# Sustainable Development Based Tourism Governance Development Policy

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Abstract: This study aims to describe tourism governance development policies in Karanganyar Regency and the concept of sustainable development-based tourism policy and governance. The research employed empirical juridical approach. Therefore, this research focused on primary data collected from the interview and observation. In addition, this research was also supported by secondary data collected from literature study. Finally, the data were analyzed qualitatively. The findings revealed that the tourism governance development policies in Karanganyar regency which stated in the laws and regulations are adequate. However, its implementation is not yet running well. Furthermore, the sustainable development-based tourism governance development policy is the state's responsibility. The state acts as the holder of natural resource power and strengthens the community rights as the holders of state sovereignty. In conclusion, the tourism governance development policies in Karanganyar Regency cover environmental-friendly tourism development. However, its implementation has not yet been realized by the government of the Karanganyar regency. Moreover, the concept of sustainable development-based tourism governance development policy is based on the following basic principles, the state's responsibility as the holder of natural resource power and strengthens the community right as the holders of state sovereignty.

Keywords: Environment; policy; sustainable; tourism.

# Kebijakan Pembangunan Tata Kelola Pariwisata Berbasis Pembangunan Berkelanjutan

Abstrak: Penelitian ini bertujuan untuk mendiskripsikan kebijakan pembangunan tata kelola pariwisata di Kabupaten Karanganyar dan untuk mendiskripsikan konsep kebijakan dan tata kelola pariwisata berbasis pembangunan berkelanjutan, Penelitian yang dilakukan oleh penulis ini mendasarkan pada metode pendekatan yuridis empiris. Oleh karena itu dalam penelitian ini lebih mengutamakan pada data primer yang dikumpulkan denaan wawancara dan observasi serta didukuna data sekunder yana dikumpulkan denaan studi kepustakaan. Data yang sudah diolah untuk selanjutnya dianalisis secara kualitatif. Berdasarkan hasil penelitian ditemukan bahwa kebijakan pembangunan dan tata kelola pariwisata di Kabupaten Karanganyar di dalam peraturan perundang-undangan sudah memadai, akan tetapi dalam pelaksanaanya belum berjalan dengan baik dan untuk konsep kebijakan dan tata kelola pariwisata berbasis pembangunan berkelanjutan dilakukan dengan Tanggung jawab Negara sebagai pemegang kekuasaan sumber daya alam dan memperkuat hak-hak masyarakat (rakyat) sebagai pemegang kedaulatan Negara Simpulanya kebijakan pembangunan tata kelola pariwisata di Kabupaten Karanganyar memuat mengenai pembangunan pariwisata berwawasan lingkungan namun di dalam praktiknya program pelaksanaan pengembangan tanggung jawab lingkungan belum dilakukan oleh pemerintah Kabupaten Karanganyar. Dan konsep kebijakan dan tata kelola pariwisata berbasis pembangunan berkelanjutan mendasarkan kepada prinsip dasar yaitu tanggung jawab Negara sebagai pemegang kekuasaan sumber daya alam dan meemperkuat hak-hak masyarakat (rakyat) sebagai pemegang kedaulatan Negara

Kata Kunci: Kebijakan, Pariwisata, Lingkungan, Berkelanjutan.

#### INTRODUCTION

Karanganyar Regency is located in Central Java Province. Precisely, it is located near the City of Solo which has many interesting tourist places to visit. This place prioritizes a beautiful natural tourism theme because it is located on the slopes of Mount Lawu. <sup>1</sup> For this reason, domestic

<sup>&</sup>lt;sup>1</sup> Sri Marwanti. Pengembangan Agrowisata Berbasis Masyarakat Di Kabupaten Karanganyar. *Caraka Tani : Journal of Sustainable Agriculture*, Vol. 30 No. 2, Oktober 2015. 48-55

and foreign tourists have a high interest to visit various tourist places in this area Tourism is a trip from one place to another, is temporary in nature and carried out individually or in groups as an effort to find balance or harmony and happiness with the environment in the social, cultural, natural, and scientific dimensions. <sup>2</sup>

Tourism is one of the sectors that is significant in Indonesia. The tourism sector has been established to make a huge contribution as the second largest contributor to foreign exchange after oil and natural gas. <sup>3</sup> Apart from driving the economy, tourism is an attractive place to reduce unemployment. <sup>4</sup> Tourism has been proven to encourage economic growth through investment opportunities, job opportunities, and entrepreneurial opportunities. At last, tourism is also ultimately improving people's welfare. The development of tourism in Karanganyar regency which presents natural beauty continues to increase. The tourism amenities continue to be built. The tourist attraction at the tourist spot is also equipped with various attractions. This method has an impact in increasing the attractiveness of a tourist object and the number of tourists. The policy is a series of actions proposed by a person, group of people, or government in a certain environment by showing the effort and opportunity on the implementation of the proposed policy to achieve certain goals. <sup>5</sup> The environmental tourism development policy in Karanganyar regency has been regulated in several laws and regulations as follows: Law number 10 of 2009 concerning tourism; and Regional regulation of Karanganyar Regency number 6 of 2016 concerning the tourism development master plan of Karanganyar regency for 2016-2026.

Globally, tourism is seen as a sector that continues to increase its contribution to state revenue. As tourism continues to develop, there has been a change in the environmental component as a buffer. Tourism development has two types of impacts. These impacts can be in the form of positive or negative impacts. Positive impacts cover the conservation of natural, historical, and archaeological areas. In addition, this also impacts the distinctive formations such as improving environmental quality, infrastructure, and increasing environmental awareness. Meanwhile, the negative impacts cover water pollution, air pollution, noise pollution, landscape pollution, waste management problems, ecological degradation, environmental disasters, land-use problems, and damage to historical and archaeological sites. As tourism develops in Indonesia, more intentional and unintentional natural damages arise. This is similar to what happened in Ngargoyoso District, Karanganyar, Central Java. Dozens of residents held a protest in the Kemuning tea plantation area. This action which is on behalf of the Community Care for the Environment rejects nature exploitation in the area. The action was taken to strongly protest a project development of building a sky bridge. This is because the work on the parking area and other tourist areas was damaged and causes landslides on the roads between villages.

The residents reject the construction of tourist attraction facilities around the Kemuning area because it is detrimental to them. The policy on the construction of supporting facilities has clearly sided the investors, not residents. The policies carried out by the Village and Sub-District Governments that build various facilities in the Kemuning area are only an effort to maximize

<sup>&</sup>lt;sup>2</sup> James J. Spillane, 1991, Ekonomi Pariwisata Sejarah dan Prospeknya. Yogyakarta: Kanisius. Pg 20.

<sup>&</sup>lt;sup>3</sup> Edwin Hastawi Atmaja, 2017, Manajemen Operasional Paket Wisata City Tour Surakarta di PT. Kirana Surya Gemilang Yogyakarta, Jurnal Pariwisata Terapan, Vol 1, No 2, 2017.

<sup>&</sup>lt;sup>4</sup> Takariadinda Diana Ethika, 2016, Pengembangan Pariwisata Berbasis Budaya Berdasarkan Pada Undang-Undang No. 10 Tahun 2009 Di Kabupaten Sleman, Jurnal Kajian Hukum, Vol. 1, No. 2 (2016).

<sup>&</sup>lt;sup>5</sup> Sri Suwitri, 2008, *Konsep Dasar Kebijakan Publik*. Semarang: Universitas Diponegoro. Pg. 17. Accessed on June 22, 2018.

<sup>&</sup>lt;sup>6</sup> Renna Lestoyo, 2015, Dampak Negatif Perkembangan Pariwisata Terhadap Ligkungan Fisik Pesisir. Studi Kasus: Pantai Pangandaran. Vol. 9. Accessed on April 27, 2018.

<sup>&</sup>lt;sup>7</sup>https://www.cendananews.com/2018/02/puluhan-warga-kaanganyar-protes-pembangunan-fasilitas-objek-wisata-kemuning.html#. accessed on Thursday, 26 April 26, 2020.

tourism potential. They build various facilities which are considered as natural exploitation acts that result in the damage of the environment around Kemuning.

The importance of this research is to show to the public that every policy issued by the government is aimed at people's prosperity. Even though, these policies are actually detrimental to society in reality. Accordingly, this research is important to be conducted to provide criticism and suggestions for the government that the development in the tourism sector which mostly exploits the natural environment will damage the environment on this earth. Referring to the aforementioned problem, this research formulated the following research questions: (1) How is the policy in tourism governance development in the Karanganyar regency? (2) What is the concept of sustainable development-based tourism governance policies? The purpose of this research is to describe the tourism governance development policies in Karanganyar Regency and the concept of sustainable development-based tourism governance policies.

#### RESEARCH METHODS

This research employed an empirical juridical approach. <sup>8</sup> The research setting was conducted in the Karanganyar Regency. The data used in this research was primary data obtained from observations <sup>9</sup> and interviews with several residents who are around the research site, tourists who are in tourist objects, local government, the Department of Youth and Sports Tourism in Karanganyar Regency. This research also involved secondary data obtained from the literature studies. The data analysis method used was descriptive qualitative, which covers the analysis of qualitative data expressed by respondents in written or oral language including real behavior. Furthermore, this research also analyzed and studied other secondary data as something intact. <sup>10</sup>

#### RESULTS AND DISCUSSION

#### 1. Tourism Governance Development Policy in Karanganyar Regency

Daerah Kabupaten Karanganyar merupakan salah satu daerah yang memiliki potensi Karanganyar Regency is one of the areas that have very broad and diverse tourism potential. It is one of the areas that have various types of potential natural resources to be developed as a tourist attraction. Tourist attraction refers to anything that is attractive, unique, has a high value, and becomes a tourist destination. The attractions in Karanganyar Regency tourism include waterfalls, tea gardens, mountains, and other tourist attractions scattered in the Karanganyar Regency area.

The total WPP and tourism place in Karanganyar regency are numerous. Thus, the management of this thing needs good and correct governance so that it has a good impact on tourism development, improve the regional economy, and has no adverse impact on the surrounding environment in Karanganyar Regency. The policy implementation in the Karanganyar Regency relates to the regulation on the development of tourism in the Kemuning tea plantation and other tourism palace in Karanganyar is regulated in the Regional Regulation of Karanganyar Regency Number 6 of 2016 concerning the 2016-2026 Karanganyar Regency Tourism Development Master Plan which was formed based on Law Number 10 2009 concerning Tourism.

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<sup>&</sup>lt;sup>8</sup> Soerjono Soekanto dan Sri Manudji, 1985, *Penelitian Hukum Normatif Suatu Tinjauan Singkat*, Rajawali Press, Jakarta , Pg. 53

<sup>&</sup>lt;sup>9</sup> Shidarta, 2013, *Hukum Penalaran dan Penalaran Hukum*, Yogyakarta: Genta Publishing, Pg..105.

<sup>&</sup>lt;sup>10</sup>Mukti Fajar dan Yulianto Achmad, 2015, Dualisme Penelitian hukum Normatif Empiris, Yogyakarta: Pustaka Pelajar, Pg. 192

<sup>192.

11</sup> Hellen Angga Devy dan R.. Soemanto, 2017. Pengembangan Obyek dan Daya Tarik Wisata Alam Sebagai Daerah Tujuan Wisata Di Kabupaten Karanganyar, Jurnal Sosiologi Dilema, Vol. 32, No. 1. (tahun 2017).

<sup>&</sup>lt;sup>12</sup> Hery Hermawan, 2017, *Pengaruh Daya Tarik Wisata, Keselamatan, dan Sarana Wisata Terhadap Kepuasan Serta Dampaknya Terhadap Loyalitas Wisatawan (studi Community Based Touism Di Gunung Api Purba Nglangeran)*. Yogyakarta: Tesis Studi Megister Manajemen Universitas Sarjanawiyata Tamansiswa. Accessed on June 7, 2018.

The scope of the Regional Regulation in Karanganyar Regency, Number 6 of 2016 concerning the 2016-2026 Karanganyar Regency Tourism Development Master Plan based on article 2, is the development of tourism in the Regions is carried out based on the RIPP which is organized in an integrated manner by the Regional Government, the community, and the business world. In accordance with its authority, the RIPP contains matters related to environmental development policies. Each sub-chapter in the discussion does not necessarily provide policy protection for the environment. Accordingly, the authors' findings can be summarized as follows:

Environmental-friendly content in tourism development
Regional regulation in Karanganyar regency number 6 of 2016 concerning
Karanganyar Regency Tourism Development Master Plan year
2016-2026

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NO	CATEGORY	ENVIRONMENTAL-FRIENDLY	CONTENT
		IN TOURISM DEVELOPMENT	
1	Vision	Available	
2	Mission	Non-available	
3	Goals	Non-available	
4	Objective	non-available	
5	Tourism development direction	Available	
6	Tourism development strategy	Available	

Referring to the aforementioned tourism development strategy, there are several provisions that discuss environmental-friendly content in tourism development such as tourism destination development, tourism marketing, and tourism development, and tourism institutional development. Tourism development has the responsibility for the environment. In addition, it also covers tourism sustainability in Karanganyar Regency. This is important to the continuity and sustainability of existing tourism to the next generations. Referring to the policy implementation of Regional Regulation in Karanganyar Regency Number 6 of 2016, the 2016-2026 Karanganyar Regency Tourism Development Master Plan, there are several regulations on environmental-friendly content in tourism development in which it has not been implemented or has not been implemented at all in practice. If the implementation of the environmental responsibility development program has not been implemented by the Karanganyar Regency government from the four-year program, from 2016 to 2020, means the implementation of environmental responsibility is not yet existed. Thus, it is necessary to implement this program as this program has not been conducted properly and effectively. This can be seen from the management of several tourist destinations in Karanganyar Regency that brings a bad impact on the environment, for example, in the Kemuning tea plantation, Tawangmangu, and other tourism places. The further description explains in the following:

## 1. Kemuning tea plantation,

The parking area in the Kemuning tea plantation was formerly a tea garden. The construction in the parking area is an effort to build tourism facilities. Thus, the tourist who visits the area can park their vehicles comfortably. This development has a positive impact on the tourism and economic sectors surrounding the community. However, this also has a negative impact on the environment and nature due to the damage to the ecosystems. In addition, the Kemuning tea plantation is one of the tourism places located in Karanganyar Regency. Here, there is also a bamboo house which is located in the middle of a tea garden. From the middle of the river, there is a bridge whose pillars are located right in the middle of the river. The pillars block the flow of water in the river in which heavy rains occur, cause flooding.

#### 2. Jumog Waterfall

The Jumog waterfall parking area was previously located close to the main counter. From the main counter, we have to go down by stairs to get to the main waterfall. However, with the development of tourism, the main counter and parking lot are added to the location close to the main waterfall by opening new land. The opening of the counters helps tourists to easily visit the Jumog waterfall. Even though, the opening of a new land automatically destroys the environment and nature preservation.

# 3. Cetho Temple

Tourism development is not so conspicuous. Its development does not damage the environment. Cetho Temple is one of the favorite climbing routes to climb at the top of Mount Lawu. Thus, Cetho Temple is not only crowded with tourists but also climbers.



This road is the main road to the tea garden and Cetho temple. This road used to be a paved road but was damaged due to many tourist vehicles such as motorbikes, private cars, and tour buses. In addition, bridges to this place were damaged due to the landslide on the main road.

According to Siswanto, the damage and pollution so far are due to a large amount of garbage in tourism objects, air pollution, and damaged roads. This happens because of the large number of tourists visiting the area. Meanwhile, the waste is only from household waste. This is because in Kemuning tea garden, there is only one restaurant and it also belongs to PT RUMUN SARI KEMUNING. Waste management in tourist objects is managed by the residents while the environmental service only picks up garbage until the Kemuning market area. They do not reach the tourist area. Accordingly, the policy management in the tourism place in Karanganyar Regency has been implemented. This is mentioned in several provisions of regional regulation in Karanganyar Regency Number 6 of 2016, the Master Plan for Tourism Development for 2016-2026.

#### 2. The Concept of Sustainable Development-Based Tourism Governance

The legal reformation policy on natural resources within the political framework of legal development must be linked to the ideals of the Pancasila law. Pancasila is placed within the basic

framework of legal development. It has links to natural resources including water and natural resources. This is to manifest the greatest prosperity of the people as mandated in Article 33 paragraph (3) and (4) of the 1945<sup>13</sup> Constitution. Its implication must be based on the following basic principles:

# 1. States' responsibility as the holder of the natural resource power

The characteristics of good governance are democracy, participation, accountability, transparency, openness, focused on the interests of the people, and a legal framework. These characteristics cannot be realized if the administrators do not have the authority and responsibility to take care of their own (local) communities' interests, take initiatives based on local people's aspirations. This is also adjusted based on the conditions, potentials, and characteristics. <sup>14</sup>

In this case, the author has conducted an interview with Giyatmo, the Head of the Development of Destinations for the Ambassador of Culture and Tourism in Karanganyar Regency, the existing policies in the Karanganyar Regency, and the State's responsibility as the holder of natural resource power needs improvement. The Karanganyar Regency government must apply environmental-friendly content for sustainable development which the participation of the government, surrounding communities, or organizations. In the near future, the substance of the tourism development policy cannot be improved. This is because there is the need to conduct literature studies such as examining constraints and other influencing factors.

This is an important matter. According to the absoried policies in sustainable development, efforts must be made for future needs and aspirations. The economic, cultural, social, and sustainable development rights are definite. if the human right to a healthy and good living environment becomes an urgent need, the development right cannot be separated from certain provisions. The development should improve human dignity and the objectives so that people's welfare can be shared in an equitable manner.

In this case, the author has conducted an interview with one of the village heads in Kemuning Karanganyar regarding the impact of tourism development in Kemuning. He stated that the development increases the waste, reduces water volume, and abused by young people. They used the tourism place, the tea garden as a place to commit immoral acts. Thus, the village head in Kemuning has the following plan or policy:

- a) Conduct retribution for water management in Kemuning Village
- b) Provide garbage bins at each tourism place
- c) Conduct Regular patrols

In addition, according to Aji Di Bintoro, the Head of Environmental Planning and Impact, and Siswanto, the environmental dispute settlement for the Environmental Service Office of Karanganyar Regency, they also examine whether the existing policies has an environmental-friendly content in tourism development or not. This can be done by examining from an environmental perspective, the impact on the environment, see whether its implementation is already environmental-friendly content, and does not harm the environment

# 2. Strengthen peoples' right as the holder of the state sovereignty

An interesting statement from Lawrence Meil Friedman that, "Without legal culture, the legal system is iner a dead fish lying in a basket, not a living fish swimming in its sea." This means that the law in this country is undoubtedly helpless like a dead fish if this is not supported by the legal culture of the nation. This is emphasized by its definition. Law is for humans which

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<sup>&</sup>lt;sup>13</sup> Absori, 2013, Politik Hukum Menuju Hukum Progresif, Suarakarta: Muhammadiyah University Pers, Pg. 170

<sup>&</sup>lt;sup>14</sup> Absori dan Fatkhul Muin, Penyusunan Peraturan Daerah Dalam Kerangka Otonomi Daerah, Suatu Tinjauan Terhadap Pembentukan Perda yang Aspiratif, Prosiding Konferensi Nasional ke-4 Asosiasi Program Pascasarjana Perguruan Tinggi Muhammadiyah (APPTM), Pg.267.

means that a legal rule cannot be separated from humans. It is found that the rule of law cannot be separated from the legal culture. This is because the state and the law are no merely a set of institutions that has no social meaning. They are a construction of cultural products. The connection of law even revolves around (antro posentris), from, by, and for humans. Abstractly, the embryonic legal construction is derived from reasoning and human experience whose ultimate goal is to present justice. <sup>15</sup> Thus, it is necessary to have a policy that regulates the development and the preservation of the tourism area. The issuance of this policy stated in the regional regulation of Karanganyar Regency Number 6 of 2016 concerning the master plan tourism development in Karanganyar year 2016-2026.

Ton Dietz states that the efforts by the community were purely environmental at first. They fight for environmental problems for the sake of the environment. At any risk, the environment must still be protected. In addition, there is the need to continue the economic growth and improve the accumulation of capitalism. Thus, the supply of industrial raw materials can be guaranteed and the economy continues to grow. Furthermore, there is a desire to carry out environmental advocacy to enforce and reform environmental laws. The advocacy was initiated by environmental activists who strongly side with the interests of the people and the environment. They aim to improve the community's welfare. <sup>16</sup>

Referring to the theory above, it was found that the role of the community in managing and protecting the environment is very important. This is because the community has a very strategic role in guarding tourism development to avoid the detrimental impact on the preservation of the environment and the improvement of the community's welfare. These efforts are helpful when a detrimental action detected. The community can directly take an action through advocacy. They can sue the stakeholders, the government, or the tourism entrepreneurs.

#### **CONCLUSION**

Based on the results of research and discussion, it can be concluded that first, the development policies and tourism governance in Karanganyar Regency are regulated in the Regional Regulation Number 6 of 2016 concerning the Master Plan for Tourism Development in Karanganyar Regency 2016-2026. This regional regulation covers environmental-friendly tourism development. However, in practice, its implementation has not been done by the Karanganyar Regency government. From the four-year program running from 2016 to 2020 there has been no implementation of environmental responsibility in the tourism development in Karanganyar Regency. Second, the concept of sustainable development-based tourism policy and governance is based on the following basic principles, (1) States' responsibility as the holder of natural resource power. (2) Strengthening peoples' rights as the holders of state sovereignty.

## **SUGGESTION**

It is suggested that the Karanganyar Regency government could appropriately implement Regional Regulation Number 6 of 2016 concerning the master plan for Karanganyar Regency Tourism Development in 2016-2026. Meanwhile, for the community of Karanganyar Regency, it is suggested that they should have active participation in the management of tourist places in Karanganyar Regency. Thus, the tourism place does not have an adverse impact on the environment, economy, or community welfare. Lastly, for tourist visitors, they should maintain good behavior, avoid committing immoral at tourist sites, avoid littering the area, and take a part in preserving the

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<sup>&</sup>lt;sup>15</sup> Absori, Achamdi, 2017, Transplantasi Nilai Moral dalam Budaya untuk Menuju Hukum Berkeadilan (Perspektif Hukum Siatematik ke Non-Sistematik Charles Sampford), Proceedings of the 6th National Conference of the Association of the school of postgraduate studies in Muhammadiyah Aisyiyah (APPTMA) Pg. 112.

<sup>&</sup>lt;sup>16</sup> Ton Dietz dalam Absori, 2005, Penegakan Hukum Lingkungan Pada Era Reformasi, Jurnal Ilmu Hukum Vol. 8. No.2, September 2005, Pg. 222-223

nature around the tourism area. Thus, they could also have the responsibility to take good care of tourist sites.

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Law Number 10 of 2009 concerning Tourism

Law Number 32 of 2009 concerning Environmental Protection and Management

Regional Regulation of Karanganyar Regency Number 6 of 2016 concerning the 2016-2026 Tourism Development Master Plan for Karanganyar Regency.