

Reconstruction of Natural and Cultural Tourism in the Peneloku Area, Batur Tengah Village, Kintamani, Bangli

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ABSTRACT

This article aims to explore the need for natural and cultural tourism reconstruction in the Penelokan Kintamani Area, Bangli. The area is a very promising natural and cultural tourism potential with a very amazing view of the landscape of Mount Batur. But lately, many tourism infrastructures have been built, such as restaurants, coffee, and inns that actually cover the shrine. As a result, tourist visits to the area have decreased. That's one of the reasons why researchers are researching this issue. This study uses a qualitative research method with critical qualitative analysis. From the results of the research, there are several contributing factors to the need for natural and cultural tourism reconstruction in the Penelokan area, namely theo-philosophical factors, juridical factors, and sociological factors. The reconstruction process is carried out by adjusting the direction of development with the perception of tourists, increasing tourist visits to the area, and the process of solving reconstruction problems. This problem turns out to have implications for the social, cultural, and economic well-being of the Kintamani community. An interesting finding from this study is that the idea of reconstructing the Penelokan area arises from the fact that *first*, about 60% of the roads along the Penelokan-Kintamani route, which was previously an open space to see the caldera of Mount Batur, have now been covered by tourism supporting buildings, such as bars, restaurants, coffee, and restaurants. *Second*, at least 78 buildings were found along the Penelokan-Kintamani road, especially on the east side of the road that violated the RTRW Regional Regulation, because it was established in a conservation area. This results in the closure of the *view* of the Mount Batur caldera, so that the freedom of tourists to enjoy the Mount Batur caldera is reduced.

Keywords: Reconstruction, Nature and Cultural Tourism, Mount Batur Landscape

I. INTRODUCTION

It has been understood that the Penelokan Kintamani area, Bangli is a tourist attraction that has a very beautiful natural panorama, cool air, and community culture that attracts tourists, both domestic and foreign to visit the area. This area is a strategic location to look at the *landscape* of Mount Batur. In addition, this area also has a cultural icon of Ulun Danu Batur Temple as one of the cultural attractions in Kintamani District. This temple is not only a place of worship for Hindus throughout

Bali, but also has its own attraction for tourists, who visit the area. In addition, the Mount Batur area became the world's first geopark from Indonesia, which was officially established at the 11th European Geopark Conference in Auroca Geopark, Portugal, on September 20, 2012. According to Putra (2020:115) Mount Batur is also one of the most active volcanoes in Indonesia, which is part of the Pacific "*Ring of Fire*" series. Thus, this mountain is considered to meet several criteria as a *geopark*, one of which is the

involvement of the local community in promoting the development and development of sustainable tourism.

Another interesting thing about the existence of Mount Batur is the designation of the mountain as *UNESCO's Global Geopark Network (GGN)*. In addition, this area has become an attraction in itself, and has been recorded on the official page of the Bangli Regency Tourism Office. Related to tourist visits to Bangli Regency in 2015 as many as 610,349 people. From this data, as many as 451,133 people are foreign tourists (foreign tourists) and the remaining 159,216 people are domestic tourists (wisdom). When compared to tourist visits in 2014 where the number was 647,607 people, it can be seen that there was a decrease in tourist visits in general by 37,258 people. In 2014, the number of foreign tourists visiting Kintamani, especially the Penelokan area, was 447,199 people and wisdom was 200,408 people (total visits were 647,607 people).

The decline in tourist visits to Bangli Regency, including to the Penelokan area, cannot be separated from the issuance of regional regulations, namely Regional Regulation No. 16/2009 concerning the RTRW (Regional Planning Spatial Plan) Bali 2009--2029 and Governor's Regulation No. 77 2014 concerning the Bali Provincial Forestry Plan (RKTP) for 2014-2034. while at the Bangli district level, it includes Regional Regulation No. 9/2013 concerning RTRW 2013-2033 and No. 2/2018 concerning the Regional Tourism Development Master Plan 2019-2025, as well as Perbup No. 23 2016 concerning Space Utilization Permits.

In addition, the Penelokan area, Kintamani as a tourist destination, in its current development has been colored by

many wild buildings along the route of the area. Such as the construction of restaurants, cafes, as well as trade and services, which economically improve the welfare of the surrounding community, especially for the local people of Kintamani (*Travel Kompas online*, 2020). From the results of preliminary studies in the last three years, namely 2019-2022), it can be seen that there has been an increase in the development of tourism facilities which has had an impact on the improvement of the economy of the Kintamani community.

However, on the other hand, the restaurants and stalls along the Penelokan Kintamani path, especially on the east side of the road, practically cover almost all the visual viewpoints available to observe the panoramic *landscape* of Mount Batur. Thus, the beautiful panorama can only be observed comprehensively if tourists enjoy dining at a restaurant that faces the window or room facing the *landscape* of Mount Batur. So, the very amazing natural scenery has been commoditized so that economic interests are always prioritized to get existing environmental services. Meanwhile, visitors with little or no provisions, both tourists and the general public, are faced with a dirty and visually unattractive area.

The existence of *this theoretical* and *empirical* gap creates an imbalance between *dassollen* and *dassein*, thus having an impact on the decline *in the mood* of people traveling to the region. Exploration is developing in an unbalanced direction and in line with sustainable tourism. Departing from that phenomenon, it is necessary to reconstruct the arrangement of the penelokan tourist area, so that in the future the arrangement of the area is in accordance with the RTRW and applicable laws and

regulations. These various phenomena are what make researchers interested in studying this problem academically.

The main problem in this study is the risk of sustainability of natural and cultural tourist destinations in the Panelokan area due to the spatial problems of this tourist area. This spatial planning problem in turn stems from three factors, namely the visual chaos of the destination due to the commodification of illegal buildings, sectoral egos due to non-integrative regional spatial reforms, and cleanliness problems due to a lack of community belonging. This leads to the following three research questions. (1) Why is it necessary to reconstruct the natural and cultural tourism area in the Penelokan area, Batur Tengah Village, Kintamani, Bangli? (2) What is the process of reconstruction of natural and cultural tourism areas in the Panelokan area, Central Batur Village, Kintamani, Bangli? (3) What are the implications of the reconstruction of natural and cultural tourism areas in the Panelokan area, Central Batur Village, Kintamani, Bangli on the social, cultural, economic, and security life of the community?

Then in general, this research aims to explore the phenomenon of reconstruction of natural and cultural tourism areas in the Penelokan area, Batur Tengah Kintamani Village, Bangli, so that it can make a meaningful contribution to the field of Cultural Tourism, especially in relation to efforts to reconstruct sustainable management of natural and cultural tourism areas. Meanwhile, specifically the purpose of this research can be described as follows. (1) To analyze the factors that cause the importance of reconstructing natural and cultural tourism areas in the Penelokan area, Central Batur Village, Kintamani, Bangli; (2) To analyze

the process of reconstruction of natural and cultural tourism areas in the Panelokan area, Central Batur Village, Kintamani Bangli; (3) To analyze the implications of the reconstruction of natural and cultural tourism areas in the Panelokan area, Central Batur Village, Kintamani, Bangli on the social, cultural, economic, and security life of the community. Furthermore, the benefits of this research are useful for making a meaningful contribution to the development of science, especially Cultural Tourism Law.

II. Research Methods

This study aims to analyze the importance of reconstruction, the reconstruction process, and the implications of natural and cultural tourism reconstruction in the Penelokan Kintamani area, Bangli using a type of qualitative research. In the analysis process, the researcher also uses a cultural approach with a critical paradigm. Thus, methodologically, this research is a cultural research mechanism, especially legal culture, which according to Jurgen Habermas (in Fakhri, 2003:27) is called *critical emancipatory knowledge paradigm*). Data collection techniques are carried out by observation techniques, interviews, and document studies. Meanwhile, the analysis technique used is qualitative-critical by basing itself on critical theories.

III. DISCUSSION

3.1 FACTORS CAUSING THE NEED FOR RECONSTRUCTION OF NATURAL AND CULTURAL TOURISM AREAS IN BATUR TENGAH VILLAGE, KINTAMANI, BANGLI

3.1.1 Theo-Philosophical Factor

Theo-philosophical factors in the context of this study, intended are factors related to the religious philosophical dimension. This is important considering that Kintamani with its religious tourist attractions, such as Pucak Tulis Temple, Ulun Danu Batur Temple, and cultural tourist attractions, such as Terunyan Village with all its uniqueness, certainly cannot be studied partially, because everything is intertwined with each other. For example, natural tourist attractions related to the beauty *of the view* of the Mount Batur caldera cannot be separated from its connection with the religious dimension that must be interpreted intelligently based on philosophical speculative thinking. So, the Penelokan area is one of the natural and religious attractions that is very attractive to tourists, both domestic and foreign. As said by Mr. Sang Tu Rubaya (68 years old) as follows.

... The Penelokan area as a tourist attraction actually does not only depend on natural beauty, but also relies on religious tourist attractions, which cannot be separated from the spiritual dimensions. For example, guests who visit the Penelokan area are also not enough to just enjoy the beauty of the very amazing *view* of the Mount Batur caldera. However, many of them are also interested in visiting Ulun Danu Temple, as well as Pucak Penulisan Temple, and not infrequently even tourists who want to visit Terunyan Village to see the traditions of the local community there up close (interview, June 9, 2024).

Observing the informant's statement above, a framework of thought can be built that the importance of the reconstruction of the Penelokan tourist

area is not only caused by real *factors (sekala)* but also spiritual *dimensions (niskala)* that also influence. For example, the reconstruction of the Penelokan tourist area cannot necessarily be done without considering religious-philosophical values related to the existence of Ulun Danu Batur Temple, Pucak Penulisan Temple, and other temples in the Kintamani area. Because this is very related to its position as a sacred temple related to subak activities which are located in almost all of Bangli and Gianyar Regencies, especially along the Pakeris watershed.

3.1.2 Juridical Factors

Juridical factors intended in this context is to consider factors that illustrate that regulations are formed to overcome legal problems or fill legal gaps by considering existing rules, which will be changed, or that will be revoked to ensure legal certainty and a sense of justice for the community. Related to The terminology of the juridical factors above and if it is associated with the causal factors, it is important to carry out restructuring sustainable tourism in the tourist area of Penelokan, Kintamani, Bangli is actually juridically the problem lies in the spatial plan of the region of Bali and Bangli Regency. The latest Regional Spatial Plan (RTRW) is currently issued in 2023 for both the province of Bali and Bangli regency, replacing the previous RTRW.

The two RTRWs that have been replaced are Bangli Regency Regional Regulation Number 9 of 2013 concerning the Spatial Plan of Bangli Regency for the Year 2013-2033 and Regional Regulation of the Province of Bali Number 16 of 2009 concerning the Spatial Plan of the Province of Bali for the Year 2009--2029. For Bali, its replacement is Bali Provincial

Regulation Number 2 of 2023 concerning the Spatial Plan of Bali Province for 2023-2043, while for the Bangli Regency Government, it is replaced by Bangli Regency Regulation Number 1 of 2023 concerning the Spatial Plan of Bangli Regency for 2023--2043. The important role of RTRW as a positive legal basis was expressed by the Central Batur Village perbikel as follows.

... We as leaders in this region administratively do not have the authority to prohibit investors from establishing tourism supporting infrastructure. Because according to President Jokowi, according to the law, it is not allowed to prevent investors from investing their capital in a certain area. Well, we have taken action, but in determining a spatial plan, there should be no such designation. And for spatial planning issues, what is the policy of Bangli Regency. Now this is the overlap and the core meeting point for management in taking tourism policies in Kintamani has not been possible (Interview, January 2, 2023).

By referring to the opinion of the informant above, it can be affirmed that RTRW is juridically a positive source of law that manages the Kintamani and Penelokan areas. For example, in Bangli Regency Regulation No. 1/2023 concerning the Spatial Plan of Bangli Regency for 2023--2043, it is stated that Kintamani is an Effective Tourism Area (KEP), which is part of the National Strategic Area (KSN), namely the National Tourism Strategic Area (KSPN) Kintamani-Lake Batur and its surroundings, and is part of the Provincial Strategic Area, namely the Kintamani Special Regional Tourism Strategic Area (KSPDK) (Article 44 paragraph (5) of the

Bangli Regency Regulation Number 1/2023 concerning the Spatial Plan of Bangli Regency for 2023--2043).

If seen in this RTRW, it is true that Kintamani and Bedugul-Pancasari are included in the KDTWK category, along with three other regions in Bali (Tanah Lot, Palasari, and Gilimanuk) (Article 66 paragraph (4) of Bali Provincial Regulation Number 16/2009 concerning the RTRW of Bali Province for 2009--2029). In this area, the implementation of the economic pillar for tourism is very limited because it is more directed to the social pillar and the environmental pillar. This designation is the source of anxiety from the local community about their freedom to reap economic benefits from the Penelokan area, so that from the juridical aspect it needs to be reconstructed.

3.1.3 Sociological Factors

Sociological factors include the sense of injustice of the community towards a policy taken by the government. According to Paddison and Hall, (2022) the perception of a sense of injustice is a major inhibiting factor in stakeholder cooperation in sustainable tourism. This kind of perception of injustice can also lead to an obstacle to the rearrangement of sustainable tourism development in the Penelokan natural and cultural tourism area because injustice lowers trust and low trust makes *stakeholders* who feel unfairly treated unwilling to cooperate in achieving common goals (Rastegar and Ruhanen, 2021). In essence, the perception of injustice makes it difficult to reach an agreement on the restructuring of sustainable tourism (Zhu et al, 2023).

This means that both the lower society and the community at the district

government level feel the same thing, namely on the one hand, the Bali Provincial Government demands that the Batur Area become a conservation area, which means that it does not carry out tourism infrastructure development activities. Meanwhile, on the other hand, the Bali government does not provide alternative livelihoods for its people, so that the people are left poor and the great tourism potential in the Batur area is not realized due to the conservation status determined through the Bali Provincial Regulation No. 2 of 2023. The source of this sense of injustice can be seen in Regional Regulation No. 16/2009 concerning the Provincial Spatial Plan. In this regulation, there are three categories of tourism designated areas: tourism areas, tourist attractions (DTW) and special tourist attraction areas (KDTWK).

On the other hand, tourist attractions, hereinafter referred to as DTW, are everything that has uniqueness, beauty, and value in the form of a diversity of natural resources, culture, man-made products as well as socio-cultural activities of the community that are the target or destination of tourist visits, which can be in the form of areas/expanses, villages/sub-districts, building periods, buildings, surrounding environments, and tourist routes whose locations are spread across the district/city area. (Article 1 number 57 of Regional Regulation No. 16 of 2009 concerning Provincial Spatial Planning).

In fact, Bangli Regency is the only district that does not have a tourism area in the province of Bali. This fact shows the uneven administrative division of districts/cities in Bali Province. In the 2009 Bali RTRW, the Penelokan, Kintamani, Bangli areas are actually included in the category of special tourist attraction areas (KDTWK), along with Gilimanuk in

Jembrana Regency, Palasari in Jembrana Regency, Bedugul-Pancasari in Tabanan Regency and Air Sanih Buleleng Regency, and Tanah Lot in Tabanan Regency (Article 66 paragraph (4) of Regional Regulation No. 16 of 2009 concerning Provincial Spatial Planning). This placement resulted in various limitations in tourism development such as accommodation only in the non-star or jasmine category, the coefficient of built-up area as high as 2% of the entire area outside the protected area, the basic efficiency of buildings up to 10% of the controlled persil, and the restriction on the height of buildings as high as eight meters or two-storey buildings (Article 122 paragraph (3) Regional Regulation No. 16 of 2009 concerning Provincial Spatial Planning).

3.2 THE PROCESS OF RECONSTRUCTION OF THE PENELOKAN TOURISM AREA, KINTAMANI, BANGLI

3.2.1 The Process of Adjusting the Development Direction with the Perception of Tourists Visit to Penelokan Area

The dissemination of various information about development is greatly helped by the presence of social media that is developing today. However, in the case of the arrangement of the Penelokan tourist area, social media can be a challenge in itself. The problem is, social media allows people to show their consumption freely and it has become a basic human tendency that scarce consumption will encourage more dissemination. Therefore, people who visit restaurants and hotels around Penelokan, especially people from outside Bali who have a large following on social media will publicize how the view of Mount Batur and Lake Batur from the perspective of those who are in the existing

accommodation place. This action encourages word-of-mouth marketing which in turn will further encourage tourist visits to such hotels and restaurants.

A review of Kintamani *Highlands* on the destination review site *Trip Advisor* shows 878 reviews with an average score of 4.0. The details for the five score options are *excellent* as many as 363 reviews, *very good* as many as 346 reviews, *average* as many as 127 reviews, *poor* as many as 28 reviews, and *terrible* as many as 14 reviews. This score is generally high and five out of the last 15 reviews praise the quality of the existing restaurant while three praise the quality of *the café*. Of course, most praise the existing natural scenery. The following quote summarizes it all:

We went to here for lunch and take same of pictures. Mostly the restaurant view is amazing, we can see the mountain while eating the delicious lunch. The restaurants also provided some of special places for take pictures, such as Tegucafe, Akasa and Olympus. (Genoveva, written July 2, 2022 on the Trip Advisor website).

The above article is still very new, only two months before this article was written. The essence of the above quote shows the fatal weakness of the management of the Settlement from the perspective of foreign tourists. *First*, there are hawkers who are aggressive, worse than they were many years ago. *Second*, parking rates that are not in accordance with what tourists get. The parking fee for foreign tourists reaches Rp 50,000 without any additional value. Tourists hope that at least at this price there will be a tour guide who will tell about the history and geology of Mount and Lake Batur. *Third*, the foreign tourist tour guide stated that the money was for the government, not the local community. The local community gets nothing from the platform or all the scenery in the Penelokan area. *Fourth*, the

foreign tourists felt it was better to give the 50,000 to the hawkers, who were most likely locals trying to make a little money from this destination, than to give the government an unreasonable value. This is adjusted to the determination of the Bangli Regency RTRW which emphasizes that sustainable tourism applied in the Penelokan tourist area is still very new. So, perhaps the social pillar is still undetected, let alone targeted to be addressed through community empowerment programs. But by looking at the existing situation, that the Penelokan platform has been built a long time ago, then this problem should have been overcome a long time ago.

Furthermore, in the process of reconstruction, the role of social media is actually able to be a driver for improvement through negative comments as perceived by tourists, both domestic and foreign tourists. However, the main and most sought-after comments by service providers are positive comments, regarding the management of the area. These comments confirm the quality of the existing restaurant. So, a score of 4 on social media reflects a situation that seems fine, but masks social issues that are important to uphold in sustainable tourism.

3.2.2 Increasing Tourist Visits to the Penelokan Area as a Sustainable Tourism Area

Increasing tourist visits is not the ultimate goal of sustainable tourism. The ultimate goal of sustainable tourism is to create optimal performance on all three pillars, namely economic, social, and environmental. The increase in tourist visits is more of a traditional mass tourism paradigm that brings in as many people as possible to improve the economy simply without caring about the welfare of the local community or environmental sustainability. Tourist visits to Penelokan have clearly increased both from the perspective of statistical data and visual images. Statistically, there has been an increase in the number of tourist visits

from 425,493 tourists in 2018 to 544,667 tourists in 2022. Indeed, there was a decline in 2020 and 2021 due to the COVID-19 pandemic. During the pandemic, restaurants and hotels in Kintamani were used to improve the physical quality and service. As said by one of the tourism managers in the Penelokan area, namely Mr. I Wayan Mertha (72 years old) by saying the following.

One year before Covid, my company was still an ordinary restaurant. The concept is still a buffet. My sidewalk still relies on guests from *Black Legend*, it lasted until March before Covid. After Covid, I closed until August 2020. During the closure period I did renovations, repairs to the above and also the one in Elagu, after that it was running. After Covid, the guests were still domestic in Bali, and then it has started to return to normal to enter domestic outside Bali (interview January 10, 2024).

Meanwhile, visually, a calculation has also been carried out that concludes that in 2023, the percentage of green areas along Penelokan road will be 46%. The author made the same calculation on the satellite image of the Penelokan road in 2005. With a relatively similar number of segments (32%), the length of the Penelokan green lane is 2,981 meters or 69% of the total length of the Penelokan road. This means that within 18 years, 1,013 meters or approximately 1 km of Penelokan road has been converted from an open view to a closed view by buildings. If averaged, a value of 56.28 meters of closed roads will be obtained per year. Based on this rate, in the next 35 years, there will be no more open views on Jalan Penelokan because it is completely covered by buildings. One of the ways that can be taken by the government, especially the Bangli Regency Government, is to put the development in order along the

Penelokan road, Kintamani, so that tourists who visit there can freely enjoy the *view* of the caldera of Mount Batur, without having to force them to enter the restaurant or coffee on the road.

3.2.3 Reconstruction Problem Solving Process

One of the processes that must be passed to reconstruct the Penelokan tourist area is to submit a solution to the problem of reconstruction of sustainable tourism development, so that it can meet the interests of the village community in terms of economy, social, or environment. In the process, the integration of positive law and customary law can synergize and support each other in encouraging the spatial planning of Penelokan that supports sustainable tourism development. The results of interviews with resource persons in this study revealed that there are five themes related to the solution to the arrangement of the Penelokan tourist area, namely public views, local ownership, village regulations, exchange of rolls, relocation, and redesignation. The following will discuss each solution. These solutions are solutions that were raised by the resource persons through in-depth interviews conducted by the researcher. This solution is historical, meaning that it has been implemented before but has not provided a complete solution to the problem of structuring the Penelokan tourist area.

Public platforms are solutions proposed by local governments, in this case the Tourism and Culture Office. This solution is in the form of providing a large special space on the border of the ravine so that the general public can enjoy the view of Mount and Lake Batur free of charge. The Bangli Regency Government calls it the Batur Geopark Platform. The existence of this platform as a solution to the problem was revealed in the following interview with the Tourism and Culture Office.

If you say that to enjoy you have to go into the restaurant to see the scenery, not really. If you can enter in front of the museum, there is an open platform. We have renovated it in 2018 at a cost of 14 billion. That was last year with nearly 7 billion glasses. That's *the public view* we provide there, so it doesn't necessarily lose *the potential for free views* (interview, January 10, 2024).

Based on the informant's statement above and based on the researcher's observations during the research there, it can be narrated that the capacity of this platform is quite large because it is able to accommodate about two thousand people with a width of about 60 meters. The platform consists of two levels. The expansion was carried out to the north from the location of the old platform. The upper floor is for tourists to enjoy the panoramic view of Mount and Lake Batur while the lower floor is used for commercial areas. More than five stalls are provided on the lower floor while in front of the stalls there is still a large space for traders to place chairs and umbrellas (Bali Post, 2023). According to the Head of the Bangli Regency Tourism and Culture Office, this platform can accommodate 1,000--2,000 people at any time. This building consists of two floors, namely the upper floor and the lower floor.

The Bangli Regency Government has held a meeting to discuss the management of the Penelokan platform tourism in January 2023. The meeting was also attended by perbekel from four official villages (North Batur, Central Batur, South Batur, and Kedisan), traditional villages of Kedisan, and kelian pecalang of Batur and Kedisan. The Regent asked the village government to participate in the management of the platform, so that tourists who visit feel safe and comfortable (Nusa Bali, January 8, 2023).

One of the local community residents who did not want to be named stated that he no longer has a problem with the spatial layout in Penelokan, because currently, as many as 90% of the buildings standing in Penelokan belong to the local community. Before that, the buildings in Penelokan were mostly owned by residents outside Kintamani. This change can appear as a form of courage from local residents to build as the orientation of Penelokan on natural and cultural tourism becomes stronger. The full statement is as follows.

Now because of the extraordinary development of tourism in Kintamani, I am even happy that there are my brothers and sisters who are building. In the past, outsiders built a lot of restaurants in Kintamani. But now the situation has changed, which is almost 90% of our people who are building in Kintamani and I am happy to see this situation (interview February 15, 2024).

A slightly different thing was conveyed by the Central Batur Village Perbekel by conveying his discussion with the prosecutor's office which emphasized the importance of issuing village regulations. The existence of village regulations is very important to maintain the legal force owned by the village. With the existence of village regulations, villages can formally defend themselves if faced with lawsuit problems. This lawsuit may arise due to land problems in Penelokan between customary land, private land, and state land that always exist among stakeholders.

3.3 IMPLICATIONS OF THE RECONSTRUCTION OF PENELOKU TOURISM AREAS ON SOCIAL, CULTURAL, ECONOMIC, AND PUBLIC ORDER

3.3.1 Implications for Social Life

Related to this study, there is a reconstruction of the sustainable tourism in the Penelokan area, Kintamani, Bangli, turns out to have implications for various dimensions of people's lives, such as social, cultural, economic, and community order, especially the Kintamani community. Then talking about social life in essence cannot be separated from the essence of human beings as social beings (*Homo Socius*). That is, as a creature *homo socius* In essence, human beings always want to live together, make friends, gather, and group which in their lives always want to interact with their fellow humans or with other humans. This is in line with the view of Nugroho (2013:1) who said that it is through their togetherness that humans get happiness in their lives.

Departing from the two meanings of the term above, namely the meaning of the implications and social life of the community, an understanding can be built that the reconstruction of the natural and cultural tourism area in the Penelokan Kintamani castle, Bangli, turns out to have implications for the social life of the people there. This means that there is a reconstruction of the Penelokan tourist area, so sociologically this condition affects the social life of the community, especially in relation to the reconstruction. As a result, buildings that violate RTRW rules are threatened with order. Although this has not been implemented firmly, there has been a disharmony in social relations between building owners who violate RTRW rules and those whose buildings happen to be in accordance with RTRW rules. The treatment of government regulations should be adjusted to the customary regulations that apply to each customary village, so that in its implementation there is no conflict between customary law and positive law. Thus, customary law must at least be given space to regulate matters related to tourism, because customary villages are also pre-tourism assets. This was conveyed by an informant, namely Mr. Ketut Wijana (52 years old) by saying the following.

Indeed, customary law should be more or less recognized if it is seen as an asset to attract tourists. But this is strongest in the context of cultural tourism. Even though the Penelokan area is not only cultural tourism but also natural tourism, where indigenous people are at least given space to regulate the existence of tourism, especially cultural tourism in Penelokan (interview, February 5, 2024).

Departing from the informant's statement above, a framework of thought can be developed that in terms of positive law, this study actually emphasizes the importance of customary law being positioned as complementary law, which is to complement the shortcomings of positive law. If it is substituting, that is, replacing the positive legal position, customary law will definitely lose, especially if political rulers have a corrupt character (Andyani et al, 2020). The complementary nature in this context does not mean that customary law coexists with positive law in sustainable tourism management, but rather there is a kind of legal pluralism in the eyes of tourists.

3.3.2 Implications for Cultural Life

The reconstruction of the natural and cultural tourism area in the Penelokan Kintamani area, in addition to having implications for the social life of the community, also has implications for the cultural life of the local community. This means that the existence of the reconstruction turns out to have implications for the first form of culture, namely in the form of applicable laws and regulations. This can be seen from the enactment of the regional regulation on RTRW, namely Bangli Regency Regional Regulation No. 9 of 2013 concerning Bangli Regency Spatial Planning for 2013-

2033 which stipulates that Penelokan is a ravine border conservation area. Regarding the enforcement of the regional regulation, construction can only be carried out at a distance of 11 meters from the edge of the ravine. This certainly has implications for people's ideas, especially those who have land on the edge of the ravine along the Penelokan route in the context of creating businesses along the route.

Their delay in developing ideas to make a business in the conservation area also had implications for the cancellation of their establishment of the business, which according to Koentjaraningrat (1984:2) is the second form of culture, namely the complexity of patterned human behavior. This was acknowledged by the Head of Central Batur Village who emphasized the following.

Indeed, the issuance of Bangli Regency Regulation No.9 of 2013 has made many of our residents abandon their intention to create a tourism business in the Penelokan area. This is because they only have limited land in the area, while the Bangli Regency Regulation No. 9 of 2013 states that the area is a conservation area. So, if they make a business in another area, they may be constrained by road accessibility problems and may not be as papavorite as the Penelokan area (interview, February 10, 2024).

The informant's statement above proves that the reconstruction of the Penelokan tourist area has enough implications for cultural life, both in the form of ideas, ideas, values, and norms as well as in the form of patterned human activities and included in the form of artifacts. The delay of some people to establish a business in the tourism sector can certainly reduce community activities in doing business in the tourism sector. Thus, the form of culture in the form of the complexity of patterned human activities

in society according to Koentjaraningrat (1984:2) will also be reduced. In addition to the reduced complexity of human activities, due to the delay of a number of members of the Penelokan community to carry out activities in the field of tourism business, because it was blocked by Bangli Regency Regulation No. 9 of 2013, cultural forms in the form of artifacts were automatically also affected.

3.3.3 Implications for Economic Life

The reconstruction of the Penelokan tourist area turns out to have implications for the economic life of the people in the area. In the sense that the view *of* the Mount Batur caldera is not covered by restaurant buildings, restaurants, *coffee*, and others has implications for the increase in tourist visits to the Penelokan area. If referring to the description above, a frame of mind can be built that the reconstruction of the Penelokan tourist area has resulted in an increase in tourist visits to the area, and the economy certainly provides space for the community around the area to access various economic resources. For example, by selling various agricultural products, such as oranges, onions, garlic, vegetables needed by restaurant entrepreneurs to be offered to tourists who visit the area. This is in line with what Damsar said (in Atmadja, 2015:79) who affirmed that human actions as *homo economicus* and human actions as *homo consumans* are always on the same continuum, but in opposite directions. This means that economic actions related to the use of money, energy, and time are always intertwined with consumption actions related to the act of using, enjoying, and spending various kinds of goods and services.

Likewise with the Penelokan tourist area, the reconstruction of the tourist area is expected to have implications for improving the welfare of the Penelokan community and the surrounding community. The author uses

the term expected because the reconstruction of the area has not been carried out optimally, but it is still continuing according to the regulations developed by the government, both the central government, as well as the Bali Provincial Government and the Bangli Regency Government. This was acknowledged by the Bangli Regency Tourism and Culture Office by saying the following.

Regarding the reconstruction or rearrangement of the penelokan tourist area and its surroundings, the government, both provincial and district centers, is still being pursued. All of this is certainly intended for the benefit of all, especially the community as the main actor in the development process. For example, with the rearrangement of the Penelokan tourist area, the government hopes that the area can be better organized, more orderly, cleanliness maintained, and ultimately it will also lead to the number of guests visiting the area. If many guests come there, of course all parties will benefit, especially economic benefits. For example, the State can increase income in the form of visas, restaurant taxes, hotels, and others, while for the community, it can increase income through various tourism activities, and others (interview February 10, 2024).

Observing the informant's statement above, it can be affirmed that the reconstruction of the Penelokan tourist area can factually have implications for the community's economy. Because according to Lull (1998) that tourism activities as an *ethnoscape* are core business activities. This is strengthened by the fact that the existence of tourism activities in a certain area, in addition to causing *the occurrence of ethnoscape*, namely the temporary migration of humans from one region to

another, can also cause the occurrence of a *finanscape*, namely the entry of money (dollars, yen, euros, golden, and so on) into areas or areas that are tourist objects (areas), including the Penelokan area. This is also in line with the view of Nugoho (in Atmadja, 2010:74) who said that there is a government policy in developing tourist areas, finally many villages have the potential to develop their villages into tourist areas, including the Penelokan area, where the area is directly involved in the tourism business. Tourism developed in the Penelokan tourist area is natural tourism, namely in the form of *a view of the caldera of Mount Ba*

IV CLOSING

4.1 Conclusion

Based on the data analysis that has been carried out in the previous chapters, a number of conclusions can be drawn, including the following. *First*, there are at least three factors behind the importance of reconstructing the Penelokan tourist area as follows. (1) Theo-philosophical factors, namely factors related to magical religious issues. (2) Juridical factors, which are factors that describe that regulations are formed to overcome legal problems or fill legal gaps by considering existing rules; and (3) Sociological factors are factors that consider that regulations are formed to meet the needs of society in various aspects.

Second, the reconstruction process of the Penelokan tourist area in general can also be explained as follows. (1) The process of adjusting the direction of development with the perception of tourists visiting the settlement area; (2) The process of increasing tourist visits to the Penelokan area as a sustainable tourism area; (3) The submission of the solution to the problem of reconstruction of sustainable tourism development is also one of the processes of reconstruction of tourist areas that must be passed.

Third, based on the results of data analysis in the previous chapter, at least

three implications of the reconstruction of tourist areas in the Penelokan area were obtained as follows. (1) Implications for theo-philosophical life, namely factors related to the magical religious life of the Kintamani community; (2) Implications for social life, namely the reconstruction of natural and cultural tourism areas in the Penelokan district, turns out to have implications for the social life of the people there; and (3) Implications for cultural life. The reconstruction of natural and cultural tourism areas in the Penelokan area, turns out to have implications for the cultural life of the community, especially in the form of cultural ideas or ideas in building a business.

4.2 Research Findings

4.2.1 Factual Findings

From the results of the data analysis conducted in the previous chapters, it turns out that several factual findings in this study are obtained as follows.

First, that the idea of reconstructing the Penelokan tourist area arises from the fact that about 60% of the roads along the Penelokan-Kintamani route, which was previously an open space to see the caldera of Mount Batur, have now been covered by tourism supporting buildings, such as bars, restaurants, *coffee*, and restaurants.

Second, at least 78 buildings were found along the Penelokan-Kintamani road, especially on the east side of the road that violated the RTRW Regional Regulation, because it was established in a conservation area. This results in the closure of the *view* of the Mount Batur caldera, so that the freedom of tourists to enjoy the Mount Batur caldera is reduced.

Third, in the Penelokan tourist area, a number of hawkers were found who acted very aggressively offering their merchandise, especially to foreign tourists, so that this greatly disturbed the privacy of tourists who wanted to enjoy their visit calmly, and safely.

Fourth, a very high parking retribution without accompanying services in the form of an explanation of the status of the caldera of Mount Batur which has been designated as a geopark area. Many tourists expect a good and detailed explanation of the existence of the geopark, so that it can increase tourist knowledge about the existence of the geopark itself.

4.2.2 Theoretical Findings

First, that the crystallization of customary law into positive law through village regulations is very important and very possible in Central Batur Village, Kintamani District, Bangli Regency. Because officials, *perbekel*, or official village heads, some are also officials in customary villages, and this is called a complementary strategy. The complementary strategy as outlined above is a finding of this research that is not obtained in other literature. Previous research literature is still oriented towards the use of customary law as a law whose existence must be recognized by positive law and coexistence in plurality. However, this study considers positive law at the most basic level as a manifestation of customary law. So, customary law does not ask for positive law to be recognized, but customary law shows its existence in positive law.

Second, this can be done because legal pluralism can occur in figures with these dual positions. They strategically discussed which customary law and which customary law will be transformed into village regulations. The selection criterion is importance. For example, customary law is for the benefit of internal relations, while positive law is for the benefit of external relations. This means that when the law regulates the rights and obligations of the community in the village, the law must be included as customary law. On the other hand, when the law regulates the rights and obligations of people or *stakeholders* from outside the village to village property

rights (including customary land or roads located on customary land such as Penelokan), then the rules that regulate it are at the level of Village Regulation.

Third, in this study, it was also found that to overcome the legal problems that arise due to the reconstruction of the Penelokan tourist area, it is proposed to carry out legal integration, namely to carry out legal reposition, where customary law must be directed to deal with the community internally while positive law in the form of village regulations is directed to deal with international law related to foreign investment at the border of the Penelokan ravine. Law enforcement implies that there is a law that is enforced and this legal basis is firmly available, namely in Bangli Regency Regional Regulation Number 1 of 2023 concerning the Bangli Regency RTRW for 2023-2043. This Regional Regulation stipulates the Kintamani area, and also means Penelokan, as an ecotourism area with the aim of prospering the local community.

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