

Environmental-Oriented Tourism Development and Legal Governance in Indonesia

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Tourism acts as an essential sector in Indonesia's national development, making substantial contributions to economic growth, employment generation, and regional income. Nevertheless, the rapid expansion of tourism activities has resulted in major environmental degradation, social inequality, and governance challenges. This study investigates tourism development from an environmentally oriented legal perspective, stressing the necessity of sustainable tourism governance rooted in environmental protection, legal compliance, and social responsibility. Employing a normative juridical research method, the article analyses Indonesian legal instruments governing tourism and environmental protection, including statutory regulations, doctrinal principles, and relevant scholarly literature. The results show that, although Indonesia has established comprehensive legal documents to regulate environmentally sustainable tourism, implementation remains weak due to policy voids, limited control procedures insufficient integration of local wisdom and community participation. Strengthening environmental law enforcement, clarifying corporate social and environmental obligation recognising the roles of indigenous and local communities are fundamental for guaranteeing sustainable tourism. This analysis develops the discussion on sustainable tourism law by emphasising the need for transformative legal governance that aligns with economic interests, ecosystem protection, and social justice.

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BACKGROUND

Tourism development in Indonesia occupies a key role as a catalyst for national and regional economic growth, supported by the country's abundant natural landscapes, exceptional biodiversity, and rich cultural heritage. This approach is in line with broader development planning that regards tourism as a means to increase employment, foreign exchange earnings, and overall socio-economic advancement.¹ However, the rapid and frequently unregulated expansion of tourism has placed increasing pressure on environmental systems, resulting in multiple forms of ecological degradation.

Recent empirical studies in Indonesia have identified a range of ecological problems associated with tourism growth. For instance, research at the Situ Bagendit natural tourist destination in West Java documented environmental stresses such as water pollution, garbage accumulation, and ecosystem degradation resulting from increased visitor numbers, despite some

improvements in local environmental awareness.² Similarly, studies of tourism impacts at coastal and small island destinations demonstrate that tourism-induced pollution, resource use pressures, and ecological vulnerability persist in sensitive ecosystems, including the Gili Islands and Karimunjawa.³ Analyses of carbon output furthermore reveal that tourism activities, particularly transport, accommodation, and energy consumption, contribute to elevated carbon emissions, with tourist transportation representing a major source of local greenhouse gas outputs.⁴ Collectively, this evidence indicates that environmental costs are insufficiently internalised within current tourism growth models.

These ecological burdens illustrate that the economic benefits generated by tourism development are often not accompanied by corresponding improvements in environmental quality or social well-being. For example, tourism-related pollution, land degradation, and declining ecosystem services are enduring

concerns in both urban and rural destinations, eliciting alarm regarding the lasting sustainability of unregulated tourism expansion.^{5,6}

From a legal standpoint, tourism development is closely linked to environmental protection obligations. Indonesian environmental law conceptualises the environment as an integrated space that includes natural resources, living beings, and human behaviour, all of which together impact ecological sustainability and human welfare. This juridical framework points out the essentiality of regulating tourism activities that utilise environmental resources to avoid permanent damage and to protect intergenerational equity. Nevertheless, despite the presence of legal instruments such as the Tourism Law, Environmental Management Law, and mandatory Environmental Impact Assessment (EIA) processes, the prioritisation of investment and infrastructure expansion often undermines environmental protections.^{7,8}

Empirical research further demonstrates that legal and policy enforcement vary markedly across destinations. For example, studies of sustainable tourism practices in Bali reveal recurring problems in equilibrating economic improvement with environmental protection, community well-being, and fair benefit distribution, even in the presence of formal sustainability initiatives.⁷ Additionally, broader assessments of sustainable tourism research in Indonesia show a pronounced academic focus on sustainability since 2021, enduring evidence indicates that sustainability principles are not sufficiently integrated into mainstream tourism planning and governance.^{9 10 11 12}

The conflict between economic necessities and ecological sustainability is also evident in policy analyses of eco-tourism and sustainable tourism strategies. Although eco-tourism is promoted as a model for harmonising conservation objectives with local community benefits, large-scale analyses indicate that some ecotourism sites have not achieved significant reductions in environmental degradation, such as forest loss. This suggests that policy intentions are inadequate without solid regulatory enforcement and monitoring.¹³

The ongoing environmental degradation and social disparities, especially in major tourism destinations, reflect a development paradigm that prioritises quick economic profits at the expense of long-term ecosystem considerations and local community interests. Therefore, it is vital to apply an environment-oriented tourism development approach that protects the natural and social resources essential to the sector. Legal instruments are fundamental to this transition, acting not just to regulate harmful practices but also to promote social justice, community participation, and sustainable development principles that correspond economic objectives with ecological protection.

METHOD

This study uses a normative juridical research method, which focuses on the examination of legal norms, principles, doctrines, and regulatory systems overseeing tourism development and

environmental protection in Indonesia. This approach is appropriate as it enables a systematic analysis of how law is constructed, interpreted, and applied in regulating human activities that affect environmental resources.^{10,11} The method emphasises the analysis of law as written, rather than empirical observation, and concentrates on the logical connection and adequacy of legal norms in achieving sustainable development objectives.

The research relies exclusively on secondary legal materials, which are classified into primary, secondary, and tertiary sources. Primary legal materials include statutory regulations relevant to tourism and environmental governance, such as laws on tourism, environmental protection and management, and environmental impact assessment. Secondary legal materials consist of peer-reviewed academic journal articles, scholarly books, legal commentaries, and policy reports addressing tourism law, environmental law, sustainable development, and environmental governance. Tertiary legal materials, including legal dictionaries and encyclopaedias, are used to clarify legal terminology and concepts.¹⁴

Data analysis is performed using a qualitative, descriptive, and analytical approach. Legal provisions are systematically reviewed and interpreted through statutory interpretation and doctrinal analysis to assess their normative structure, scope, and internal consistency. This process includes evaluating the extent to which tourism-related regulations incorporate environmental viability principles, precautionary approaches, intergenerational equity, and social justice. The assessment further assesses the effectiveness of existing legal instruments in preventing environmental degradation resulting from tourism activities.^{15 16}

The study pays particular attention to the interaction and harmonisation between tourism law and environmental protection law, including regulations on environmental impact assessment, environmental permits, and corporate social and ecological accountability. This inter-sectoral analysis is crucial for recognising normative overlaps, gaps, or contradictions that may undermine

environmental protection in tourism governance. Additionally, the article reviews legal provisions concerning public participation, community rights, and the involvement of local and indigenous communities in tourism planning and management, recognising their contribution to achieving integrative and sustainable tourism development.^{17,18} Through this investigative framework, the study seeks to offer a thorough legal analysis of tourism development in Indonesia from a green sustainability perspective and to offer normative insights to inform the formulation of environmentally oriented tourism policies and regulatory reforms.

DISCUSSION

The findings of this study demonstrate that Indonesia has formally adopted a wide-ranging legal framework that, in principle, promotes ecological sustainability in tourism development. Environmental protection laws in Indonesia incorporate principles of sustainable development, pollution prevention, ecological conservation, and the precautionary approach. For instance, statutory requirements for environmental impact analyses and environmental management plans reflect legal commitments to minimise adverse ecological outcomes from development activities.¹⁹ Similarly, tourism legislation recognises the essential role of conserving both natural and cultural resources, highlighting their importance as basic assets for tourism progress and social groups' well-being.²⁰

Despite this supportive normative infrastructure, several core limitations undermine the practical effectiveness of environmental law. First, legal norms governing environmental duty in the tourism sector are frequently broad, general, and lack particular functional standards. Recent studies have found that governmental regulations often articulate environmental duties in abstract terms, without establishing measurable performance indicators, explicit functional guidelines, or enforceable sanctions for non-compliance.²¹ This vagueness enables many tourism enterprises to regard environmental and social responsibility requirements as administrative formalities rather than substantive legal obligations,

continuing a compliance culture focused on formal compliance instead of authentic ecological management.

Second, law enforcement and regulatory adherence are inconsistent and frequently ineffective. Empirical research has identified persistent weaknesses within environmental oversight and regulation in key tourism destinations such as Bali, Lombok, and Komodo National Park, in areas where environmental impact assessments are sometimes conducted solely to meet administrative procedures rather than to achieve substantive environmental protection.²² Institutional analyses have also revealed limited coordination among government agencies responsible for environmental protection, tourism regulation, and spatial planning, resulting in fragmented oversight and enforcement gaps.²¹ Such difficulties are more severely worsened by a general lack of environmental awareness among participants, including local authorities and tourism operators, which diminishes regulatory effectiveness. Local and indigenous communities, although constitutionally recognised and legally entitled to participate in natural resource governance, continue to be marginalised in tourism management. Despite evidence that Local indigenous expertise and local environmental practices can greatly improve eco-friendly resource governance, formal tourism governance frequently fails to incorporate these forms of traditional ecological knowledge into regulatory systems and policy formulation activities.²³ This marginalisation undermines community agency and weakens ecological protection outcomes. For instance, research in rural tourism communities in Central Java and Eastern Indonesia demonstrated that public participation through environmental assessment and tourism planning upgraded resource management outcomes, yet these practices are not consistently integrated into regional policy systems.²⁴

The shortcomings of present regulatory approaches demonstrate that sustainable tourism cannot be achieved solely through regulatory structure or legal formulation. Although the existence of environmental statutes and tourism policies is necessary,

these measures alone are insufficient to produce the desired ecological and social outcomes. Implementation gaps, weak regulatory enforcement tools, and institutional fragmentation are widely documented in recent tourism and environmental governance research.²⁵

To resolve these problems, numerous important elements are necessary to promote environmentally oriented tourism development. First, community-based governance structures should be established to meaningfully engage local communities, civil society organisations, and Indigenous stakeholders in the planning, monitoring, and management of tourism activities. Participatory models not only improve compliance as well as to utilise local knowledge systems, which frequently are more adaptive to ecological contexts.²⁵ Second, regulatory frameworks are required to be strengthened through adopting clear performance indicators, robust monitoring mechanisms, and enforceable sanctions linked to measurable environmental outcomes, rather than depending only on procedural compliance. Third, governance should move beyond an exclusively investment-oriented development model, which prioritises economic growth and infrastructure expansion, toward a holistic paradigm that integrates ecological resilience, social justice, and community empowerment into core tourism planning and policy objectives.²⁰

Overall, achieving sustainable tourism in Indonesia calls for not only well-designed laws and policies but also effective implementation, enforcement, and institutional alignment that are grounded in ecological realities and local social-cultural interactions. Only by means of such integrated approaches can tourism development contribute meaningfully to environmental protection, equitable community benefits, and enduring sustainability.

CONCLUSION

This study confirms that the achievement of environmentally sustainable tourism development in Indonesia is fundamentally dependent on the effectiveness of legal governance. Although Indonesia has established a relatively comprehensive

normative framework regulating tourism activities and environmental protection, the actual execution of these legal instruments remains inadequate. Ongoing regulatory ambiguities, inconsistent law enforcement, and limited integration of community participation continue to undermine the capacity of the legal system to prevent environmental degradation and social inequality within tourism destinations.

The study findings reveal that reinforcing legal policies is important to bridge the gap between normative commitments and empirical outcomes. This requires the creation of clearer and more operational statutory standards that define environmental responsibilities in measurable and enforceable terms. Including particular performance indicators, compliance benchmarks, and proportional sanctions would enhance legal certainty and responsibility in the tourism sector. Additionally, consistent and coordinated implementation procedures across institutional levels are required to ensure that environmental regulations serve as substantive instruments for ecological protection, rather than merely formal procedures.

Equally important is the institutional recognition and empowerment of local and indigenous communities as central participants in tourism governance. Their involvement should exceed symbolic participation to encompass substantive roles in planning, monitoring, and management actions. Assimilating local knowledge systems and community-based management practices into formal legal regimes could boost ecological management while promoting social justice and fair distribution of tourism benefits. Such cooperative governance models contribute to increased legitimacy, compliance, and enduring sustainability.

Ultimately, tourism development that prioritises quick economic returns over environmental protection and social equality risks depleting the very resources on which the tourism industry relies. This study, therefore, draws attention to the need for a transformative, environmentally oriented legal approach that positions sustainability as a central objective. Through aligning economic development

alongside ecological wholeness and social welfare, Indonesia can promote a model of tourism development that is resilient, inclusive, and enduring in the long term.

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