



Strengthening Students' Perceptions of Violation of Tourism Area Spatial Use from a Tri Hita Karana Perspective

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Abstract

Purpose: This research aims to determine the impact of spatial planning violations in tourist areas from a critical thinking perspective, empower students with the capacity to act as agents of social and moral change, and foster a greater awareness of law enforcement and local wisdom in the context of spatial planning.

Research methods: The subjects of this study were law students. Data from tourist villages in Badung Regency, Bali Province, demonstrate the commitment of the younger generation as agents of change in supporting sustainable tourism development by aligning aspects of improving welfare, maintaining socio-cultural stability, and environmental conservation efforts with regional spatial planning procedures. The research method used was field research, characterized by descriptive research methods using data collection techniques such as literature reviews, observations, and interviews. The data analysis technique used was qualitative descriptive analysis.

Findings: The research results of a case study conducted by law students at the Faculty of Law, Undiksha, indicate that students play a significant role as agents of change in tourism in Bali, particularly in promoting sustainable tourism with a focus on spatial planning through research, innovation, policy advocacy, public education, and the development of community-based tourism models.

Implication: Students promote digital innovation, local wisdom, and compliance with Spatial Planning (RTRW), address issues such as overtourism and environmental degradation through education and advocacy, and create inclusive, adaptive, and community-based tourism that preserves Bali's identity.

Keywords: college students, tourism area spatial; *Tri Hita Karana*; violation.



INTRODUCTION

According to the Hindu perspective, violations of spatial planning are basically unethical, because Balinese development cannot be separated from *Tri Hita Karana* (*parhyangan*, *palemahan*, and *pawongan*), because since the X century the Balinese have had their spatial planning that was applied to traditional settlements. The emergence of the idea of spatial planning by the government has implications for the management of spatial pattern conversion. The Balinese Hindu community whose existence is found in every Traditional Village in the area of Bali Province, highly upholds local cultural values. Traditions and culture that encompass customs cannot be separated from their daily routine. Bali Province has 1,495 Traditional Villages and has a distinctive macro spatial pattern (Adnyani *et al.*, 2022: 121). The macro settlement pattern in each Traditional Village in Bali Province, apart from being based on *Tri Hita Karana*, is also based on *Tri Mandala*, namely the macro spatial layout is divided into three zones. The Main *Mandala* Zone is located on the north side the *Mandala* Intermediate Zone is in the middle of the Village with the northern and southern borders. While the last one is the Nista *Mandala* Zone which is on the south side of the village. The values that have been inscribed in the teachings of *Tri Hita Karana* have been integrated with the traditions and culture of the Balinese people who believe that the three causes for humans can get their happiness when they are able to maintain a balance of harmonization of spatial patterns between humans and their creators; harmonization of humans with others and harmonization of humans with their environment. However, most people are of the view that violations of ethical spatial planning. The proof is that in practice in society, violations of regional spatial planning by investors occur because of regulations that open up easy opportunities for investors which actually have an impact on the various violations that occur.

Basically, regional spatial planning is arranged in each Province and Regency/City in response to development policies. The reality on the ground shows that local governments that already have a Regional Spatial Plan still have many violations and irregularities committed by the Regional Government itself. For example, the Government and the House of Representatives offer business facilities and permits in the Job Creation Law. The legality intended for investors occurs with the issuance of this regulation to be exact business actors will get

benefits such as convenience and business certainty. Then incentives and facilities in the form of fiscal or service certainty for investment. On the other hand, investors justify any means to achieve investment targets. So, when traced violations of spatial planning are not only committed by investors but also because of the regulatory quality index which actually provides opportunities for investors to act freely so that business actors gain ease of doing business in Indonesia. Based on data releases from the World Bank, the trend of fluctuation in the quality of Indonesian regulations from the 2006 to 2017 period can be seen in Figure 1.

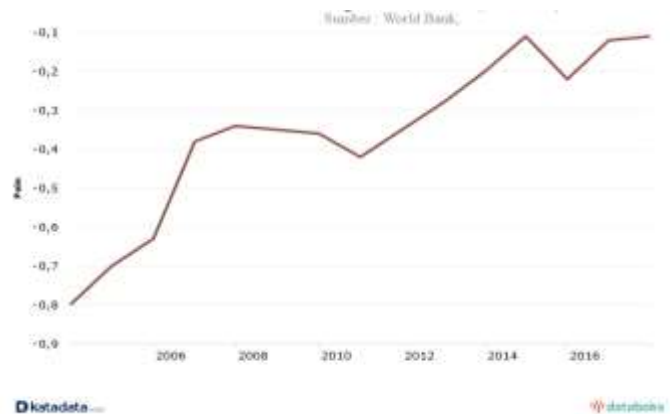


Figure 1. Regulatory Quality Index in Indonesia
(Source: Word Bank/Andrea Lidwina, 2020)

Based on Figure 1 (World Bank/Andrea Lidwina, 2020), it can be explained that the Indonesian Regulatory Quality Index was at the level of -0.11 points in 2017. However, this negative score was not the first time it was obtained, but since 1996. The worst score was -0.8 in 2003. After 2003, Indonesia recorded an upward trend in this index, to -0.34 points in 2007. Although it had slumped again in 2008-2010, Indonesia improved its score in the following years.

The weak regulatory quality index is very influential in its implementation practice. The conditions of regulatory content like this can be categorized into indicators that excessive regulation has become a threat to the ease of doing business. It can be examined in detail the emphasis on the substance of chapter 3 of the Job Creation Law, which regulates the increase in investment and business activities. The substance of Article 6, (Indonesia, 2020) explicitly

explains that this increase in investment includes the ease of business licenses; simplification of basic requirements for business licensing, land acquisition and land use, simplification of investment requirements. The issuance of the Job Creation Law from the government is considered to have an element of government support for investors, which in this case the government should not be partial. Behind this regulation, there has been a number of speculations from various circles, because the government is alleged to be prioritizing profit-oriented goals and instead obscuring the government's authority in managing the investment sector. On the part of the government itself, it claims that the act of stipulating regulations is ethical in mapping the priority scale of business sectors engaged in the investment aspect. The government reiterated, the consideration for the government's actions to issue this regulation was due to the fact that the state needed to make efforts to fulfill the rights of citizens to work and a decent living for the sake of employment in the midst of increasingly competitive competition.

Discussing Indonesia's complex and various constitutional problems, one of which is in the area of spatial planning, it would be unwise if all administrative affairs were borne by the government. Establishment of spatial planning policies also requires community support. The lack of community involvement in regional spatial planning occurs because the majority of communities around the tourism area feel that so far there have been many demands placed on indigenous people to maintain the consistency of traditions and customs as an essential element of supporting tourism. However, there is no feedback to the indigenous people in managing the potential of the area. The indigenous peoples have also been disappointed by the implementation of a revenue sharing system for area management, which indicates that transparency has not yet been reflected. This condition of subordination is confirmed by the findings of research from Konsukartha *et al.*, 2013), that spatial user conflicts consisting of government elites, economic elites and indigenous peoples' elites are caused by the dichotomy of interests from indigenous peoples and government ideas in spatial planning. Indigenous peoples are seen only as objects (subordinate) compared to the government because government authority is always dominant in spatial planning. Thus, the interests of indigenous peoples are often defeated and marginalized. The lack of community participation in spatial planning in the

tourism area is caused by the disappointment of the indigenous people who have not received compensation for their contribution in maintaining the existence and sustainability of customs and traditions as a potential element to support local wisdom on spatial planning of the tourism area. Likewise with land incentives that have not been given to land owners who are forcibly cleared to target tourism areas where the majority in fact belong to the customary village *krama* (Purnamawati & Sari, 2025: 287). The government also justifies any means to relocate land for investment purposes. When traced in detail, the passive attitude in the spatial planning of the tourism area is not only carried out by indigenous people but also government officials. In addition, the government is also assessed as having intervened which was allegedly a form of violation of the spatial planning of tourism areas.

Hindus adhere to the value of balance based on the philosophical teachings of the *Tri Hita Karana* which are sourced from the Vedic scriptures, which contain brief descriptions of three things that can cause humans to achieve prosperity, happiness and peace (*hita*) (Kartika, 2020). In order to achieve this, everything must be seen as a system consisting of three elements, namely the soul, energy, and a vessel where one another must be in dynamic balance. Universally, nature is also seen as a system that involves God as soul, humans as agents, and the environment as a container. Thus, the teachings of *Tri Hita Karana* (THK) suggest that humans always balance themselves with God, other people and the environment. Therefore, it should be assumed that the spatial planning of the tourism area in Bali is supported by the application of the Balinese culture philosophy of *Tri Hita Karana* which animates the awareness of the people in Bali (Gunawan, 2011).

Guided by the teachings of *Tri Hita Karana*, the development of regional spatial planning in the tourism area will not destroy Balinese culture, but will strengthen the culture itself. This can be seen from the perspective of *parahyangan* (holy places), the indigenous people in Bali believe that the development of tourism areas in Bali is important to pay attention to the radius of the sanctity of temples and has been stated in the regulation of the temple sanctuary according to Bali Provincial Regulation No. The area of Bali Province 2009-2029, which contains the *Bhisama* Purity of the Temple, regulates the radius of the holy place, namely the *apeneleng agung*, which is five kilometers.

There have been violations of spatial planning so far because investors have exploited the area without considering the elements of *parahyangan* and have not been coordinated with the customary village before relocating the area development. Customary villages are not involved in spatial planning or evaluation. Whereas customary villages are more competent to ask for considerations regarding spatial planning in the area (authority) of traditional villages. Especially in Bali, there is a strong belief in the nature of the scale (universe) and the natural world (the unseen). So far, there is a perception of the indigenous people regarding the element of *parahyangan*, that the temple as a holy place needs to be preserved in an abstract (unreal) and (real) scale. Maintaining the sanctity of the temple on a regular basis is called *marerisik* and maintaining the sanctity of the temple is automatically called *mareresik*. *Marerisik* means that the temple must always be clean, both the yard, the curved wall, the pedaling (the door to the outside of the temple), as well as the buildings in the temple, including planting flowers that are usually used for offerings (*upakara*) during prayers. *Mareresik* means maintaining the sanctity of the temple by making efforts: *rerahinan* ceremonies, obeying the provisions of the prohibition of entering temples, obeying the prohibition of doing activities that cannot be done in temples, carrying out *pujawali* periodically, carrying out ceremonies incidentally (*padgatakala*), holding *pemarisudha* ceremonies when temples agreement, which is tarnished because of a violation of the sanctity of the temple or due to natural disasters (Arniati, 2020). This situation indicates that the investor and government understanding of the condition of the area is incomplete because there is no communication as a form of exploration to the related customary village parties. The concern of indigenous peoples arises that the capacity of investors is as connoisseurs and escapes efforts to conserve and safeguard the assets of tourism areas that are being developed.

The view of the indigenous people in Bali regarding the *pawongan* element is to establish a harmonious relationship between humans and other humans based on the *Tat Twam Asi* concept, it is you, you are me, and all creatures are the same. In line with the principle of equality before the law in spatial planning in the tourism area, it is the right of every citizen to manage and benefit from the management of the tourism area. The high level of investor intervention and government intervention in the spatial planning of tourism areas related to

technical policies has created apathy for indigenous peoples to contribute to regional spatial planning. This is related to the theory of justice from (Rawls, 1971), argues that justice is the main virtue of the presence of social institutions. However, according to him, goodness for the whole society cannot override or interfere with the sense of justice of everyone who has obtained a sense of justice, especially the weak. In fact, the violation of the spatial layout of the tourism area has caused injustice. The resulting implication is neglect of the palemahan element, namely that the harmonization of human relations with the universe is disrupted due to the high level of land exploitation which actually destroys the conservation of regional spatial planning.

RESEARCH METHODS

The type of research is field research, the approach used to determine violations of the spatial layout of the tourism area in *Kuta* Traditional Village, Kuta District, Badung Regency, Bali Province, Indonesia in the implementation of the principle of equality before the law or legal equality, through the study of Student Perceptions of Violations of the Use of Space in Tourism Areas from a *Tri Hita Karana* Perspective to form citizens' legal awareness, is a qualitative approach.

Population is a generalization area consisting of: objects or subjects that have certain qualities and characteristics that are determined by the researcher to be studied and then draw conclusions (Sugiyono, 2019). The population in this study are objects or subjects related to the enforcement of spatial law in the principle of equality before the law or legal equality on spatial planning which is carried out through planting the universal concept of *Tri Hita Karana*. This population determination will then be used to limit the sampling for further research.

The sample is a smaller study that is taken by researchers from a larger population group. Qualitative research tends to use nonprobability samples (nonprobability, sampling or nonrandom sampling). Sampling aims to identify cases, events, or actions to be clarified in order to gain a deep understanding. Qualitative research focuses on finding problems that will help researchers in studying social life in certain contexts (Amiruddin, 2016).

This study takes the research population on research objects that have characteristics in accordance with the research background and are directly

related to efforts to increase the state of spatial law in the implementation of the principle of equality before the law or legal equality for violations of the use of space in tourism areas from a Hindu perspective based on student perceptions. The research population includes the Tourism Awareness Group (*Pokdarwis*), which is a program of the Indonesian Ministry of Maritime Affairs and Fisheries through the Regional Tourism Office and the Association of Indonesian Restaurant Hotels (PHRI) which is a consortium program for hotels and restaurants, the traditional village as a Global Village cannot be separated from the capacity of Bali as a Global Island because it has long been involved in tourism development. The research sample was *Pokdarwis* in the Traditional Village of Legian and the Traditional Village of *Kuta*, *Kuta District*, *Badung Regency*, Province.

The selection of this location is based on the consideration of three things, First, areas where there are irregularities in the spatial planning law of the tourism area in the principle of equality before the law or legal equality; Second, regions that are carrying out movements to fulfill the right to spatial planning for citizens of the country; Third, conduct education from the perspective of social function rights to spatial planning. Fourth, areas that have geographic characteristics as the center of tourism in Bali.

More specifically, the research subjects involved in this study include: 1. Legal experts (academics). 2. Deputy Chairman of Commission II DPR RI 3. Deputy for Community and Institutional Empowerment, PHRI Office 4. *Prajuru* Traditional Village of Legian and Kuta 5. Chairperson of *Pokdarwis* in the Traditional Villages of *Legian* and *Kuta*.

FINDINGS

The Violation of the Ethical Spatial Layout of the Tourism Area

Bali being the center of tourism development has a unique culture as an attraction besides its natural beauty. The implications of tourism activities can be positive and negative. The positive value is in the form of a large foreign exchange income with the arrival of tourists. Meanwhile, the negative value is the occurrence of cultural degradation and land conversion from spatial changes. Given the very limited area of Bali and the increasing need for land, productive lands have to be converted to physical infrastructure development for tourism.

Agricultural land area is decreasing and traditional institutions such as the *subak* that deal with agricultural problems in urban areas are not functioning.

Balinese spatial planning, which has been based on traditional culture for a long time, is under pressure due to the fact that the spatial plan made by the government is more oriented towards economic interests, and more benefits investors as businessmen. The traditional Balinese spatial layout emphasizes the balance of interests between the economy and culture of indigenous peoples. The difference in orientation in spatial planning between indigenous peoples and the government causes changes in land values from the spatial part of the region.

The Balinese people consider the land as their own body (*angga sariranta*) and the source of the gathering of all knowledge (*papupulating sarwa tarwa*) (Adnyana, 2012), which has shifted its meaning to commercial value and into a tradable commodity. The case of Bali *Pecatu Graha* in *Badung*, Bali Nirwana Resort in *Tabanan*, *Selasih* golf course in *Gianyar*, *Padang Galak* beach reclamation in *Sanur* and *Serangan* in *Denpasar*, *Villa Bukit Berbunga* in *Bedugul Tabanan*, plans for land acquisition and bird's nest wallet on Ceningan Island in *Klungkung*, PLTP *Bedugul* in *Tabanan*, the construction of the *Pemaron PLTU* in *Singaraja*, the plan to build the F-1 circuit in the country, the plan to build a casino in *Nusa Penida Klungkung*, received resistance from the community and are very valuable lesson from all parties in development planning, both in spatial management and in utilizing natural resources.

The space in the *Tri Hita Karana* perspective in its application is divided into three interests, namely *parhyangan*, *pawongan* and *palemahan*. *Parhyangan* as a space to worship God / ancestors, *pawongan* as a space for human activities, and *palemahan* as a natural environment that supports *parhyangan* and *pawongan activities* (Gelebet, 2011). In fact, spatial planning initiated by the government (RTRW) (Republic of Indonesia, 2007) often emphasizes the interests of indigenous peoples, resulting in cases related to spatial use and natural resource management.

Market and open space (*alun-alun*). To maintain the sanctity of the temple, the temple's *palemahan* may not be used for activities other than religious activities and must comply with the provisions of *Bhisama Parisada*. Given this point, it can be seen the different perceptions of spatial planning between the

Regional Government and the Traditional Village which can be seen in Figure 1 and Table 1.

Table 1. Frequency of Responses of Local Government Respondents to the Concept of Spatial Planning for Tourism Areas in Bali (%)

Outlook theme	Agree	Neutral	Disagree
Profane sacred considerations	86,87	3,5	7,39
<i>Rwa Bhineda and Ulu-Teben (Nyegara-Gunung)</i> Orientation	83,68	9,9	3,17
The concept of <i>Tri Angga</i> and <i>Tri Mandala</i>	94,65	3,03	0,26

(Source: Primary Data Analysis, 2021).

Table 2. Frequency of Responses of the Traditional Village Respondents to the Concept of Spatial Planning for Tourism Areas in Bali (%)

Institutional Role Theme	Agree	Neutral	Disagree
Customary institutions are not given sufficient opportunities in natural resource management.	31,31	12,79	49,83
It is better if the natural resources in <i>Palemahan Desa adat</i> are fully managed by the customary village.	64,65	12,79	16,50
<i>Prajuru desa</i> and <i>prajuru banjar adat</i> are involved in making natural resource utilization policies	86,87	7,39	3,68

(Source: Primary Data Analysis, 2021)

Based on the comparative data on respondents' perceptions in Tables 1 and 2, it shows that the Balinese indigenous people have their own views in traditional spatial planning, where the use of space is seen from the scale and abstract dimensions. The spatial layout of the government's ideas, according to the view of the indigenous people, is to prioritize economic interests, so that the functions of cultural space and sacred space are increasingly pressed. From the aspect of authority, indigenous peoples are in a subordinate position and the government is in a dominant position which has the authority to make spatial planning especially with. This condition causes the interests of indigenous peoples not to be accommodated in spatial management. The interests of marginalized indigenous peoples generate a community response in the form of resistance to government policies. The form of open resistance (aggressive)

occurs in the dimensions of changing the function of the sacred space of *Parahyangan*, settlements and the sharing of natural resources that do not fulfill a sense of justice. An apathetic response only occurs between investors and communities in the struggle for land management in tourism areas, it should be resolved at the customary village level. Spatial planning carried out by the government never involves the local community, including their representatives, either individually or as an institution. The community only accepts the results of government policies, because it does not go through the socialization process to indigenous peoples. So that people feel sidelined and cause various views including dissatisfaction.

Point 1 concerning ethical and unethical in spatial management depends on the role of each actor in it, as long as it is still within the reasonable threshold of allocation for spatial development it is categorized as an ethical thing. While exceeding the limit of fairness is considered unethical. The government's perception of spatial development is considered ethical because Article 6 of the Job Creation Law provides legality for the ease of land development for investors in spurring investment growth in Indonesia. The government has also considered the effect of investment on employment fulfillment and the level of welfare of the community around the tourism area which has been relocated for regional spatial development (Adnyani & Purnamawati, 2024: 137). On the other hand, for customary villages, investment with land expansion without involving the customary village as the control party can lead to spatial dysfunction. On the one hand, investors invest based on formal regulations such as the Job Creation Law, but the lack of control from the government and customary villages over the investment activities carried out sometimes results in land exploitation which is detrimental to the local government and local customary villages. The perception of most respondents who came from representatives of customary villages revealed that the unethical indicator had been carried out by investors because they had exploited spatial land beyond borders so that it could cause losses not only to individuals but also to the state. Meanwhile, the existence of a spatial plan for a country is a potential asset in the development of infrastructure operations and regional development. If the spatial planning pattern is disturbed it will hamper the development of a country. Violating the spatial layout of the tourism

area in Bali Province is unethical for investors who should contribute to structuring business relations and structuring the national economy.

From the perspective of the theory of justice from John Rawl, investors are considered to have seized the rights of citizens, especially indigenous peoples, by exploiting large-scale tourism land in the areas of the traditional village of Kuta and the traditional village of *Legian*. The state, in this case the government is considered negligent in fulfilling the constitutional guarantees of citizens of the state, which is one of the indicators of the rule of law, is not fulfilled by the State in providing protection for the spatial layout in the territorial scope of customary villages. The phenomenon of spatial planning of tourism areas in tourism centers in Bali, such as *Legian* and *Kuta*, has been influenced by the capitalist economy, which indicates that many cooperation rule the country occur, namely investors who control the government, RAPBD, laws and others.

This astonishing phenomenon shows that governance still needs a lot of improvement. One of them is related to spatial planning. To anticipate these dynamics, better and more equitable control over space utilization needs to be improved. A series of violations of regional spatial planning in Bali indicate that the use of space from the point of view of State law has not been fully successful, so it is necessary to approach the use of space from a Hindu perspective that believes in a harmonious relationship pattern of spatial planning with the development of the *Tri Hita Karana* concept which relates to aspects of *parhyangan*, *pawongan*, and *palemahan*. This can be accommodated by the local government with regard to the provisions of zoning boundaries for spatial development that are feasible and not feasible to be applied by investors to be included in the substance of strengthening Article 6 of the Employment Law that has been established by the government. The traditional village has so far believed more in the value of local wisdom from the universal *Tri Hita Karana* concept than in the State law which is more about physical sanctions, but the minds of those who violate spatial planning are not touched at all to stop exploiting land. The natural principle of *sekala* and *niskala* that there is life other than in this world has influenced the view of traditional villages to be more

persistent in practicing the teachings of *Tri Hita Karana* in spatial planning for tourism areas in Bali.

Indicators of community morality that can influence spatial planning violations in tourist areas relate to community values, attitudes, and behavior in utilizing space. Low community morality often encourages illegal land use for personal or group gain (Sanghera & Satybaldieva, 2012). Here are some key indicators:

1) Low awareness of spatial planning laws and regulations

People who lack understanding or are indifferent to zoning regulations tend to build businesses, accommodations, kiosks, or other buildings in prohibited areas such as coastal boundaries, green areas, or conservation areas.

2) Orientation to short-term economic gain

To generate quick revenue from the tourism sector, some parties ignore the environmental impacts and spatial planning regulations. Examples include the construction of illegal villas or the conversion of agricultural land into commercial tourist areas.

3) Lack of environmental responsibility

Low environmental morality is evident in behavior that damages tourist areas, such as illegal logging, unpermitted construction, indiscriminate reclamation, or uncontrolled waste disposal.

4) Culture of permissiveness towards violations

If society views violations as normal and does not apply social sanctions, then the practice of violating spatial planning will continue. For example, allowing illegal buildings to stand in tourist areas.

5) Lack of Concern for the Public Interest

Spatial planning violations often arise when individuals prioritize personal interests over the public interest, such as blocking public access to beaches or using public space for private businesses.

6) Corruption and Collusion

Low morale among officials and businesspeople can lead to the manipulation of development permits, allowing tourism projects to proceed despite violating spatial plans.

7) Declining Local Cultural Values

In many tourist areas, customary values and local wisdom actually regulate the balance of space and nature. When these values are weakened, communities are more likely to overexploit the space.

8) Lack of Social Participation in Oversight

Communities apathetic to development in tourist areas tend not to report violations, thus weakening spatial planning oversight.

The impacts of these poor moral indicators can include traffic congestion, flooding, environmental damage, loss of cultural identity in tourist areas, social conflict, and even a decline in the quality of the tourist destination itself. Conversely, good public morals are characterized by compliance with regulations, environmental awareness, participation in oversight, and respect for the sustainability of tourist areas.

Point 2, namely moral indicators, is very much determined by the elements of moral knowledge, moral feelings and moral action in the content of Citizenship Education as one of the elements forming the identity of citizens (Boonstra, 2015). Targeting aspects of moral knowledge, first the government, investors and indigenous peoples (pentahelix) need to have an understanding and supporting data regarding the success of equitable development related to the development of the suitability and optimization of potential natural resources, artificial (physical) resources and human resources. along with its activities. To achieve sustainable development that is based on these three resources, spatial planning can be used as an umbrella in determining development policies and controlling its implementation.

If the moral knowledge of regional spatial planning has been mastered, then Pentahelix tries to identify a number of spatial use irregularities that have occurred and have caused environmental damage to building irregularities and reduced environmental comfort. Like what happened in the traditional village of Legian and the traditional village of *Kuta*, the impact has been experienced by the indigenous people around the area due to excessive exploitation of regional spatial planning. A policy product should contain clear reward and punishment and need commitment and consistency from the government for this run it. As stated by in moral action, investors think that the sanctions contained in the spatial planning law are limited to a black-and-white agreement with the

government, which at any time has an adjustment clause. This momentum has influenced the main weaknesses of the spatial planning law so far there have been sanctions but has not created a deterrent effect on the perpetrators. Another weakness is the absence of provisions regarding the bargaining position of the people or citizens. It is as if the things that determine everything are the central and local governments.

Good faith from a moral perspective has been carried out by the law enforcers at the level of the *Badung* Regency Regional Government, in the *Badung* Regency Regional Regulation spatial planning has clearly and firmly included the article on sanctions but it has not been implemented with various considerations (Adnyani & Purnamawati, 2024: 25. The availability of city space is limited while the dynamics of very high space requirements are considered to be the cause of spatial planning in Badung City, especially in the traditional villages of *Legian* and *Kuta*, which have not progressed as expected. There are many obstacles and deviations from both the community and the government itself so that the achievement indicators of spatial use and areas that have planning documents are not optimal as reflected in the performance indicators for spatial planning in Table 3.

Table 3. Performance Indicators for Spatial Planning Affairs

Indicators	2020 Outcome
Space Utilization Ratio according to RTR	80%
Ratio of areas / areas that have Planning Documents	45%
Space Utilization Suitability Ratio	39%

(Source: City Planning and Building Office, *Bappeda Badung* Regency (2020), Processed).

Data from the City Planning and Building Office shows that in 2020 the conformity between planning and implementation documents is 80%, meaning that there is still a deviation of 20%, while areas that already have planning documents have only reached 45% and 39%. There are quite a lot of city plans that are drawn up without a clear vision, not sharply revealing the superior potential or the main problems faced by each city. Spatial planning policies can only run if there is exemplary and consistency from government agencies, because it will be difficult to expect public participation without real examples from

government administrators. Regarding the success of the policy, the emphasis is on working directly, and providing concrete examples ± not just making policies and talking. Because with consistent policies and real examples, the wider community will support the policies made by the government. Support for real policies can be seen from the perceptions of most customary villages that are more predominantly subject to *Hindu* law than to State law. The weakness of State law has been identified as binding only worldliness without touching the moral realm of the perpetrator who violates the territorial layout. So, the moral aspect affects the violation of the spatial layout of the tourism area, moral knowledge, moral feelings and moral actualization if it is built on the basis of an orientation of interests and financial benefits, it can cause opium and irregularities in the form of land exploitation that exceeds reasonable limits. Viewed from the perspective of the character of citizens, it has not shown a democratic and responsible citizen.

Tri Hita Karana Teachings to Minimize Spatial Planning Violations in Tourist Areas

The types of land ownership vary, such as *buda kliwon* land, full-length land, evidentiary land, village land and state land. These various types of land ownership indicate that there is a connection with the obligations that must be carried out by citizens to customs and culture. In a customary perspective, land (*palemahan*) cannot be separated from *parhyangan* and *pawongan*, as a reflection of the *Tri Hita Karana*. Although *Legian* and *Kuta* are part of the tourism area of Badung Regency, the community does not want to rush to build tourism infrastructure on a large scale. Apart from very limited funds, the people of Legian and Kuta through non-governmental groups, village *prajuru* and *banjar prajuru* remember the direction of tourism development based on environment and community (ecotourism). The choice of this type of tourism is due to learning from the development of Bali tourism which applies the concept of mass tourism (Purnamawati & Adnyani, 2024: 35), which is suspected by many to be the cause of cultural and environmental degradation.

The existence of different interests and orientations of space users can create conflicts of interest between customary communities, the government and the private sector (investors). The results of this study show the responses given

by indigenous peoples to cases caused by spatial use and natural resource management. The cases in *Legian* and *Kuta* demonstrate that the management of natural resource space has not fully implemented the principles of social justice and environmental sustainability. From a spatial planning perspective, injustice arises when access to space benefits capitalist groups, law enforcement is uneven, and local communities have little participation in decision-making.

This phenomenon can be analyzed through the concepts of unequal access to resources, exploitation of tourism space, conflicts between economic interests and environmental sustainability, and weak spatial planning oversight. If these conditions persist, tourism areas are at risk of environmental degradation, social conflict, and a long-term decline in tourist appeal. A nother cases occur between indigenous peoples and the government as decision makers and the private sector as executors of government policies in the field.

Table 4 Types of Cases and Types of Community Resistance in Spatial Use and Natural Resource Management

Type of Case	Resistance Type	Perpetrator	Description
Land acquisition	Truly	Public	Participation mapping was carried out in 2020
Space Use Change	Truly	Public	The land will be used as a tourist location; settlement. So, hotels and communities refuse to create an ecotourism program
Sharing results	Truly	Public	Conducted by the people of <i>Legian & Kuta, Badung</i> Regency in 2020

Source: Primary Data Analysis, 2021.

Management of development through community participation should be seen as a style of development, not as a style of government, which means that community participation is a rotating machine according to people's needs. The community believes in the values of the *Tri Hita Karana* teachings, several respondents said that three aspects, namely *Parahyangan*, *Pawongan*, and *Palemahan* as part of the elements of *Tri Hita Karana* are accepted by traditional villages as noble values that are still practiced regularly in facilitating the Balinese

community in spatial planning. Traditional villages have a strategic role in determining the use of space, so that the *Tri Hita Karana* can be implemented.

In the context of implementing spatial planning policies for tourism areas, conceptually public spatial planning policies can be interpreted as authoritative decisions issued by regional government managers to carry out government tasks in an autonomous region. It is important to consider aspects of justice without harming other parties in accordance with John Rawl's view on the use of territorial space. Internalization of the *Tri Hita Karana* teachings as a result of reflection of a two-way communication between the government and its environment, both geographic and social, including local culture by paying attention to local customs and traditions. Whereas space is a component of the environment that is limited and non-renewable which must be used sustainably as a unit of space in a dynamic setting based on Balinese culture inspired by Hinduism in accordance with the *Tri Hita Karana* philosophy of realizing *Nangun Sat Kerthi Loka Bali*, can be seen in Figure 1.



Figure 1. Spatial Planning Information Based on the Analysis of the Implementation of the *Tri Hita Karana* Concept

The *Tri Hita Karana* concept forms a Balinese culture that blends the spirit, community activity patterns and Balinese nature (Bali, 2019). The summary of all of this is contained in the *Tri Hita Karana* concept, covering the harmony of humans with the Creator (*parhyangan* / God), with fellow humans (*pawongan* (society / population), and with nature / environment (*palemahan* / space). The Spirit of the *Tri Hita Karana* concept is basically the same as the spirit of spatial planning goals: creating a safe, comfortable, productive and sustainable space.

Thus Balinese Spatial Planning, is managing Bali Nature / Space wisely, in order to equalize development and improve Community Welfare as well as Maintain / Preserve Balinese Culture (Genuine Bali Maintaining Balinese Culture (nature, people, and its cultural activities) is perceived as safeguarding the Living Energy of the Balinese Economy which comes from tourism, the degradation of Balinese culture, which means that the attractiveness of Bali decreases, and Bali will be abandoned.

Based on the analysis of point 1 that from the Hindu perspective violations of spatial planning are unethical, as well as from the perspective of State law. The moral element is very decisive in making spatial planning policies for tourism areas which depend on moral knowledge, moral feelings and moral practice from both the government, customary villages and investors. Point 2, in the form of wise moral considerations in the use of space, greatly affects the harmonization of space. The harmonization of space cannot be formed just like that but through the guidance of conscience, one of which is by internalizing the value of *Tri Hita Karana* in the utilization of the spatial layout of tourism areas in Bali. Physical sanctions that are external in nature are not as effective as moral sanctions built through awareness of spatial planning that grow regenerated through the teachings of *Tri Hita Karana* and are attached to the identity of the indigenous people in the traditional village of *Legian* and the traditional village of *Kuta* (Adnyani *et al*, 2021). So, regulations such as the Job Creation Law, especially Article 6 which regulates matters of land expansion and investment, need to adopt elements of *parhyangan*, *pawongan*, and *palemahan* which are the scope of restrictions on the spatial planning zones of tourism areas in Bali. Pentahelix elements must adopt point 3 to realize the principle of equality before the law or legal equality for violations of the use of space in the tourism area which leads to the level of justice for all citizens in the context of realizing welfare goals.

CONCLUSION

The scope of the study in this article is only limited to the spatial layout of customary villages, it is necessary to carry out further studies with the scope of district / city, regional, national, regional spatial planning and even to the global level. The new study indicators target 3 points, such as ethics from a *Hindu* perspective, moral and the universal concept of *Tri Hita Karana*, then further

details can be detailed such as spatial elaboration from the perspectives of *Hulu-Teben*, *Tri Angga* and *Tri Mandala*. The new regulatory guidelines are limited to the Job Creation and Spatial Planning Law an expansion of the analysis can be carried out in the next review article by targeting the Main Agraria Law and the subject of the National Land Agency. Likewise, new violation limits targeting the theory of justice can be further developed into the realm of human rights theory.

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