the background above, the researcher formulated the problem as follows:

1. How can the values of local wisdom in Pendet dance as traditional Balinese dance be said to contain religious elements?
2. How can Pendet Dance get legal protection?

## 3 RESEARCH METHODS

This study uses socio-legal studies. The socio-legal study aims to gain knowledge about how the law relates to the

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community with the factors that influence the implementation of law in society, and generally carried out by conducting direct research in the field with the objective of gathering objective data with law not only seen as a norm from written and unwritten law, law is also seen as a social, cultural behavior.

## 4 BALINESE PEOPLE

The Balinese generally accept the local wisdom that exists in the community as a view of life that is supported by belief and religion / religion which is clearly reflected in pendet dance which is a symbol of Balinese traditional dance which is still well preserved (Pitana, 2010; Roth, 2014). Local wisdom is a truth that has been tradition or steady in an area. Local wisdom is a combination of the sacred values of God's word and various values. Local wisdom is formed as a cultural superiority of the local community as well as geographical conditions in a broad sense. Local wisdom is a product of the past culture that should be continuously taken into account in life. Although local wisdom comes from religious or religious values in general, besides the values that humans learn from nature. These values are accepted by the community and used as a view of life. Local wisdom can be concluded as a personality, a cultural identity of the community in the form of values, norms, ethics, beliefs, customs and special rules that have proven their ability so that they can persist in an embedded belief system that makes ceremonies performed as a obligation or obligation, if it is not implemented, the community believes that this can cause disaster for those who do not carry it out. The socio-cultural life of Balinese people is very closely related to the influence of Hinduism as local wisdom, explained that the religion of Hinduism developed in Bali. Balinese people know local gods such as water gods and mountain gods (Acri, 2011). Under the village, they also worship ancestral spirits and the forerunner to the ancestral homage is called Pitra Yadnya. At ceremonies, gods / spirits are worshiped handed down from heaven, swahloka nature, and placed in temples to be given offerings as a tribute. The culture and local wisdom of the people of Gianyar Bali make local culture as a means of developing Pancasila values which is an important factor in the development of a culture of citizenship / civil culture which consists of cultural values and local wisdom that are part of national identity, character and national culture. Cultural preservation demands the active role of institutions and village stakeholders who work together with

the community to defend cultural values and local wisdom.

## 5 RELIGIOUS THEORY

Taylor (2008) stated that religion is a belief in the beliefs possessed by every human being that makes them carry out their obligations of performing a ceremony for offerings in the form of offerings, dances to show their devotion to the Gods / rulers of nature, whom they believe have supernatural power. A religious rite / ceremony consists of a combination of one, two, or several forms of action, for example: praying, prostrating, offering, sacrificing, eating together, dancing and singing, processing, artsy holy drama, fasting, and meditating. In religious theory it is very relevant to explain the beginning that caused the formation of Pendet dance to be performed / performed as an offering ceremony. This is in accordance with what Taylor revealed, that to show his devotion to the Creator, humans feel obliged to do something, both related to behavior, actions to make offerings both offerings, and dances so that they get peace, protection from the Sang The Creator, whom they believe plays a part in all aspects of their lives. This is an effort to maintain harmony and balance their lives with the natural environment. For that they performed a ceremony offering to the ruler of nature as a gratitude for the protection and blessings that have been enjoyed by offering offerings accompanied by a presentation of performing arts at each Pendet dance ceremony as a traditional Balinese dance. As an element of culture, the emergence and development of Pendet Dance, can provide values: use can be used as an offering, function, this dance can function to preserve local culture and meaning (new meaning) cultural identity of the Regency community Gianyar Bali. Y. Sumandiyo Hadi (2006) in his book entitled Art in Religious Ritual mentions that most of the performing arts in Bali have relations with religious ritual ceremonies which are closely related to prayers, performances and offerings as the existence of Pendet Dance is displayed in the context of ceremonies in the Royal Temple as dance offerings to the Gods, so pendet dance is sacred by the local community. I Made Bandem and Frederick Eugene de Boer (1981) in a book entitled Kaja and Kelod Balinese Dance in Transition, mentions Pendet dance as a traditional Balinese dance is a sacred dance performed in conjunction with religious rituals, and sacred dances owned by the Gianyar district of Bali.

## 6 DEFINITION OF TRADITIONAL CULTURE EXPRESSIONS, TRADITIONAL DANCE, BALINESE COMMUNITIES

Traditional cultural expressions are part of the cultural life of the community as owners. Expressions of traditional culture already contain several values such as economics, spirituality and community. All of these values are respected by traditional society. Because of this, traditional cultural expressions can represent the identity of indigenous peoples in certain areas (Hadikusuma, 2010). Legal protection against traditional cultural expressions is needed by developing countries, because protection is considered as an action taken to ensure the survival of intangible cultural heritage and communal creativity. Therefore, legal protection of the community must be realized in the form of legal certainty based on Copyright Law 28 of 2014 concerning copyright, can protect traditional Indonesian arts and culture. Legal protection according to Satjipto Rahardjo is to protect one's interests by allocating a

power. The role of the Government in this matter is also felt to be unable to take full responsibility for the legal protection of traditional cultural expressions, so that people also do not understand the traditional cultural expressions, whereas for dance artists themselves want a publication and socialization of traditional cultural expressions in the arts, because they working on a dance, but there is still a violation by the party who is not entitled to the creation. The government can make a policy to provide convenience in the "One stop service" service for registration for the protection of a dance art especially pendet dance which is a traditional Balinese dance. In addition, the government must also make a Regional Regulation that can be used as a legal protection tool and the community also participates as community control.

## 7 TRADITIONAL BALINESE DANCE

The definition of traditional dance is a dance that grows and develops in certain areas and is inherited from generation to generation and is guided widely and rests on local customs. So that traditional dance can be interpreted as a dance that is found in Balinese society, especially Gianyar and becomes a cultural community and has magical value and helps preserve the traditional Balinese dance culture of Gianyar. Soedarsono, an expert, stated that dance is the expression of the human soul in beautiful and rhythmic movements. Soeryodiningrat, dance is the movement of members of the body in harmony with the sound of music or gamelan arranged by the rhythm in accordance with the intent and purpose. Bagong Sudito, dance is an art in the form of rhythmic movements which become a means of human expression. So the notion of traditional Balinese dance is a dance originating from the Balinese Society which has been passed down for generations and has become a Balinese culture especially Gianyar. Traditional dance itself in copyright is part of folklor. Folklor is seen as a creation unknown to its creator, because it appears in a communal society whose history is not clearly known by its creator under Article 60 and Article 38 of Law No.28 of 2014. In principle Pendet Dance as a traditional Balinese dance is a dance art as a result of human creativity, and one of the cultures of the Indonesian nation which basically also requires a legal protection as an intellectual property for artists (see, Roisah et al., 2017; Roisah, 2017). Intellectual property is said because the process of creating a dance, especially pendet dance, requires deep energy and thought and costs little, so it is only natural that a creator wants to be respected for the form / result of creativity and the need for legal protection for traditional dances. Copyright legal protection of cultural arts, especially traditional dances is not only done through law but with preservation and continuing to introduce pendet dance as a traditional dance to the wider community who visit Bali. Dance can be seen based on formal elements / formations (dance moves), space (distribution of archipelago dance, regional identity, customs, ceremonies, icons and identity) and based on time. Copyright Protection of Traditional Dance is stated in Article 38 paragraph (1) and (2) of Law No.28 of 2014 concerning Copyright which stated that copyright on expressions of traditional culture is held by the state (see also, Perlmutter, 2002; Macmillan, 2016; Aragon, & Leach, 2008). The state is obliged to inventory, maintain, and maintain traditional cultural expressions as referred to in paragraph (1). "In the explanation of the article, traditional cultural expressions, including in this case, are traditional dances, especially those which are the research object of the

researcher, Pendet as Traditional Dance Bali. Legal protection aims to guarantee the development of traditional Balinese dance in a competitive and sustainable manner without neglecting local wisdom, preventing the use of claims for dances performed by other parties without permission and the Balinese people can obtain economic and non-economic benefits appropriately.

## 8 CONCLUSION

In principle Pendet Dance as a traditional Balinese dance is a dance art as a result of human creativity, and one of the cultures of the Indonesian nation which basically also requires a legal protection as an intellectual property for artists. Intellectual property is said because the process of creating a dance, especially pendet dance, requires deep energy and thought and costs little, so it is only natural that a creator wants to be respected for the form / result of creativity and the need for legal protection for traditional dances. Legal protection of cultural arts, especially traditional dances is not only done through law but with preservation and continuing to introduce pendet dance as a traditional dance to the wider community who visit Bali. Dance can be seen based on formal elements / formations (dance moves), space (distribution of archipelago dance, regional identity, customs, ceremonies, icons and identity) and based on time.

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