

An Overview of the Tri Wangsa Titles According to the *Raad Van Kerta* in the Socio-Religious Life of Balinese Indigenous Communities

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Abstract

This study examines the institutionalization of Tri Wangsa noble titles in Balinese customary law through the rulings of the Raad van Kerta during the Dutch colonial period. Employing a normative legal approach combined with historical and conceptual analysis, the research draws upon primary sources, including Panetje (1986), Kern (1932), and colonial legal archives, alongside secondary literature on customary law, legal anthropology, and colonial studies. The findings demonstrate that the Dutch restructured Bali's caste system into a rigid social hierarchy, positioning the Tri Wangsa (Brahmana, Ksatriya, and Wesya) above the Sudra. Noble titles such as Ida Bagus, Cokorda, and Anak Agung were not merely genealogical markers but instruments of social legitimacy and religious authority. Although the Raad van Kerta was abolished in 1952, the Tri Wangsa system persists as living law within Balinese society, creating both cultural continuity and legal challenges. In the contemporary context, the system's formal juridical relevance has diminished; however, it continues to function as cultural heritage that reflects Balinese identity. The study concludes that reinterpretation of Tri Wangsa is necessary to emphasize its cultural and spiritual values while ensuring compatibility with Indonesia's constitutional principle of equality before the law.

Keywords:

Balinese Customary Law, Raad Van Kerta, Tri Wangsa, Noble Titles, Dutch colonialism, Living Law

Introduction

Customary law represents one of the fundamental pillars of Indonesia's national legal system. Article 18B paragraph (2) of the 1945 Constitution of the Republic of Indonesia affirms that the state acknowledges and respects customary law communities along with their traditional rights, insofar as these traditions remain alive and relevant (Republic of Indonesia, 1945/2002). In the Balinese context, customary law not only regulates social relations but also incorporates a strong religious dimension that is deeply connected to the Hindu belief system (Bagus, 2019). For Balinese communities, law is understood not merely as an external regulatory framework but as an embodiment of *dharma*, a moral order that integrates the sacred and the secular (Picard, 2004).

One significant feature of Balinese customary law is the noble title system known as *Tri Wangsa*—Brahmana, Ksatriya, and Wesya. This system differentiates social groups based on religious and political roles. The Brahmana are associated with spiritual leadership, the Ksatriya with political and military authority, and the Wesya with trade and administrative functions (Geertz, 1980). Beyond these roles, the system has historically provided social legitimacy and identity while also serving as a source of conflict, particularly in matters such as marriage, inheritance, and religious leadership (Wiener, 1995).

The institutionalization of *Tri Wangsa* can not be separated from Dutch colonial intervention in the early twentieth century. Through the establishment of the *Raad van Kerta*, a customary court under colonial

supervision, the Dutch administration sought to regulate Balinese society by codifying and reshaping traditional norms (Kern, 1917/1978). While ostensibly intended to preserve Balinese culture, this institution served to reinforce social stratification by elevating the *Tri Wangsa* above the *Sudra*. In doing so, colonial law functioned not only as a tool of governance but also as an instrument of ideological control (Schulte Nordholt, 1991).

Although the *Raad Van Kerta* was dissolved following Indonesian independence and replaced by state courts, its legal and cultural legacy remains. Elements of the rulings, as well as the hierarchical worldview they endorsed, continue to influence Balinese society (Panetje, 1960). The persistence of *Tri Wangsa* titles has raised contemporary legal debates, particularly regarding the reconciliation of traditional social hierarchies with constitutional principles of equality before the law (Bedner & Van Huis, 2008). On one hand, *Tri Wangsa* is celebrated as cultural heritage and a marker of Balinese identity; on the other, it is criticized for perpetuating inequalities inconsistent with democratic and human rights values (Davidson & Henley, 2007).

At the same time, the *Tri Wangsa* titles continue to hold ritual significance in Balinese Hinduism, functioning as both instruments of spiritual authority and markers of social prestige. This duality illustrates how customary law intersects with power, identity, and religious practice in ways that transcend purely legal considerations. Consequently, a critical re-examination of *Tri Wangsa* within the framework of Balinese customary law, particularly as institutionalized in *Raad van Kerta* rulings, is necessary. This study employs a normative legal approach combined with historical analysis to explore the colonial construction of *Tri Wangsa*, its juridical formalization, and its enduring socio-religious implications in contemporary Bali.

Research Method

This study employs a normative legal research design that integrates historical and conceptual approaches. A normative legal approach is used to examine the substance of legal norms and their role within Balinese customary law (Soekanto, 1986; Marzuki, 2017). The historical approach situates these norms within the broader socio-political dynamics of Dutch colonial governance, thereby highlighting the interaction between law, colonial policy, and social stratification (Creswell & Poth, 2018). In addition, the conceptual approach is applied to clarify the meaning, scope, and function of *Tri Wangsa* titles within the socio-religious structure of Balinese society (Bodenheimer, 1962). Together, these approaches provide a comprehensive framework for analyzing the legal, historical, and cultural significance of *Tri Wangsa* as institutionalized through the *Raad Van Kerta*.

The primary legal materials consisted of Gde Panetje's work on Balinese customary law (Panetje, 1986), Kern's records of colonial legal practices (Kern, 1932), and legal archives of the Dutch East Indies concerning the *Raad Van Kerta*. These sources offered direct insight into the codification and institutionalization of *Tri Wangsa* within colonial legal structures. Secondary legal materials included literature on Balinese customary law, legal anthropology, and colonial law studies (e.g., Geertz, 1980; Schulte Nordholt, 1991; Wiener, 1995), which were used to interpret, support, and critically assess the primary data.

Data are analyzed using a qualitative descriptive method. Legal materials interpreted in light of their social and historical contexts, with particular emphasis on the interaction between colonial governance and Balinese customary law. This approach made it possible to identify both the juridical significance of *Tri Wangsa* titles and their continuing socio-religious implications for Balinese Hindu society.

Results and Discussion

Social Reconstruction through the *Raad Van Kerta*

The *Raad van Kerta* was a customary court established by the Dutch colonial administration in the early 20th century and was active particularly between the 1930s and 1952. Its establishment was closely tied to the colonial government's political agenda of exercising social control over Balinese society. Through this institution, the Dutch restructured the caste system, transforming what had traditionally been a religious and spiritual hierarchy into a formalized social order. This codification reinforced a rigid separation between the *Tri Wangsa*—Brahmana, Ksatriya, and Wesya—and the *Sudra* (Panetje, 1986).

This demonstrates that Balinese customary law, like customary law in general, did not operate in isolation but was heavily influenced by colonial intervention. The rulings of the *Raad Van Kerta* frequently served as references for resolving customary disputes, particularly those concerning noble titles, land ownership, and rights to traditional offices. In this sense, colonialism successfully enacted a form of hidden codification over Balinese customary norms that had previously been unwritten.

Tri Wangsa Titles and Socio-Religious Implications

In practice, *Tri Wangsa* titles played a significant role in consolidating social status within Balinese society. Titles such as *Ida Bagus*, *Ida Ayu*, *Cokorda*, *Anak Agung*, or *I Gusti* were not merely genealogical markers but also symbols of social legitimacy in both customary and religious life. For example, spiritual authority was often associated with the Brahmana, while positions of political leadership, such as rulers (*raja* or *zelfbestuurder*), were more closely tied to the Ksatriya (Kern, 1932).

Nonetheless, this system was not without problems. Disputes over titles or claims to noble status frequently led to horizontal conflicts within the community. A change in title could trigger disputes, as noble status carried implications not only for personal identity but also for family honor and spiritual legitimacy. At the same time, in the socio-religious context, *Tri Wangsa* titles were instrumental in maintaining ritual harmony in Balinese Hinduism, determining who was entitled to lead ceremonies, who was to be served, and how social structures were organized within temples (*pura*) and village councils (*banjar*). Although the system carried the potential for discrimination, it was also perceived as a pillar of harmony (*tat twam asi*) in the Balinese Hindu worldview.

Relevance to the National Legal System

Following the abolition of the *Raad Van Kerta* in 1952 and the integration of state courts into Indonesia's judiciary system, the formal legal status of *Tri Wangsa* ceased to exist within positive law. Nevertheless, the system has endured sociologically as a form of *living law* (*living customary law*) that continues to influence social interactions in Balinese communities. This endurance underscores the resilience of customary law traditions, even in the absence of formal state recognition (Soepomo, 1947/2003; Hooker, 1978).

In the context of modern Indonesian law, the *Tri Wangsa* system presents a dual character. On the one hand, it is widely recognized as part of Bali's intangible cultural heritage, shaping religious rituals, social identities, and local governance. This aligns with the constitutional recognition of customary law communities under Article 18B (2) of the 1945 Constitution, which affirms state respect for traditional rights insofar as they remain viable (Butt & Lindsey, 2018). On the other hand, the hierarchical elements of *Tri Wangsa* risk conflicting with the principle of equality before the law, as guaranteed in Article 27(1) of the 1945 Constitution. This tension reflects the broader challenge of legal pluralism in Indonesia, where customary, religious, and state legal systems intersect and sometimes clash (Bedner & van Huis, 2008).

From a socio-legal perspective, the continued recognition of *Tri Wangsa* functions less as a rigid instrument of stratification and more as a cultural symbol of historical significance. Recent scholarship suggests that Balinese society increasingly negotiates caste-based identities in flexible ways, treating titles as markers of tradition rather than binding legal obligations (Sihombing, 2022; Segara & Kuckreja, 2024). At the same time, local adat councils (*desa adat* or *pakraman*) continue to use *Tri Wangsa* categories in ritual contexts, particularly in temple ceremonies, which demonstrates the persistence of its religious dimension (Creese, 2016).

Findings

Based on the historical and normative analysis, several key findings emerge regarding the position of *Tri Wangsa* in Balinese customary law.

First, *Tri Wangsa* in Balinese customary law represents a colonial construction institutionalized through the *Raad Van Kerta*. While caste divisions have roots in Hindu religious traditions, the Dutch codified and formalized these distinctions to serve administrative and political control (Panetje, 1986; Hooker, 1978).

Second, noble titles functioned not merely as genealogical markers but also as instruments of social, political, and religious legitimacy. Titles such as *Ida Bagus*, *Cokorda*, and *Anak Agung* symbolized not only lineage but also access to ritual authority and governance roles (Kern, 1932; Soepomo, 2003).

Third, disputes over noble titles continue to surface in contemporary Bali, reflecting how caste-based identity remains contested in inheritance claims, temple leadership, and communal rights. These disputes demonstrate the dynamic nature of *adat* as *living law* rather than static tradition (Sihombing, 2022; Kelly & Windia, 2019).

Fourth, the relevance of *Tri Wangsa* today lies more in its role as cultural heritage than as positive law. Contemporary interpretations increasingly emphasize its symbolic significance rather than its role in rigid social stratification (Segara & Kuckreja, 2024; Butt & Lindsey, 2018).

Fifth, the endurance of *Tri Wangsa* illustrates the persistence of legal pluralism in Indonesia. Although formally abolished within the state legal system in 1952, it continues to operate in parallel through religious, cultural, and communal practices, demonstrating how state law and customary law coexist and interact (Bedner & van Huis, 2008; Hooker, 1978).

Sixth, reinterpretation of *Tri Wangsa* reflects broader trends in Balinese society toward democratization and cultural preservation. Younger generations often view titles less as determinants of strict hierarchy and more as markers of cultural identity, suggesting an ongoing negotiation between tradition, equality, and modernity (Sihombing, 2022; Creese, 2016).

Conclusion

This study reveals that the *Tri Wangsa* system institutionalized through the *Raad van Kerta* was the result of Dutch colonial political engineering designed to facilitate social control in Bali. While the system drew upon Hindu Balinese traditions that distinguished religious and political functions, its codification reflected colonial interests. The socio-religious implications of *Tri Wangsa* are significant: noble titles not only served as genealogical markers but also legitimized social and spiritual authority. After the dissolution of the *Raad van Kerta* in 1952, the system lost its formal legal foundation but persisted as *living law* in Balinese society. In the democratic legal order of Indonesia, however, *Tri Wangsa* is no longer relevant as a rigid social stratification system. Instead, it should be appreciated as cultural heritage that reflects Balinese identity while remaining consistent with the principle of equality

before the law.

Recommendations

First, reinterpretation of Balinese customary law is needed to emphasize the cultural and spiritual values of *Tri Wangsa* rather than its hierarchical elements, thereby ensuring alignment with the principle of legal equality.

Second, modernization of customary dispute resolution institutions should be considered, enabling them to address adat and religious conflicts fairly, while responding to the aspirations of Balinese Hindus who lost their specialized court with the abolition of the *Raad van Kerta*.

Third, education on customary law for younger generations is essential, enabling noble titles to be viewed as cultural heritage rather than sources of discrimination or conflict.

Finally, Balinese customary law, including the *Tri Wangsa* system, should be integrated within Indonesia's pluralistic legal framework by clearly delineating its cultural-religious functions from juridical-formal authority.

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