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# QUALITY ANALYSIS & DEVELOPMENT OF SUSTAINABLE TOURISM MEDIA, PRODUCTS & LEGAL

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### *Abstract*

*Government intervention in tourism development can be done by implementing several policy instruments that can be used to control and provide incentives in developing sustainable tourism, such as; land use regulations, limiting tourist access to areas prone to damage, protecting local culture, directing environmentally friendly tourist behavior, limiting the use of energy, saving scarce natural resources, reducing pollution and providing incentives for infrastructure development which is also beneficial for the community. hosts such as transportation systems, protection of city green spaces and national parks in improving and improving the travel segment of the destination that has been set. The development of tourism destinations requires good and appropriate planning techniques. Development techniques must incorporate several aspects that support tourism success. These aspects are aspects of accessibility (transportation and marketing channels), characteristics of tourism infrastructure, level of social interaction, linkages/compatibility with other sectors, resilience to tourism impacts, local community resistance levels, and so on. The principles of natural area design are the basics of structuring the area, including aspects that need to be considered and components of structuring the area.*

*Keywords: Tourism quality analysis, tourism marketing and products, sustainable tourism law*

## **I. INTRODUCTION**

### **I.1 Background Of The Problem**

Tourism policy is a product of a very complex process and is related to various aspects. The complexity of tourism is caused by major changes at the local, national and international levels. In the context of these major changes, the policy environment on tourism has become a strategic medium for the government to market its tourism potential. In this condition, tourism policy becomes very strategic and important in tourism development. On the other hand, business people who are more profit-oriented certainly cannot regulate what they must do, but

the government can regulate what they cannot do through policies and regulations. For example by stipulating spatial regulations, permits, licenses, accreditations, and legislation.

Government intervention in tourism development can be done by implementing several policy instruments that can be used to control and provide incentives in developing sustainable tourism, such as; land use regulations, limiting tourist access to areas prone to damage, protecting local culture, directing environmentally friendly tourist behavior, limiting the use of energy, saving scarce natural resources, reducing pollution and

providing incentives for infrastructure development which is also beneficial for the community. hosts such as transportation systems, protection of urban green spaces and national parks in improving and improving travel segments of the destinations that have been set and have been successfully carried out such as on the island of Mallorca.

The selection of policy instruments will be very decisive if they are based on a complete study of the objectives to be achieved in the most efficient way possible, not based on partial and incomplete studies. The most important thing also needs to be based on good morals and political will. The issues that are currently developing regarding tourism planning only emphasize the technical aspects when in fact it is a political issue involving the regulation of all existing tourism components in the context of sustainable tourism. A shift or at least to reduce "cheap" mass tourism and increase the quality of tourists to a higher level could be done, gradually, and could transform entire industries that live off mass tourism, especially small local businesses.

A destination is a place visited with a significant amount of time during a person's journey compared to other places traveled during his journey (eg transit area). A place will have certain limits both actual and legal. According to Ricardson and Fluker (2004: 48) tourism destinations are defined as: "A significant place visited on a trip, with some form of actual or perceived boundary. The basic geographic unit for

the production of tourism statistics" (Ricardson and Fluker, 2004: 48).

The development of tourism destinations requires good and appropriate planning techniques. Development techniques must incorporate several aspects that support tourism success. These aspects are aspects of accessibility (transportation and marketing channels), characteristics of tourism infrastructure, level of social interaction, linkages/compatibility with other sectors, resilience to tourism impacts, local community resistance levels, and so on. The principles of natural area design are the basics of structuring the area, including aspects that need to be considered and components of structuring the area. Gunn and Var, (2002) suggest that a good and optimally successful tourist area is based on four aspects, namely: 1) Maintaining environmental sustainability, 2) Improving the welfare of the community in the area, 3) Ensuring visitor satisfaction, 4) Increasing integration and community development unit around the area and development zone.

The arrangement of natural tourism areas includes the determination of land use which is divided into three, namely: 1) preservation zone, 2) conservation zone, 3) utilization zone. According to Rijksen (1981), conservation is a form of cultural evolution or cultural change where in the past, conservation efforts were worse than today. Meanwhile, according to Wayne Attoe (1979), what can be conserved is the natural environment (such as coastal areas,

mountainous forest slopes and archaeological sites), urban and rural areas, skyline and regional corridor views, the front of a building (facade) and buildings and elements of the building. . For this reason, it takes time, and a strong effort from several meta-stakeholders to change the perception of the destination in the eyes of potential tourists and also to improve the experience on the ground in fact, for travelers.

In consumer choice is one of the most powerful forces, which can create change in complex and highly heterogeneous markets and systems. However, it takes collaboration of Key Stakeholders in the industry to collaborate and harmonize in order to gradually strengthen sustainable tourism.

Therefore, there are two main issues that can be raised in this paper related to "QUALITY Analysis & Development of Sustainable Media, Products & Law Tourism" namely

### **I.2 Research Objectives**

- 1) How is the development of tourism as a public policy in sustainable tourism on the quality of tourism?
- 2) How are efforts to make quality changes to tourism to become more attractive to tourists?

### **I.3 Research Method**

This paper uses the literature method by reviewing several journals and related references, so that a conclusion can be drawn which is the result of analysis and synthesis. The analytical method used is descriptive analysis. The approach used is a qualitative approach.

## **II. DISCUSSION**

### **II.1 Tourism development as a public policy in sustainable tourism**

Before talking about tourism policy, it will be discussed first public policy. Definitions that explain policy to date are very diverse. The term policy is often interpreted as a government decision because only the government has the authority and power to direct the community and is responsible for serving the public interest. Carl F 1969 (in Agustino, 2008) explains that policy is a series of activities/actions proposed by a person, group or government in order to achieve the intended goal. Meanwhile, Dye (1978, as quoted by Abidin, 2002:20) states that policy is a government's choice to do or not do something. Another expert Gerston (1992 in Bram Bachelor, 2006: 12:5) explains public policy as "attempts to resolve public issues, questions that most people believe should be decided by officials at the appropriate level of government national, state or local. From this statement it shows that policy is an effort decided by government officials at every level of government to solve community problems.

Policy includes the relationship between will, action, and results. On the will, policy is reflected in the attitude of the government. At the level of action, policy is reflected in government behavior, and at the level of results, namely what the government actually does (Heywood, 1997: 382). In another definition, policy is also interpreted as a manifestation of a considerate assessment, so that it can be used as the basis for preparing a rational basis for taking or not taking an action (Parson, 2001:15).

More specifically Anderson (1984 in Abidin, 2002: 41) explains that public policy is a government strategy to achieve its goals. Furthermore,

Young and Quinn (1991 quoted by Suharto, 2005:44) provide limitations on the concept of public policy, namely:

1. The actions of the competent government. Public policies are actions that are created and implemented by government agencies that have the legal, political, and financial authority to do so.
2. A reaction to real-world needs and problems. Public policy seeks to respond to problems or concrete needs that develop in society.
3. A goal-oriented set of actions. Public policy is usually not a single decision, but consists of several choices of actions or strategies made to achieve certain goals for the benefit of the people.
4. A decision to do or not to do something. Public policy is generally a collective action to solve social problems. However, public policy can also be formulated based on the belief that social problems will be solved by the existing policy framework and therefore do not require certain actions.
5. A justification made by one or more actors.

Public policy contains a statement or justification for the steps or action plans that have been formulated, not an intention or promise that has not been formulated.

If referring to the various definitions above, it can be concluded that tourism development is a public policy, because tourism is the result of the government's choice and the right of the government to develop and control the development. Tourism development is also a government policy in solving the problems faced, tourism is seen as an option to get a new source of income for a country. As a tourism destination

the market is tied to a large number of individual micro destinations, from visitors as well as businesses. This makes it difficult to align interests into general-purpose metas. We therefore need communication and alliances between several key stakeholders for it is very important to understand the decision-making process and a traveler's customer journey. Each phase gives stakeholders & business the opportunity to influence and guide expectations and enhance the experience

The development of tourism in a destination can be caused by several factors, namely 1) the need for government to increase income through foreign exchange, 2) pressure from the high demand for airlines, so that airport capacity expansion is needed, 3) increasing transportation infrastructure capacity so that traffic increases, 4) increase in labor/work demands, 5) decrease in other sectors such as agriculture and mining. When the government is faced with a decline in the main sector of development, policy makers often turn to tourism. Tourism is seen as an environmentally friendly industrial sector, has a relatively fast facility development, low costs, and is able to create new jobs.

Tourism policy is generally seen as part of economic policy. Economic policy deals with the structure and growth of the economy which is usually embodied in tourism planning. Several key factors that concern economic policy such as employment, investment and finance, industry, and trade, for that public policy, take into account the desired end result of the government and the method to achieve these results. Policies embody goals and strategies that governments have adopted with respect to tourism, economic development, employment, political relations, or, a combination of the three.

Therefore, the involvement of the public sector is very important in determining tourism policy.

In the last decade, cooperation and collaboration between government and private institutions has been getting stronger. Tourism development policies need to be implemented by the private sector as well as the public sector. For this reason, the synergy between the government, entrepreneurs and the community is very much needed in tourism planning and development. The government, the private sector, and the community must have the option to do something constructive about tourism policy. This is an opportunity and at the same time an obligation to make, implement and maintain a good policy. The most important thing is coordination with the private sector and government to avoid public welfare concerns

## **II.2 Efforts to make quality changes to tourism to become more attractive to tourists**

Government efforts have a key role in the success of achieving development in the tourism sector. The strength and weakness of the degree of commitment of a country's government in tourism development affects the success rate of tourism development (Hermawan, 2002: 19). It was further explained that the government's strong commitment and efforts would be able to mobilize its resources, so that tourism development could be accelerated and optimized. Tourism business activities are multi-sectoral, involving various sectors, namely transportation, telecommunications, public works, health, defense and security, industry, community, local government and so on

(Hermawan, 2002: 19). This requires the role of the government to carry out mobilization that is able to move all tourism interests from the national level to the local community level. Commitment and efforts to synergize various interests between sectors are very important here, so that there is no overlapping of policies.

The tourism industry will take place when there are a number of attractive incentives, ease of licensing, business certainty, promotions and so on. The government also carries out strict protection and protection for the tourism industry, considering that tourism is very vulnerable to various environmental damage, archaeological remains, health, disease outbreaks and so on. The advancement of the tourism industry with holistic policies will be able to strengthen the country's economy while at the same time increasing people's welfare (Gee, 1997: 292; Hermawan, 2002: 19).

Tourism development by providing opportunities for local entrepreneurs to invest in various tourism industries is a policy that must be carried out by the government. This engagement will demonstrate the sensitivity of the effects of tourism development on the economic, environmental and social. The government sets standards for development in tourism areas. The height of the building does not exceed a coconut tree or 15 meters, the ratio of land or building area to green open space, the structure and design of the

building in accordance with the local character, the use of local products, and other requirements related to the optimization of local products (King and Whitelaw, 1992).

There are two tourism planning systems, namely top down and bottom up systems. In the current state of the government system, what must be done is to change the top-down leadership system to a bottom-up one. This is an effort to maximize social capital, so that adequate political capacity can be built. Political development as a development process does not only have a target to make institutional changes in the government and political systems, but also the social and economic institutional systems of a nation. Besides that, it can also be added that one aspect that is no less important and even must be a concern is the "mental" problem (Bratakusumah, 2003: 48). He added that the impediment of the planning implementation process in this country was partly caused by obstacles that came from the mentality of the officials and the people. Mental can be the basic capital for the implementation of a development process in a just manner. Mental will affect human attitudes and behavior in making a decision, including in carrying out an activity/development activity. According to Putman (in Rustiadi (2009: 369) it is stated that social capital as social life will encourage the realization of decisions and actions with stakeholders that are more effective in achieving common goals. Mental development so that political and

community development can run well must start from the leaders themselves. The attitude of the community is still influenced by the patron-client culture, where the influence of the leadership in acting and acting is still the benchmark for the attitude of the community. Therefore, the elites must be able to act consistently, demonstrate integrity and set a good example to the community. Law enforcement becomes ineffective if the nature of law and power discrimination is still dominant in both software and hardware. Therefore, the bottom-up approach that should be implemented by the government is an approach that prioritizes human resource development, productivity improvement labor activity, crime prevention and others.

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People's attitudes are still influenced by the patron client culture, where the influence of the leadership in acting and acting is still a benchmark for people's attitudes. Therefore, the elites must be able to act consistently, demonstrate integrity and set a good example to the community. Law enforcement becomes ineffective if the nature of law and power discrimination is still dominant, both software and hardware. For this reason, the bottom-up approach that should be implemented by the government is an approach that prioritizes increasing human resources, increasing labor productivity, preventing crime and others. And the global reputation needs to be improved, it is imperative that the basic needs and expectations for these clients are met and improved on a very tangible level. Here are the core expectations of a qualified tourism traveler:

## 1. Security

Tourists feel threatened and intimidated by the unlawful and uncontrollable behavior of tourists and other residents, which abuses tolerance and causes accidents, aggression and crime without much consequence - which makes other travelers feel unsafe. This is not only a real threat to visitors but the bad news that often circulates on social media intimidates and confuses visitors who are considering visiting Bali. Social media is full of negative reports of this worrying "quality intruders". The solution is the potential for law enforcement and traffic regulation control, drunk driving, helmet use, crime & fraud prevention programs in that case there must be a solution carried out by the authorities and the government to deal with this by making it easier to access the police for tourists. or tourism and the training of the tourism police who still speak English

## 2. Convenience

From the moment guests arrive at the airport until they depart again comfort is very important especially when it comes to transportation. Bali is facing in several hotspots a serious traffic collapse, which is one of the main threats to a positive experience. The Potential Solutions are significantly reduce waiting time at immigration counters, to improve first impressions on tourists or tourism, additional road and infrastructure development,

especially for smaller roads and shortcuts, not just main roads.

### 3. Environmental Action

Visitors are increasingly concerned about environmental issues about the places they visit. They want to know that the destinations themselves implement environmental measures in general and also, that their own ecological footprint is reduced. They don't want to be part of the destroying cause. Rivers, beaches, sidewalks and valleys today are filled with trash, which is illegally dumped and finds its way into the sea, back to the shore. The sight of environmental neglect is evident and directs immediate attention and negative emotional reactions in the observer - especially during the rainy season.

1. Implement good waste management (collection, incineration facilities, landfills, recycling) and avoid illegal waste disposal.
2. Local waste collection systems often fail
3. Education and training programs reach schools, and the banjar level on "maintaining a clean environment" Making Adat take responsibility for the environmental conditions of their banjar
4. Beach Management Control & complete cleaning schedule
5. River measurement to avoid waste entering the sea
6. Incentivize businesses to join recycling programs
7. Issue environmental awards and rewards to motivate businesses to

take action - especially hotels and restaurants

8. Initiate and reward official water saving programs (eg hotels)
9. Strict control and enforcement of sewage systems and water filters for developers and builders
10. Strict law enforcement against violations of environmental rules (for local residents, expats and businesses)
11. Cooperation and support of private NGOs and initiatives, which help improve the environment (eg Sungai Watch)

### 4. Quality Experience

Visitors hope they get what has been promised, by the operator and the general marketing campaign. The quality gap between experience and expectations can be a real problem. In particular the more expensive and luxurious experiences can potentially be a source of frustration, which will then return to bad reviews and negative social media posts.

Often, unregulated sub-industry such as rafting or water sports do not meet safety standards and therefore pose a threat to participants but provide a service, which promises more than they deliver.

1. Tours and Activities promoted and sold need to be narrowed down to quality providers, which comply with safety rules, environmental standards and are part of the rewards program.
2. Government control of safety and quality standards in certain major sub-industry (water sports)



3. Promote and facilitate access to locally produced and sourced products that follow quality and environmental standards (MSMEs)
4. Training and certification of drivers to help the "good" stand out, and help market their excellence
5. High quality and reliable information: see below
6. The number of visitors quota for some hotspot attractions
7. Creating, proposing, and promoting more accessible and enjoyable cultural experiences (tourism village, local production, arts, cultural events, culinary, handicrafts, batik)

#### 5. Reliable Information

The internet is filled with information such as social media, news media, and travel portals that share information about Bali and other destinations in Indonesia. While review portals such as tripadvisor share content, which can be helpful in nature, the content itself is still vulnerable to fraud and relies on individuals who are more motivated to share negative experiences than positive.

Therefore, the government needs to make efforts to improve making facilities or building websites related to tourism and social media accounts from the Ministry of Transportation as a broadcast of relevant information that is reliable, curated, and of high quality. Increase reach and availability. Cooperating with or taking over destination portals such as bali.com which has an impact on the visitor's decision-making process, credibility and reach. Launch blueprints and

business models to other destinations in Indonesia to create return on investment

6. Value for Money does not mean cheap.

Bali and Indonesia are considered from an international perspective as destinations that generally offer excellent value for money, across all market segments. For many it is considered cheap. However, small businesses, even those that are run internationally, still do not pay taxes or follow the rules of the Ministry of Manpower and other ministries. This allows them to lower prices below a certain healthy threshold and when things get too cheap we also attract cheap mass tourism and product quality, safety standards, environmental standards, labor protection are then typically cut down by business owners. A negative cycle.

Hence strict enforcement of laws and controls on labor laws, tax payments, environmental standards, safety standards will encourage business owners to raise prices in a more balanced way - this will contribute to the country as well as the local population. Prices may increase but value and quality too, keeping a good value for money ratio in place.

7. Nature, Tranquility, Peace and Culture

Increasing mass tourism is of course a challenge to the environment and a threat to global brands that Bali and other destinations are known for.

Tropical paradise not worth the pollution, Traffic Congestion, Drug Abuse, Theft & Fraud, Accidents, Tax Avoidance, Zoning Violations and Building Regulations This should become less attractive to the mass tourism segment which is still hosted by tour operators and agents looking for cheap mass segment, due to low average expenditure and large ecological impact.

The list of efforts to be made is long, from developing beneficial ecological tourism, to waste management and recycling, to effective green belt zoning and distribution of tourism to lesser known areas. Development of lesser known and new destinations requires reliable and long term zoning, permit control (IMB), infrastructure including roads.

As a small example against quality tourism, simple cases of noise pollution such as: 1. I. Hard motorbikes, 2. Hard Cars / Trucks, 3. I I I. Nightlife venues that do not respect closing hours and cause noise pollution, 4. Illegal parties and beach bars (eg Sand-Bar Batu Bolong).

For sustainable growth that can meet the expectations and responsibilities of destinations, a much more precise catalog of rules and regulations, and therefore tighter control and enforcement of laws is essential, which in turn will also attract investors willing to share the vision. and invest in it.

Evidently, the government has the right to carry out directives and alliances to protect the idea of a tropical paradise which is a long-term home for residents, by making regulations and cooperation, as well as law enforcement strategies. Qualified travelers will see and appreciate the efforts and results and others will find them less attractive and move on to other, less expensive destinations.

### **III. CLOSING**

Sustainable tourism development in Bali is a policy in development with economic, social, cultural and environmental dimensions on the basis of justice not only for the current generation but also for future generations. This concept emerged as a result of economic development and its impact on Bali. For sustainable tourism development, it generally represents the following thoughts: (1) concern for sustainable development, with its various challenges, (2) concern with the impact of the tourism industry. For this reason, tourism is seen as a system that is interrelated and interacts with each other. Policy synergy is needed with a multi-sectoral and multidisciplinary approach. The synergy of the government, the private sector and the community is absolute in realizing sustainable tourism and making Bali's tourism identity in global competition. Therefore, it is necessary to have several strategies to develop tourism in conjunction with cultural and natural conservation efforts. This strategy is adapted to the region and demographic conditions of the Bali region.

Despite various challenges and as difficult as operating, the concept of sustainability remains a driving force for tourism development in a long-term perspective, namely future sustainability, by facilitating cooperation and collaboration between different stakeholders. This represents significant progress in sustaining tourism as a whole, as well as significant progress towards forms of tourism that maintain and maintain attributes (social, cultural, environmental and economic). Inevitably all forms of tourism development can only be assessed as sustainable or unsustainable after a long period of time, and even then, current needs must be assumed to be the same at that time.

## REFERENCES

### Book

- Agustino, Leo. 2006. *Dasar-dasar Kebijakan Publik*. Bandung: Alfabeta.
- Bram Sarjana. 2006. "Studi Tentang Kebijakan Pengembangan Pariwisata Kota Kediri Provinsi Jawa Timur". *Thesis*. Denpasar: Universitas Udayana.
- Bratakusumah. 2003. *Perencanaan Pembangunan Daerah*. Jakarta: PT Gramedia Pustaka Utama.
- Dryzek, JS. 1987. *Rational Ecology: Environment and Political Economy*. New York: Basil Blackwell.
- Dunn, William N. 2003. *Pengantar Analisis Kebijakan Publik* (terjemahan). Yogyakarta: Gajahmada University Press.
- Edgell D, Allen, Smith, and Swanson. 2008: *Tourism Policy and Planning Yesterday, Today and Tomorrow*. UK: Elseiver.
- Garrod, B. & Fyall, A. 1998. Beyond the Rhetoric of Sustainable tourism? *Tourism Mangement* 19 (3). 199-212.
- Gee, C Y. (ed). 1997. *International Tourism: Global Persfektif*. Madrid: World Tourism Organization (WTO).