ENVIRONMENTAL MANAGEMENT REGULATION FOR SUSTAINABLE TOURISM DEVELOPMENT IN BALI

I Nyoman Gede Sugiartha, Faculty of Law, Universitas Warmadewa, Indonesia
I Nyoman Putu Budiartha, Faculty of Law, Universitas Warmadewa, Indonesia
I Made Minggu Widyantara, Faculty of Law, Universitas Warmadewa, Indonesia

ABSTRACT

Having a good and healthy living environment is a basic right of every Indonesian citizen as mandated in Article 28H of the 1945 Constitution of the Republic of Indonesia. Inappropriate environmental management has contributed to the deterioration of environmental quality. Therefore, it is necessary to make efforts to improve environmental protection and management. Environmental protection and management for sustainable tourism development is the responsibility of the community, business actors and government. The function of the government together with business actors and the community in preserving the environment is a function of public services to ensure that all residents get a good and healthy environment. Thus, the government can hold business actors and the public accountable in preserving the environment both administratively, civil and criminally when they fail to carry out their obligations which are inconsistent with environmental preservation. Likewise, the government if they commit acts that are not in accordance with the provisions of the law on environmental protection and management, they can also be held accountable legally. This research is an empirical legal research, which applies several types of approaches, namely, empirical approach in the field, statutory approach, a conceptual approach, comparative approach, case approach and cultural approach based on the local wisdom of the community.

The results showed that the protection and management of the environment was an effort to take responsibility that is not easy, resulting in a decrease in the quality of the environment which is increasingly felt by the community. Likewise, if environmental pollution and destruction occurs, the perpetrator can be held accountable either legally, civil or criminally. However, in a context such as in Bali, regulations that integrate the values that develop in society in protecting and preserving the environment are an ideal form of protecting and managing the environment wisely to realize sustainable tourism development.

Keywords: Regulation, Environment, Sustainable Tourism.

INTRODUCTION

Research in the environmental sector has been carried out frequently so far, but research on regulations related to sustainable tourism development as a measuring tool for the government's alignment with the environment related to tourism management is inadequate, so it

cannot become a model for tourism development that is synergized with nature. Principally, having a good and healthy living environment is the basic right of every Indonesian citizen as mandated in Article 28H of the 1945 Constitution of the Republic of Indonesia (Sudi Fahmi, 2013: 255). Environmental management that is less prudent has also contributed to the decline in environmental quality, and therefore, efforts are needed to increase environmental protection and management (Ohni Najwan, 2012: 57). Environmental protection and management aims at realizing sustainable tourism development.

In implementing good and healthy environmental protection and management, every actor and / or person in charge of a business shall obtain an environmental permit in accordance with applicable legal provisions. This is stated in the Law on Environmental Protection and Management (UUPPLH) No. 32 of 2009, Government Regulation No. 27 of 2012 concerning Environmental Permits, Ministry of Environment Regulation No. 08 of 2013 concerning Procedures for Assessment and Examination of Environmental Documents and Issuance of Environmental Permits. An environmental permit is something that must be owned by a person in charge of a business and / or activity as an effort to supervise the government in protecting and managing the environment (Kartono, 2009: 32). Law was created as a means or instrument to regulate the rights and obligations of legal subjects. The law regulating the legal relationship between the government and citizens is State Administrative Law or civil law, depending on the nature and position of the government in carrying out these legal actions (Sutrisno, 2013: 17). When the government takes legal action in their capacity as a representative of a legal entity, the actions is regulated and subject to the provisions of civil law (Sudi Fahmi, 2013: 36); whereas, when the government acts as an official, the action is regulated and subject to the State Administrative Law. Violators shall be subject to sanctions according to the level of error (Hikmat & Yusran, 2003: 74).

Certainty in the application of environmental law is in fact difficult to resolve; thus, efforts to maximize law enforcement should be supported by good regulations and sincere government implementers (Otto Soemarwoto, 1999: 89). The problem is the tendency of local governments to build economic facilities by exploiting natural and environmental resources to pursue Regional Original Income (PAD) but paying less attention to the carrying capacity of the region's environmental sustainability (Pitana, 2004: 19) and the rules that must be obeyed.

Research Questions

Building upon the background elaborated above, there are two very interesting issues to be studied and are used as research questions for this research.

1. What are the government regulations on environmental management for sustainable tourism development in Bali?
2. What are the legal consequences for the government, business actors and society in environmental management that are not in accordance with existing regulations in Bali?

Research Objectives

This research contributes to the development of legal science, by examining further the role of the government in preserving the environment and the form of government responsibility in environmental management related to tourism development in Bali. This research also

examines, uncovers and finds out solutions to legal consequences for the government for environmental management decisions that are inconsistent with community participation.

LITERATURE REVIEW

Rule of Law Concept

The State of Indonesia is a rule of law, as emphasized in Article 1 paragraph (3) of the 1945 Constitution of the Republic of Indonesia. This means that the State of Indonesia, in carrying out its state activities, must be based on applicable law (Rahardjo and Satjipto, 1982; 93); or in other words, all actions taken by the authorities and the public must be based on applicable law or what is known as the legality principle, not based on power. According to Diana Halim Koentjoro, in a constitutional state, the principle of protection is needed, which means that in the Constitution there are provisions that guarantee human rights. The same opinion was expressed by K.C. Wheare which states that the minimum content of a constitution is about the rule of law. In this context. K. C. Wheare formulated in a question: "What should a constitution contain?" and he himself answered with "The very minimum, and that minimum to be 'Rule of Law'" (K.C. Wheare, 1975: 173).

Environmental Concept

The concept of the environment is contained in Article 1 Number 1 of Law Number 32 of 2009 that defines the environment as a spatial unit with all objects, forces, conditions, and living things, including humans and their behavior that affect nature itself, the continuity of life, and human welfare, as well as other living things. Conditions, circumstances and influences contained in the space we live in affect living things including human life (Rachmadi Usman, 2003: 126), economic factors, social factors and others (Emil Salim in Gatot P. Soemartono, 1997: 34). Soedjono (Soedjono D., 1979: 20), defines 'environment' as 'space', that is to say, both living and non-living things are unified in one unit and interact with each other both physically and non-physically, which includes all the elements and physical factors found in nature.

Participation Theory

With regard to community participation, John Cohen and Norman Uphoff (1980: 213-235) argued that the main kinds of participation that warrant major concern are: (1) participation in decision making; (2) participation in plementation; (3) participation in benefits; and (4) participation in evaluation. In light of these types of community participation, it can be argued that participation in decision making is a form of community participation in providing criticism and suggestions regarding the decision-making process or government policy; participation in plementation, namely the community is involved in implementing government decisions or policies; participation in benefits, that is, the community savours the results or benefits from implementing government decisions or policies; and participation in evaluation is the community's contribution in government decisions or policies. Judging from the ideas of John Cohen and Norman Uphoff, community participation in environmental protection and management in principle includes these four components.

Tourism

Tourism as an activity related to recreation, of course, will cross several locations, both rural and urban. The arrangement of cities and villages that become tourist attractions is very important, especially in the concept of sustainable tourism. Techincally speaking, the foundation for protecting the environment is rural nature which is still very open to being managed properly in relation to tourism sustainability. Tourism villages, as a form of rural tourism, can provide many benefits for efforts to develop various resources owned by rural areas (Sugiarto, et al., 2015: 127). These various potentials can become tourist attractions that provide authentic and impressive experiences to tourists as well as provide opportunities for local people to earn additional income through tourism activities. The development of such a tourist village can be an effort to foster local entrepreneurial potential, diversify tourism products, support the local economy, and revitalize local culture. The relationship with regional economic development is that the development of tourist villages is alleged to be able to overcome urbanization and encourage the rural economy.

Research Objectives

The research objective is to examine the level of accountability of the Bali provincial government in implementing environmental law provisions related to community participation in environmental protection and management. Furthermore, when governments fail to carry out their responsibilities, they must be held accountable and subject to sanctions in accordance with applicable environmental laws. In addition, this research is also carried out for regional development in Bali. Specifically, this research was conducted to examine, identify and find solutions to the legal consequences of the government for decisions in environmental management that are inconsistent with community participation. On the other hand, this research contributes to the government of Bali Province in the form of input, suggestions and responses to environmental management, and for the community so that they can enjoy a good and healthy environment according to their respective rights.

Research Benefits

Theoretical Benefits

Theoretically, this research is useful in examining regulations in the tourism sector and as additional information and references in literature. In addition, it reveals changes in the concept of criminal liability policy in the case of corporations committing criminal acts in accordance with the development of tax reform and the development of required legal requirements. Another contribution of this research is it is thought to be the development of criminal law, especially in the field of criminal law related to acts, criminal liability and types of sanctions against perpetrators of criminal offenses in the corporate sector at this time, and Criminal Law in Criminalization in the corporate sector at present and in the coming future in Indonesia.

Practical Benefits

In practical terms, this research contributes in the form of input for improving firmer and fairer law enforcement in the environmental sector for sustainable tourism development in Bali,

as well as providing benefits oriented towards legal compliance and for the welfare of all Indonesians.

RESEARCH METHOD

Research Type

Legal research methods can be divided into two types, namely: Normative Legal Research and Empirical Legal Research (Bambang Waluyo, 1991: 13). The type of research applied in this study is a combined legal research between Normative and Empirical (Mike's Method). This type of legal research conceptualizes law as what is written in statutory regulations (law in books) or law is conceptualized as a rule or norm which is a benchmark for human behavior that is deemed appropriate (Amiruddin and Zainal Asikin, 2004: 118). The use of the case approach in normative research aims to study the application of legal norms or rules carried out in legal practice, especially regarding cases that have been decided as can be seen from the jurisprudence of cases that are the focus of research (Johnny Ibrahim, 2006: 321).

Approach to the Problem

The approach to the problem used includes several types of approaches, such as statute approach, conceptual approach, case approach, historical approach, and comparative approach.

Legal material sources

Sources of research legal materials are generally distinguished between legal materials obtained from statutory regulations and materials obtained from theories and opinions of scholars and / or legal experts. The normative legal research method only recognizes secondary data (Amiruddin and Zainal Asikin, 2012: 26). The secondary data consists of primary legal materials, secondary legal materials and tertiary legal materials.

Legal Material Collection Techniques

The collection of legal materials is carried out using a card system. Using this system, the research data were collected by reading critically and analytically the laws relating to tourism management arrangements and the related theories. In addition, with this system, data were also collected by making the necessary records.

Legal Material Analysis Techniques

After the primary and secondary legal materials are collected using the complete card law, it is followed by the analysis process. The analysis of the research data was carried out using a logic flow in normative legal research, which was pursued through the steps below.
The first step is to describe (elaborate). At this stage, the researchers describes the content and structure of positive law. The second is systematization. At this stage, the content and structure or the hierarchical relationship among the related legal rules are carried out so that they can be understood properly. The third is explanation. At this stage, an explanation of the analysis of the

meaning contained in legal rules is carried out, especially in relation to legal issues in this study, so the whole forms one logically-interconnected unit.

RESULTS AND DISCUSSION

Government Regulation regarding Environmental Management for Sustainable Tourism Development in Bali

Legal action regulation implies the use of authority and it implies an obligation of responsibility. Almost all countries share the responsibility of the state towards citizens or third parties. In the perspective of public law, the government's legal actions are further outlined in laws and several legal and policy instruments are used such as statutory regulations, policy regulations, and decrees (Dyah Adriantini Sintha Dewi, 2012: 32). In addition, the government also often uses civil law instruments such as agreements in carrying out government tasks. Any use of authority and application of legal instruments by government officials must have legal consequences, because they are intended to create legal relations and legal consequences.

An official is a person who due to his / her duties and authority acts as a representative of the position, commits actions for and on behalf of the position. Meanwhile, a person is called or categorized as an official when he or she exercises authority for or on behalf of a position. Based on this concept, it appears that legal actions carried out by officials in the context of exercising office authority or taking legal actions are for and on behalf of the position; and thus, their actions are categorized as legal acts of office.

Regarding government accountability based on its theory, it can be divided into 2, as stated by Kraenburg and Vegting, namely fautes personalles and fautes de services. Fautes personalles is a theory which states that losses to third parties are borne by officials who because of their actions have caused losses. Fautes de services is a theory which states that the loss to the third party is borne by the agency of the official concerned (Ridwan HR., 2003: 64).

Quoting Logeman's opinion, rights and obligations continue, regardless of changing officials. Based on this statement, it is clear that the bearer of the responsibility is a position. Therefore, compensation is also borne by the agency / position, not on the official as an individual. As stated by Kranenburg and Vegting that responsibility is borne by the corporation (agency, position), if an illegal act committed by the official is objective, the official concerned is not liable as long as there is no subjective error. On the other hand, officials or employees are held responsible when they make subjective mistakes (Ridwan HR., 2003: 69). For other illegal acts, only the representative of the official is fully responsible; he has abused the situation, in that, as a representative he committed immoral acts against the interests of third parties. In such case, the official has committed a subjective error or committed maladministration.

If the government makes decisions not in accordance with the aspirations of the community towards environmental law, the legal policy has been regulated in the UUPPLH, particularly in Article 91 concerning the Community's Right to Suffer in the event that the community is harmed and Article 92 concerning the Rights to sue the people who are members of the Environmental Organization. Article 93 UUPPLH gives every person in society the right to file an administrative suit against a government decision if:

a. state administrative bodies or officials issue environmental permits to businesses and / or activities that are required to have an Environmental impact assessment but are not equipped with the assessement document referred to;

b. state administrative bodies or officials issue environmental permits to activities that are required to be Environmental Management Effort - Environmental Monitoring Effort (UKL-UPL) but not equipped with the UKL-UPL documents; and / or
c. state administrative bodies or officials that issue business and / or activity licenses that are not equipped with environmental permits.

Criminal law enforcement in environmental law enforcement in UUPLH No. 23 of 1997 is only as ultimum remidium, so the content of the enforcement of criminal sanctions is not dominant. It turns out that the ultimum remedium principle in the explanation is less clear and firm. The general explanation is actually an attempt to clarify the meaning of the preamble of a law (Soedikno Mertokusumo, 2003: 15). The preamble contains philosophical values of a law (Yulanto Araya, 2013: 50). Thus, in fact the general explanation is an attempt by legislators to reinforce the philosophical values contained in a preamble (Soetandyo Wignjosoebroto, 2002: 159). The philosophical values in the preamble of a law are concretized in the form of the articles of the law (Syahrul Machmud, 2011: 163).

Basically, the definition of a criminal in a statutory regulation is very important. This has been included in the environmental law enforcement law with the existence of criminal law provisions that are included in the law on environmental management. Law Number 32 of 2009 concerning Environmental Management (UUPLH) has included the provisions of its criminal law in Chapter XV, which consists of 23 articles, starting from Article 97 to Article 120.

In this regard, the responsibility of the government in making their decisions that are not in accordance with the provisions of the law - in the form of causing serious loss or injury and / or death - can be prosecuted under criminal law. This is regulated in Article 111 and Article 112 of Law no. 32 of 2009 concerning PPLH, Article 111 regulates:

(1) Officials issuing environmental permits who issue environmental permits without being completed with an Environmental impact assessment or UKL-UPL as referred to in Article 37 paragraph (1) shall be punished with imprisonment for a maximum of 3 (three) years and a maximum fine of IDR. 3,000,000,000.00 (three billion rupiah).
(2) Officials issuing business and / or activity permits that issue business and / or activity licenses without environmental permits as referred to in Article 40 paragraph (1) shall be punished with imprisonment of up to 3 (three) years and a maximum fine of IDR. 3,000,000,000.00 (three billion rupiah).

Article 112 reads:

"Any authorized official who deliberately does not supervise the compliance of the person in charge of a business and / or activity with laws and regulations and environmental permits as referred to in Article 71 and Article 72, which results in environmental pollution and / or damage resulting in loss of human life shall be punished with imprisonment of 1 (one) year or a maximum fine of IDR. 500,000,000.00 (five hundred million rupiah)."

The regulation in this provision aims to be preventive through supervision and guidance as well as repressiveness through the application of environmental legal sanctions (Nuryanto, 2011; 159). Criminal acts regulated in Law No. 32 of 2009 is not a complaint offense but an ordinary offense. The consequence is that investigators are active by directly carrying out their duties to carry out a series of actions such as arrest and detention of the perpetrators without

waiting for a complaint from the victim (Gatot Supramono, 2013: 124). In Article 6 paragraph (1) of the Criminal Procedure Code there are 2 (two) criminal investigators, namely the Indonesian National Police (Polri) and Civil Servants (PNS). Police investigators act as general investigators for all criminal acts, while civil servant investigators are special investigators of crimes in certain fields determined by law (Salman Luthan, 2009: 8).

For investigators of criminal acts in the environmental sector, Article 94 paragraph (1) UUPPLH states that apart from investigating officers of the State Police of the Republic of Indonesia, officials as certain civil servants within government agencies - whose scope of duties and responsibilities is in the field of environmental protection and management - given the authority as an investigator as referred to in the criminal procedure law to carry out investigations on environmental crimes. There are two authorized investigators, namely the National Police and Civil Servant Investigators who are tasked with investigating the environment (PNSLH investigators) (Barda Nawawie Arief, 2007: 15).

The role of Criminal Law in environmental management as referred to in the Role of Criminal Law, namely the position (status) of criminal law in carrying out its duties to realize the objectives of criminal law, namely protecting society from crime (Muladi, 1998: 28). Environmental law enforcement means that criminal law acts as an ultimum remedium. The role of criminal law in environmental law must pay attention to the principles including the principle of subsidiarity. In accordance with Sutrisno's opinion, legal protection as an instrument (tool) of "social control", the function of criminal law can be interpreted as "subsidiarity" which means that criminal law should only be used if other efforts in upholding environmental law have used administrative law sanctions but are not obeyed or the violation is committed more than one time (Sutrisno, 2013: 31). However, besides that, criminal law can also act as a primum remedium, namely as a first attempt at environmental law enforcement if administrative law and / or civil law are inadequate. Therefore, criminal law is the ultimate weapon for environmental law enforcers (Soemartono R. M., 1996: 38). The implementation of the subsidiarity principle having been carried out by law enforcers (judges) can be seen in the case of pollution in Buyat Bay in Manado with the case registration number No.284/Pid.B/2005/PN.MDO.

If examined further the Buyat Bay case above, it is appropriate for the judge to release the defendants. This is because in the law enforcement process there is no administrative law enforcement. Then from these considerations it is stated that peace in the civil legal process has been achieved so the case should stop at the civil legal process and it is not appropriate to proceed to the criminal legal process. Environmental law enforcement that uses criminal law as primum remedium can be seen in the judge's decision with the case registration number 1215/Pid.Sus-LH/2016/PN.Pbr. The verdict was read on February 20, 2017 (Yasminingrum, 2017; 37). The judge's decision used criminal law as primum remedium (as the first legal remedy).

Primum remedium (criminal law as the first legal remedy) is a development of the ultimum remedium which is expected, with the primum remedium principle, to be able to overcome the problems faced in the use of criminal law. In certain situations, the criminal law can be used as the first weapon. When other legal instruments, namely civil law and / or administrative law, are deemed incapable of overcoming environmental crimes committed by the perpetrator, this is where criminal law acts as primum remedium.

Legal Consequences for Government, Business Actors and Community in Environmental Management that Are Not in Accordance with Statutory Regulation Provision

In Indonesia, legal protection for the people due to government legal action has several possibilities, depending on the legal instruments used by the government. Commonly used government legal instruments are statutory regulations and decrees. Legal protection as a result of the issuance of statutory regulations is pursued through the Supreme Court by means of the right of material review in accordance with Article 5 paragraph (2) of People's Consultative Assembly Decree No. III/MPR/2000 concerning Legal Sources and the Order of Legislation, which confirms that "the Supreme Court has the authority to examine statutory regulations under statute.

Particularly with regional laws and regulations, cancellation often means spontaneous cancellation, namely cancellation based on the initiative of the organ authorized to declare annulment without going through a judicial process as regulated in Article 145 of Law No. 32 of 2004 concerning Regional Government.

Based on these provisions, it appears that regional level laws and regulations have a mechanism of judicial review rights that is different from the statutory regulations at the central level, namely that it is carried out through government channels in the form of postponement or cancellation in advance of going through the Supreme Court.

Legal protection due to the issuance of decisions is pursued in two ways, namely administrative law courts and administrative legal remedies. There is a difference between administrative law courts and administrative efforts, that is, said the judiciary showing that this concerns the judicial process in government through independent agencies.

Based on Law no. 5 of 1986 concerning State Administrative Courts (PTUN), legal protection as a result of the issuance of decisions can be pursued in two ways, namely through administrative efforts and through the PTUN. Article 48 affirms as follows:

1) In the event that a State Administrative Agency or Official is authorized by or based on statutory regulations to resolve certain state administrative disputes administratively, the state administrative dispute shall be resolved through available administrative measures.
2) The court has the authority to examine, decide and settle state administrative disputes as referred to in paragraph just (1) if all administrative measures concerned have been used.

There are four elements of sanctions in state administrative law, namely tools of power, which are public law, used by the government, and as a reaction to non-compliance. In terms of its objectives, in state administrative law there are two types of sanctions, namely reparatory sanctions and punitive sanctions. Reparatory sanctions are sanctions that are given as a reaction to a violation of norms, aimed at restoring the original conditions before the violation occurred. Meanwhile, punitive sanctions are sanctions that are solely intended to punish someone. In addition, there are also what are called regressive sanctions, namely sanctions that are applied as a reaction to non-compliance.

CONCLUSION

Government regulations on environmental management for tourism development in Bali refer to the provisions of the Law on Environmental Protection and Management No. 32 of 2009 concerning Protection and Management of the Environment, Government Regulation (PP) No. 27 of 2012 concerning Environmental Permits, Ministry of Environment Regulation No. 17 of 2012 concerning Guidelines for Community Involvement in the Environmental Impact Assessment Process and Environmental Permits and other applicable regulations. Every actor

who is negligent and / or does not implement the provisions of the applicable laws and regulations may be subject to sanctions in accordance with the applicable provisions, both administrative, civil and criminal sanctions. If it causes losses based on theory, there are 2 theories that are applied as proposed by Kraenburg and Vegting, namely; fautes personalles and fautes de services. Fautes personalles refers to the theory which states that losses to third parties are borne by officials whose actions have caused losses. Fautes de services refers to the theory which states that losses to third parties are borne by the agency of the official concerned.

The legal consequences for the government for decisions in environmental management that are inconsistent with community participation in Bali refer to UUPPLH No. 32 of 2009, which provides legal, administrative, civil and criminal legal channels, settlement outside court proceedings as regulated in Article 85, Article 86 and in court related to compensation, environmental restoration and other actions. Legal disputes in Bali can also be resolved through Regional Regulations of the Province of Bali relating to the legal consequences of the government in the event that the decision does not match the aspirations of the community in the legal environment of the right to sue as regulated in Article 91 and Article 92 UUPPLH No. 32 of 2009 concerning the Rights of the People who are members of the Environmental Organization. Article 93 UUPPLH also gives every person in society the right to file an administrative suit against a government decision.

RECOMMENDATIONS

There needs to be an effort to improve government public services to the community. The more modern a society is, the more complex the demands in various aspects of life are. Therefore, the government is required to work carefully, carefully and based on the law. Policies that are in accordance with the principles of justice based on the General Principles of Good Governance must continue to be improved if the government does not want the public to ask for administrative, civil and criminal accountability.

Business actors, the community and the government acting not in accordance with the applicable legal regulations and are not in accordance with appropriateness in carrying out their policies so as to cause environmental damage, of course being able to be held liable both administratively, civil and criminally. Therefore, the government must act carefully in implementing the rules, obey the rules and obey the principles of the applicable law.

REFERENCES

Barda Nawawie Arief, 2007, dalam Diskusi Pakar"Studi atas Kejahatan Undang dan Inisiatif Kodifikasi ke dalam Rancangan Perubahan Lingkungan Hidup dan Sumber Daya Alam dalam Berbagai Undang-Undang.

Bambang Waluyo, 1991Penelitian Hukum Dalam Praktek, (Jakarta: Sinar Grafika,)

Emil Salim, dalam Gatot P Soemartono, 1997, Mengenal Hukum Lingkungan Indonesia, Sinar Grafika, Jakarta

Hikmat Ramdhan,Yusran, 2003, Pengelolaan Sumber Daya Alam Dan Otonomi Daerah, Perspektif Kebijakan Dan Evaluasi Ekonomi, Alqaprint Jatinangor

Gatot Supramono, 2013, Penyelesaian Sengketa Lingkungan Hidup di Indonesia, Rineka Cipta, Jakarta

K.C. Wheare, 1975, Modern Constitution, Oxford University Press London, New York, DSK

Muladi, 1998,"Pembaharuan Hukum Pidana Yang Berkualitas Indonesia", Jurnal Masalah- Masalah Hukum, No. 2, Semarang: FH. UNDIP

Otto Soemarwoto, 1999, Analisis Mengenai Dampak Lingkungan, Gadjah Mada University Press, Cetakan Kedelapan, Yogyakarta.

John Cohen and Norman Uphoff, 1980, Participation's place in rural development: Seeking clarity through specificity"World Development, Volume 8, Issue 3

Johnny Ibrahim, Teori dan metodelogi penelitian hukum normative, Malang, Bayumedia Publishing, 2006

Pitana, 2004, Memperjuangkan Otonomi Daerah: Mencegah Sandyakalaning Pariwisata Bali, Pustaka Bali Post, Denpasar,

Rahardjo, Satjipto, 1982, Aneka Persoalan Hukum dan Masyarakat, Alumni, Bandung

Rachmadi Usman, 2003, Pembaharuan Hukum Lingkungan Nasional, Bandung: Citra Aditya Bakti,

Ridwan HR, 2003, Hukum Administrasi Negara, UII Press, Yogyakarta

Satjipto Rahardjo, 1982, Aneka Persoalan Hukum dan Masyarakat, Alumni, Bandung

Soedjono D, 1979, Pengaturan Hukum Terhadap Pencemaran Lingkungan Akibat Industri, Bandung : Alumni

Syahrul Machmud, 2011, Penegakan Hukum Lingkungan Indonesia, Yogyakarta: Graha Ilmu,

Sugiarto,2015,Metodelogi Penelitian hospitality& Pariwisata,Matana Publising Utama,Tanggerang.

Soedikno Mertokusumo, 2003, Mengenal Hukum: Suatu Pengantar, Edisi Kelima, Penerbit Liberty, Yogyakarta.

Soetandyo Wignjosoebroto, 2002, Hukum: Paradigma, Metode, dan Dinamika Masalahnya, Penerbit Lembaga Studi dan Advokasi Masyarakat (ELSAM) dan Perkumpulan untuk Pembaruan Hukum Berbasis Masyarakat dan Ekologi (HUMA).