



The Effectiveness of Customary Law to Prevent Sex Commodities in Tourism Industry in Bali

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Abstract. There have been a great number of research on tourism in Bali. However, research on preventing sex commodities in the tourism industry in the area has only been conducted this time. The novelty of this research lies in the use of customary law to prevent sex commodity-based tourism in Bali. It is recognized that the tourism industry in Bali is proven to be able to improve people's welfare. But on the other hand, it turns out that it also causes excesses that are very worrying, especially in the legal field of protecting children from trafficking crimes. Due to the massive but covert promotion of sex tourism, the phenomenon of sexual violence against children increases significantly in quantity and quality every year. The main root cause of this phenomenon is structural poverty which is difficult to eradicate. However, in terms of law enforcement in relation to sexual violence against children, the international community has begun to give high appreciation to the enforcement of customary law in Bali in the prevention of prostitution activities. The present research, which was carried out for six months, found the answers to three basic problems, namely: first, this research is directed to answer the problem of how to increase the understanding and legal awareness of the community regarding the consequences of sex tourism which seems to be allowed to happen massively in Bali despite being committed clandestinely; second, this research is directed to answer what efforts are made to develop local laws so as not to accommodate the existence of sex tourism in order to prevent sexual violence against children in Bali; and third, this research is focused on understanding the procedures for applying local laws in order to prevent sex tourism which has an impact on the occurrence of sexual violence against children in Bali. The type of research method used is empirical legal research with a problem approach model of document review, legislation review, field observations, involved participation, and interviews. The data analysis technique used to dissect the problem is qualitative analysis, and the presentation of data is systematic description.

Keywords: Effectiveness · Customary law · to prevent · Sex tourism industry

1 Introduction

In the world of tourism there is a kind of slogan or issue that is deliberately raised and developed by tourism actors because it is proven by this issue that many tourists are interested in visiting a particular tourism destination many times. The slogan in question

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is “tourism and sex”. This issue was deliberately blown so that it became a “sex tourism” slogan that was developed surreptitiously. Essentially, normatively sex tourism in Bali is not legalized at all [1]. Nevertheless, despite being prohibited by the local government and the Balinese people, it turns out that sex tourism activities have always existed and have actually stimulated the tourism industry [2]. Almost every mass media, both newspapers, YouTube, magazines, and television provide a real picture of people’s lives, especially in relation to prostitution with all its matters. Various strategic actions and steps have been taken by the government in dealing with this problem, both by taking persuasive actions through social institutions to using repressive measures in the form of prosecution for those who are involved in the prostitution sector. Unfortunately, the reality is that prostitution cannot be eliminated and in fact there is a tendency to increase from time to time [3].

The problem is even more complicated when prostitution is considered as an economic commodity which is clearly prohibited by law but is still carried out by some people to bring in very lucrative financial benefits in the name of welfare. Prostitution has been changed and turned into a part of a business that is continuously developed as the most profitable economic commodity, considering that prostitution is a commodity that will not be used up. The issue of prostitution has long been a polemic.

If left unchecked, the phenomenon of sex tourism will become increasingly out of control. There is an idea to be localized in an area but it raises the pros and cons that are prolonged [5]. For those who are pro, it relates to the economic rights of prostitution business actors. However, those who are contra consider localization as a form of legalization of illicit business which is contrary to the morality aspect of society.

Localization is only one of several policies implemented by the government to reduce the number of commercial sex workers, because that is the only indicator used to measure the development of prostitution in an area; one of them is by regularly recording the number of Commercial Sex Workers. If it is localized, from regulatory considerations this kind of policy has shown that there is a difference in the government’s treatment of those who play in the prostitution business. Businesses with women’s commodities will develop and be difficult to control even though it is easy to bring in tourists from foreign and domestic countries [4].

Therefore, it is not surprising that there are several countries that legalize sex-based tourism, such as Thailand, Japan, the Netherlands, France and others. In Indonesia, including Bali, tourism relying on sexual commodities is completely unacceptable. Society rejects it in the name of religion, morality, values, laws, and other bad consequences. In Indonesia, prostitutes as perpetrators of prostitution are often referred to as “harlots”. It is a very despicable, disgusting and shameful predicate. This shows that the behavior of prostitutes is truly abominable, despicable and an enemy of society. They are often made naked when caught by law enforcement officers. They are evicted for violating the sanctity of religion and they are also brought to court for violating the law. Prostitution has been encountered in society since centuries [6]. This is evidenced by the large number of manuscript records on the temple walls scattered around the ancient temple site. Society and culture are basically a big impression of a dynamic shared life between human individuals. Both are instruments that influence each other. Humans with society give birth to culture and culture forms humans or society.

Modern society which is complex and a product of technological progress, industrialization as well urbanization, gives rise to many social and environmental problems that are difficult to solve, one of them is prostitution itself. Especially in Bali, the community firmly rejects sex tourism because of course the tourism industry developed by Bali is tourism based on culture and natural beauty [8]. In spite of being prohibited, in fact tourism activities in Bali cannot be separated from sex commodities with all the consequences that are alarming and abominable, especially for the younger generation and children.

Because one of the nation's problems in enforcing decency criminal law in general is the issue of human rights violations, it is then well understood that law is only one solution out of the many ways to resolve decency criminal problems in society. Indeed, law enforcement is also realized to be a solution without causing new phenomena that will be faced by the community. One form of deviation that the present researcher wants to examine in this study is the increasing number of immoral criminal acts or what is often referred to as the form of prostitution, which is often refined by the term Commercial Sex Worker.

1.1 Problems

There are three problems to be answered through this research, namely:

- a. In the first stage, the research is directed to answer the question of whether customary law can be manipulated in preventing and dealing with sex tourism commodities in Bali.
- b. In the second stage, the research is directed to answer how to develop customary law so that it can be used as an instrument to counteract the sex tourism community in Bali.
- c. In the third stage, the research is directed at trying to understand the procedures for applying customary law so that the legal awareness of tourists and the public increases in an effort to prevent sex tourism commodities in Bali.

1.1.1 Theoretical Basis

In an effort to answer the problems raised in this study, the analysis is carried out using two legal theories, namely:

- a. Law as a Tool of Social Engineering

This theory is a theory put forward by Roscoe Pound, which means law as a tool of renewal in society. In this term, the law is expected to play a role in changing social values in society. In this case, the behavior of people who tend to be permissive towards the existence of sex commodities to attract tourists to visit Bali can be changed and controlled by customary law that applies in Balinese society [7].

Changing the legal behavior of the community is indeed arduous, it takes a very long time and a great amount of sacrifice. In general, permissive people are less concerned with the phenomenon of commodification of the female body as an attraction to increase

tourist visits to Bali. However, with the issuance of rules and regulations including in the form of local law, the community is forced to follow and comply with the rules and regulations in question.

b. Tourism Theory

From the tourism theory perspective, every person who is physically and mentally healthy is certain to always have an inquisitive nature and attitude. This instinct of human curiosity triggers the birth of a tourism industry which is very complex and capital intensive and labor intensive, thus having an impact on the level of people's welfare [9]. The principle is "better to see once than hear a thousand times". It is from this principle that the tourism industry develops in order to fulfill the senses and desires of human curiosity.

This theory of tourism emerged after tourism had been managed as an industry that required professional business management. Regarding the notion of tourism and tourists first appeared in France at the end of the 17th century. In 1972, Maurice published the manual "The True Guide for Foreigners Traveling in France to Appreciate its Banalities, Learn the language and take exercises". In this book mentioned there are two trips—Grand Tour and Petit Tour. In this context, tourism is understood as the activity of one or more people who go out of their homes to have fun, then return to their homes after having fun [10].

2 Research Method

This research uses both normative legal research and empirical legal research. This means that the method is a mixed research method. This is done for the sake of more accurate legal materials and data obtained for reporting. In general, normative legal research examines:

- a) legal principles,
- b) legal history,
- c) void of norms,
- d) conflict of norms,
- e) legal principles, and
- f) obscurity of norms.

While empirical legal research is legal research that is oriented to data obtained in the community in the form of community legal behavior. In this case, what is being investigated is whether people's behavior tends to violate the law or vice versa, obey the law. Data were collected through observation and interviews with competent informants. In empirical legal research, the researcher is understood as the key instrument, meaning that everything is determined by the researchers him/herself. Starting from the theme, research location, resource persons to all analyses are performed by the researchers him/herself.

3 Results and Discussion

3.1 Government Efforts to Deal with Prostitution in Tourism

Prostitution is not just a matter of buying and selling services to satisfy sexual libido, but also of trafficking in women who are made into sex slaves. With the enactment of Law Number 21 of 2007 concerning the Eradication of the Crime of Trafficking in Persons (Indonesian government abbreviates it as UU PTPPO), it is hoped that the handling of the occurrence of trafficking in persons will improve. The government has tried in various ways to deal with the impact of the problems caused by the prostitution business, especially trafficking in persons, either through outreach activities, seminars, job training and the last is by issuing regulations in the form of Law Number 21 of 2007 concerning the Eradication of Trafficking in Persons.

The prostitution business is increasingly modern, and even the buying and selling of sex services is now also present in cyberspace, where the perpetrators are very difficult to detect and investigate, considering the tricks that are being run are neatly arranged. Although the government has issued Law Number 11 of 2008 which has been updated to Law Number 19 of 2016 concerning Information and Electronic Transactions (by Indonesian government it is abbreviated from its Indonesian term Undang-Undang Informasi dan Transaksi Elektronik as UU ITE), it still cannot eliminate the online sex business. The ITE Law, which will be renewed again, is actually quite effective, at least we already have rules and regulations that prohibit pornographic contents.

Implementation of the rules and regulations having been made has not been effective as expected. Apart from that, there are sanctions whose main purpose is the restoration of conditions such as the situation before the violation of the rules that might cause turmoil in society. The method with such a sanction is a restitutive legal method with a reduction in the criminal element contained in it.

These legal rules are then associated with forms of solidarity that characterize certain societies. Thus, the types of legal rules are the result of certain forms of solidarity, which include the following:

- 1) Mechanical solidarity regulated by local law, mainly found in simple communities whose social and cultural structures are still relatively homogeneous. In this form, the community members depend on the group and the integrity of the community is guaranteed by human relations because of a common goal.
- 2) Organic solidarity regulated by positive national law, marked by, among other things, the division of labor in society which is usually found in societies whose social and cultural structures are complex and heterogeneous. In this case, the restoration of the position of a person who has been harmed is a priority.

In this case, the main objective of law enforcement is to provide as many conditions as possible for the law to apply efficiently. In a certain society there is a social phenomenon whose scope includes, among others, the following:

- 1) The social structure which is the entire fabric of the main social elements includes:
 - Social groups,

- Culture,
 - Social institutions,
 - Stratification,
 - Power and authority.
- 2) Social process which includes the reciprocal influence between various fields of life which includes social interaction, social change, social problems. The development of social phenomena that live in society departs from a traditional law called customary law. If customary law is identified with traditional law, the identification is mainly carried out empirically or by inductive methods. If the starting point is that there is a recorded law, the test is also carried out empirically. Van Vollenhoven and Ter Haar directly or indirectly acknowledge this. Briefly, regarding the theory of customary law, the following points can be highlighted by that the development of customary law science and customary law research (both normative and empirical) paved the way for the growth or development of a sociological legal theory.

3.2 The Empowerment of Customary Sanctions in Preventing Sex Tourism

a. The Phenomenon of Sex Tourism in Bali

Even though it is considered the Last Island of Paradise or the Island of a Thousand Temples, in Bali, in reality, there are a lot of tourism activities that are wrapped in prostitution activities. Bali tourism based on culture, customs, and natural beauty is indeed well implemented, but it is still accompanied by the practice of sex tourism by offering young women commodities to tourists, both domestic and foreign tourists. Indeed, there is a kind of jargon or slogan that is “If there are no sexual commodities, tourism will become less attractive thus making tourist destinations deserted for visitors”. From there the jargon or slogan “sex tourism” became popular.

This term is indeed very concerning, but in fact it is so. Therefore, even though this fact is pathetic, it still has to be revealed and reported to the public as a form of self-criticism, so that there is a collective sense of calling to try to find ways to overcome and prevent this kind of practice. This is very important because the consequences are worsening for the development of the younger generation and society in the future. The description below will provide an illustration of how rampant sex tourism is in Bali which must be tackled together in various ways, including by using the instrument of local wisdom of Balinese customary law which has been proven to be very firm and obeyed by the community.

b. Consequences of Prostitution for the Young Generation and Society

Even though the Bali Provincial Command, which is also followed by the local government and municipal government throughout the Bali region, has consistently declared themselves as tourism administrators based on the uniqueness of the community’s arts and culture and natural beauty, in fact there are many prostitution activities in the cities of Denpasar, Kuta, Yeh Sanih, Lovina, and other cities throughout Bali in general. One indication is that there are many managers of prostitution activities who have been brought to court to be held accountable for their actions.

The case example below is an indication of tourism in Bali, especially in Denpasar City which is still colored by the phenomenon of prostitution-based tourism involving minors.

These are Ni Komang Suci (49) and Ni Wayan Aristiani, fondly called Mami Wayan (51), who underwent their first trial at the Denpasar District Court on Monday (20/5/2019). The two middle-aged women were sitting in the hospital chair because they were suspected of having acted as pimps who run a prostitution business involving minors. The two of them underwent an indictment trial (separate file) by the Public Prosecutor Purwanti Murtiasih. It was revealed in the prosecutor's indictment that in running their business, Komang Suci and Wayan Aristiani played their respective roles.

Disguised as a user, the police uncovered online prostitution costing millions of rupiah in which Komang Suci acted as a distributor of commercial sex workers to run at Wayan Aristiani's place, on Jalan Sekar Waru No. 3B Denpasar which has been well-known as Aqurium 3B.

Furthermore, Komang Suci contacted Wayan Aristiani to leave the victims in Aqurium 3B. Wayan Aristiani also agreed to Komang Suci's request on the condition that there should be no girls who are underage or under the age of 18. In addition, the two also agreed on tariffs; each customer has to pay 200,000 IDR per hour. Approximately 105,000 IDR would be given to Komang Suci. The police also uncovered online prostitution in Kediri, Arrest in Room 306 to secure pillowcases. Of the total fees submitted, the victim received 80,000 IDR per person. The rest, 25,000 IDR, was handed over to Komang Suci.

In this study, the concept of Martiningsih (2007) is used, which is about women's perceptions on prostitution. Although in this concept a woman's point of view is used to see perceptions of prostitution, this concept is considered relevant and adequate to examine the problems in this study. Broadly speaking, women's perceptions of the development of prostitution are classified into two, namely negative and positive perceptions.

Respondents who are categorized as having negative perceptions can be indicated by several variables such as the following:

Positive Perception Category:

- 1) Prostitution is a reasonable act;
- 2) The existence of prostitution makes the image of a tourist destination better;
- 3) Prostitution is a necessity for tourists while in tourist destinations;
- 4) Prostitution increases the length of stay of tourists in tourist destinations;
- 5) The existence of prostitution is a reason for tourists to travel to a tourist destination;
- 6) Prostitution needs to be localized;
- 7) Prostitution can increase the country's foreign exchange;
- 8) Prostitution opens new business opportunities for entrepreneurs;
- 9) In the end, prostitution is a problem that cannot be eliminated; and
- 10) Online prostitution is the best solution.

Negative Perception Category:

- (1) Prostitution disturbs the peace of tourists in a tourist destination;
- (2) Prostitution reduces the comfort of tourists when traveling;

- (3) Prostitution is synonymous with infectious diseases (HIV/AIDS), thus making tourists reluctant to engage in prostitution activities; and
 - (4) Prostitution reduces the moral value of the local community.
- c. The Number of People with HIV/Aids in Bali Increases Due to Prostitution

Patients with HIV/AIDS in Bali continues to grow. In fact, for the January-March 2022 period alone, the number of sufferers has increased to 153 sufferers. Of that number, 63 have entered the AIDS stage. Since the Covid-19 pandemic hit Bali, it turns out that many people with HIV/AIDS are lazy to seek treatment. This also has an impact on the high number of deaths for sufferers. This is certainly worrying. A number of tools such as TCM machines are now being intensified to speed up the case finding process. The hope is that the mortality rate for people living with HIV can be reduced with faster treatment measures.

For 2022, from January to March, 153 people have been found, consisting of 63 people in the AIDS stage and 90 people in the HIV stage. After the decline in positive cases of Covid-19 in Bali, attention to people with HIV/AIDS has returned to growth and treatment for patients with HIV has returned to normal.

3.3 Sustainable Tourism and Sex Commodity-Based Tourism

Sustainable tourism covers all industry segments with guidelines and criteria aimed at reducing environmental impacts, especially the use of non-renewable resources. Sustainable tourism uses measurable standards, and is aimed at increasing tourism's contribution to sustainable development and preservation of the environment. From this it can be concluded that ecotourism is a tourism activity that seeks to minimize the negative impact on tourism activities, while sustainable tourism is a complex, sustainable and standardized system. Sustainable tourism minimizes the impact on the environment by using clear standards, one of which is the standard of carrying capacity of a tourist destination, and increasing its contribution to regional development by applying the principles of sustainable development.

3.4 The Relationship Between Tourism and Sex

Tourism in Indonesia has an important meaning because it increases tourist visits, especially from abroad, which can contribute to state income in the form of foreign exchange. The number of foreign tourist trips in Indonesia in 2004 grew by 19.1% compared to 2003, while foreign exchange receipts reached US\$ 4.798 billion, an increase of 18.8% from revenues in 2003 which amounted to US\$ 4.037 billion. Based on records from the Central Bureau of Statistics, the number of foreign tourists to Indonesia in 2005 was 5,007 million or decreased by 5.90%. Foreign exchange earnings were estimated to reach US\$ 4.526 billion or a decrease of 5.66% compared to 2004. However, the number of domestic tourist trips continues to show significant growth. In 2005, it is estimated that there will be an increase with 206.8 million trips with a total of 109.9 million tourists and an expenditure of 86.6 trillion IDR. The entire data above reflect the ability of domestic tourism to increase state revenues, both in the form of foreign exchange and domestic currency.

Sex tourism is a travel activity with the aim of engaging in sexual activity primarily with prostitution. Utilizing sex as a tourist attraction, which is believed to be cheaper and more efficient than other tourist attractions, has become a social phenomenon in society.

There is no time information that can explain when Sex Tourism first appeared in the world until now. However, its existence was known to the public before the term tourism had been invented. Changes that occur in the world shape Sex Tourism in different ways, so the scope of Sex Tourism is not limited but is broad. The existence of Sex Tourism has never faded since the past, considering that it has become a social phenomenon inherent in the activities of people who like to travel from one place to another.

Initially, the development of Sex Tourism was known as prostitution. This has happened at the time of the heyday of the Roman Empire at that time, where female figures were used as sexual servants of the nobles. The women were known to come from brothels scattered throughout the area. There was no rejection and prohibition for this activity, even these women felt honored if they could serve the nobles at the time of the Roman Empire.

Subsequently, this development was expanded with a traveler who came from Venice, namely Marco Polo, who traveled far to China. There the village women provided sexual services to every traveler who came to buy a trinket they were selling. Therefore, Sex Tourism becomes broad in meaning when a traveler goes from one place to another just to do a leisure activity.

3.5 Efektivitas Hukum Adat Sebagai Instrument Menangkal Pariwisata Seks

It is not easy to measure and assess whether customary law, especially in Bali, is effective or efficient in preventing sex tourism in the area. Based on the results of this study, in a village in the District of Melaya, Jembrana Regency, sex tourism activities were successfully and effectively eradicated.

However, in several villages in Buleleng Regency, tourism activities based on sex commodities still exist today. Indeed, in order to use customary law to deal with sex commodities for tourism, several strategic steps must be taken, such as:

1) Edukasi Masyarakat

Local law in this case refers to the Balinese Customary Law that applies and is supported by the Balinese people. For this empirical form of law can be divided into written law and unwritten law. Especially for Bali, in the context of codifying unwritten customary law, the Bali Regional Regulation Number 4 of 2019 concerning Traditional Villages in Bali was issued.

In the provisions of the Bali Regional Regulation Number 4 of 2019 concerning Traditional Villages in Bali, there is a provision regarding awig-awig which is the basic law for customary law communities or karma of the traditional village of Bali. Considering that awig-awig only regulates basic matters, it is necessary to implement provisions for awig-awig called perarem. Perarem is divided into three parts, namely:

1) perarem Penyahcah,

- 2) perarem Pengele, and
- 3) perarem pemutus wicara.

Regarding the technique of empowering customary law to prevent sex tourism in Bali, there are three steps that must be taken, namely:

- 1) Disseminating the contents of the regulations to the community
 - 2) Always improve the content of the perarem according to the problem
 - 3) Strict actions are taken by the Traditional Village Institution if there are indications of violations committed by the community or by tourists.
- 2) Issuing New Regulations

Social problems related to prostitution continue to grow from various cities, as well as Denpasar City as a metropolitan city. There is a place for prostitution in one area of Denpasar, namely Belanjong Sanur. The implementation of Denpasar City Regulation Number 1 of 2015 concerning Public Order is highly expected. There is a Denpasar City Regional Regulation Number 1 of 2015 concerning Public Order (abbreviated as PERDA No. 1 of 2015). Provisions of Article 39 of the PERDA No. 1 of 2015 regulate the prohibition of committing acts of prostitution. Based on this, research has been conducted to examine the implementation of the Denpasar City Regional Regulation (PERDA) Number 1 of 2015 concerning Public Order in the Belanjong Sanur area and to analyze what efforts have been made by the Denpasar City Government to eradicate prostitution in the Belanjong Sanur area. It was found that the efforts made by the Denpasar City Government in eradicating prostitution in the Belanjong Sanur area, in general, were efforts to overcome prostitution in two ways, namely preventive efforts and repressive actions. Preventively, the government conducts socialization and counseling.

3.6 Applying Strict and Consistent Customary Sanctions

In the Denpasar Regional Regulation No. 1 of 2015 which regulates Order on the Road as mentioned above, there are several sanctions that are applied as follows:

“The enforcement of sanctions carried out by Denpasar City Officials shall be guided by the provisions in Article 39 and Article 58 paragraph (2) of the Regional Regulation of Denpasar City Number 1 of 2015 concerning Public Order, which stipulates a maximum imprisonment of 6 (six) months and a fine a maximum of 50,000,000 IDR (fifty million rupiah)”.

Because most of these cases are minor crimes, in their decision, the Judge decided on a penalty in the form of a fine. This is due to seeing the human side, how these prostitutes actually make a living for themselves, and sometimes for their families as well.

As for some of the efforts made to tackle the practice of prostitution repressively in the Denpasar area, include: “That the village cannot enforce repressive against the practice of prostitution because the village does not have the authority to do so. The authorities are the Denpasar City Apparatus Agency and the police. There was once an arrest from the police at the location of prostitution against a pimp who offered prostitutes who were underage, around the end of 2019. The pimp has been tried and is still being sentenced to prison until now.”

3.7 Mechanisms for Implementing Customary Sanctions to Prevent Sex Tourism Commodities

Regarding the mechanism for the imposition of special customary sanctions in cases of decency with customary nuances in Bali, every traditional village in Bali does not have the same form and method. The application of customary sanctions in this context is highly dependent on the decision of the deliberation of prajuru adat or local traditional village administrator.

However, in general, the imposition of customary sanctions is carried out through several stages as follows:

- 1) There is a real action against customary decency (actus serious).
- 2) There is a reaction from the community.
- 3) Indigenous soldiers conduct deliberation.
- 4) Decision is taken.

In Bali, there are various types of customary sanctions that can be imposed on those who have been proven to have violated customary offenses. In other words, customary sanctions can also be imposed on those who are involved in committing moral offenses such as engaging in prostitution activities, either as perpetrators, as liaisons, or for those who provide places. The traditional sanctions referred to include the following:

1. Holding a cleansing ceremony (pemarisudan, prayascita, etc.).
2. Fines (dedosan), an amount of money imposed on someone who violates a provision (awig-awig) in the banjar/village
3. Apologizing (mengaksama or mapilaku, lumaku, mengolas-olas)
4. For the priest class there is a type of sanction called “metirta Gemana or metirta yatra”
5. Discarded (maselong), this is a type of customary sanction that was often obtained in the days of the ancient Balinese kingdom, such as being expelled from outside the kingdom and sometimes even outside Bali
6. Drowning into the sea (merarung, mapulang ke pasih)
7. Meblagbag (tied up)
8. Expelled (ketundung)
9. Kerampag
10. Kenorayang
11. Excluded or not spoken to (kesepe kang)

The various types of customary sanctions above in practice are not all still valid in Bali, some are no longer popular and have never been enforced and implemented again in Bali. Traditional sanctions that are still often applied in Bali are:

- 1) Sanctions of fines
- 2) Sanctions of being not served by the Prajuru of the Traditional Village, and
- 3) The sanction of kepepe kang or being ostracized.

In general, people in Bali are very obedient to these customary sanctions. Although in practice in traditional villages in Bali, *prajuru* and their communities tend to be less concerned about the phenomenon of the prostitution industry in their area. For example, there are several villages in North Bali where the practice of prostitution that has existed since the 1970s in these areas until now still exists without getting attention and warning from the local Traditional Village *prajuru*.

It is not easy to track, detect and prove the practice of prostitution. Because in reality the practice is packaged in the form of a cafe or coffee shop. In fact, what seems even more elite is that it is packaged in a beauty salon business, but actually carries out a covert prostitution practice. The transactions are carried out in cafes or coffee shops and salons, after they make a deal, this cheating couple carries out their sexual activities in inns or hotels which are very large in number and quality in the Lovina area and Sanih Village, Kubuaddan Subdistrict, Buleleng.

3.8 Local Wisdom Base in the Form of Imposition of Customary Sanctions for Sex Tourism Crimes

Local wisdom is the noble values that apply in the life of the community to protect and manage the environment in a sustainable manner. Local wisdom is a view of life and knowledge, as well as various life strategies in the form of activities carried out by local communities in responding to various problems in meeting their needs. Etymologically, local wisdom consists of two words, namely local and wisdom. Other names for local wisdom include local knowledge and local genius.

Local wisdom is the potential that lives in villages that can be used to maintain life so that people can live regularly.

4 Conclusions

There are several conclusions that can be formulated in order to prevent sex-based tourism or prostitution, including the following:

- Utilization of customary law as an instrument to prevent sex commodities for tourism in Bali is quite effective. The indication is that the understanding and legal awareness of the community is increasing; it is proven that they react when there are prostitution activities in the Traditional Village Area. The reaction in question is to give a warning to the owner of the house or hotel and report it to the *prajuru* or the traditional village administrator.
- The capability of Balinese customary laws to prevent and control sex commodities for tourism in Bali can be affirmed and can be relied on. The indication is that community leaders have begun to impose customary sanctions on perpetrators of law violations regarding prostitution in developing tourism.
- The procedure for applying customary sanctions begins with the reaction of the indigenous peoples, the recipients of the complaints, conducting an investigation, and imposing customary sanctions in the form of payment for *dedosan*, which is often followed by the closure of the said prostitution area.

5 Recommendation

To the government:

The government should be more sensitive to social phenomena that occur in the community, so if something goes wrong it can be handled quickly, not waiting for a long time until the problems that are happening are already growing, then only resolved after everything has become more complex.

To the Young Generation:

It is highly recommended that from now on the younger generation will participate together in maintaining the good name of Bali by not getting involved in the dark world of prostitution. Keeping the good name of Bali also means taking care of yourself, and taking care of your family for a better future.

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