



Legal Assistance in the Development of Tourism Villages by Optimizing the Role of Village Institutions in the Village of Bongan Tabanan Bali

I Dewa Agung Gede Mahardhika Martha¹ | IB. Agustya Mahaputra¹ |

I Made Aditya Mantara Putra¹

1. Fakultas Hukum, Universitas Warmadewa, Indonesia

Correspondence Address to:

I Dewa Agung Gede Mahardhika Martha, Fakultas Hukum, Universitas Warmadewa, Indonesia
email:
dewaagungdhika.martha@gmail.com

Abstract. This research discusses the importance of legal assistance in the development of tourism villages in Bongan Village, Tabanan, Bali, with a focus on strengthening the role of Village-Owned Enterprises (BUMDes) and Tourism Awareness Groups (Pokdarwis). The main obstacles faced are the absence of Village Regulations (Perdes) that specifically regulate the roles of these two institutions as well as the lack of legal understanding related to tourism management and effective marketing strategies. Legal assistance aims to provide an understanding of regulations, assist in drafting relevant Perdes, and reduce legal risks in cooperation with third parties. In addition, training in management and marketing based on digital technology is expected to support the optimization of village tourism potential. The results showed that collaboration between legal aspects, management, and digital technology plays an important role in realizing sustainable tourism village development and improving the welfare of local communities. Synergy between the village government, educational institutions, business actors, and the community is needed to make Bongan Village a model of local wisdom-based tourism villages in Bali. Using an empirical legal approach, this research provides applicable recommendations that can be adopted by other tourist villages in Bali and regions with similar contexts.

Keywords: Legal assistance; tourism village; BUMDes; Pokdarwis.



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Introduction

Tourism is one of the sectors that has a significant contribution to the Indonesian economy, especially in areas that have local and cultural-based tourism potential. Bongan Village in Tabanan Regency, Bali, is one example of a village that has great potential to be developed into a tourist village. The unique culture, natural beauty, and diversity of local traditions make Bongan Village an attractive destination for domestic and foreign tourists. However, tourism village management requires a clear legal framework and active participation from village institutions, such as Village-Owned Enterprises (BUMDes) and Tourism Awareness Groups (Pokdarwis). Without proper regulations, the potential of tourism villages is difficult to develop optimally and sustainably (Arida, 2020).

In the context of village autonomy as stipulated in Law No. 6/2014 on Villages, villages have the authority to regulate and manage government affairs and the interests of local communities based on origin rights and customary values. The implementation of village autonomy in the development of tourism villages requires comprehensive village regulations (Perdes), especially those that regulate the role of BUMDes and Pokdarwis in managing tourism potential. Legal assistance is crucial to ensure that these regulations are in accordance with applicable legislation and the principles of social justice (Suhardini, 2018). Without adequate legal assistance, village regulations could potentially lead to conflict and be ineffective in maximizing community welfare.

Legal assistance is also required in the preparation of cooperation contracts between BUMDes, Pokdarwis, and third parties. Cooperation contracts that are drafted professionally and in accordance with legal principles can provide legal certainty for the parties, prevent disputes, and ensure the sustainability of the tourism village business (Susilo & Nurhidayati, 2019). Effective cooperation can attract investors and strategic partners to participate in the development of tourism villages. However, many villages do not have the capacity to draft good cooperation contracts, so they need comprehensive legal support.

The development of tourism villages is not only related to legal aspects but also requires the optimization of business management and marketing strategies. BUMDes and Pokdarwis as the main managers need to have the capacity to develop clear business plans, transparent financial management, and effective marketing strategies (Yuniarti & Kurniasih, 2021). This is important to ensure that tourism village businesses can develop sustainably and have a positive economic impact on the local community. In practice, legal assistance in the management of tourism villages still faces various challenges. Among these are the lack of understanding of the law by village officials, limited qualified human resources, and the lack of support from the local government (Setiawan, 2017). Therefore, an empirical approach is needed in this research to identify real legal needs in the field and design an effective and applicable legal assistance model in accordance with the conditions of Bongan Village.

Legal assistance does not only focus on the legal aspect, but also on empowering village institutions to play an active role in the development of tourism villages. BUMDes and Pokdarwis as the main actors of tourism village management need to be equipped with an understanding of their rights and obligations within the applicable legal framework. Thus, they can work professionally and accountably in managing the potential of tourism villages (Widodo & Rahayu, 2020). In addition, the effectiveness of legal assistance is also determined by the extent to which village communities are involved in the process of drafting regulations and cooperation contracts. Active community participation can ensure that regulations reflect the needs and aspirations of the community. This is in line with the principles of democracy and community empowerment that are at the core of village autonomy (Sari, 2018). Good legal assistance must integrate participatory and inclusive approaches.

Bongan Village, with all its potential, can become a model tourist village based on strong village institutions. With optimal legal assistance, it is expected that Bongan Village can develop village regulations

that support sustainable tourism management and create cooperation contracts that are fair and beneficial to all parties. This will encourage village economic growth and improve overall community welfare (Kurniawan, 2019).

Method

The research method relevant to the research title “Legal Assistance in Tourism Village Development by Optimizing the Role of Village Institutions in Bongan Village, Tabanan, Bali” is the empirical legal research method. This approach is used to understand the implementation of law in real practice in the community by collecting data through field observations, in-depth interviews with stakeholders such as village officials, tourism entrepreneurs, and local communities, as well as document analysis related to local government policies and regulations on local tourism. This research focuses on how the law functions in a particular social and cultural context, especially in supporting the development of tourism villages. By emphasizing the role of village institutions as an important element in the management of tourist villages, empirical legal methods help describe the real conditions that occur in Bongan Village. The data obtained will be analyzed to identify challenges in the application of the law and the role of village institutions, as well as the extent to which village institutions can act as facilitators or mediators in the development of sustainable tourism villages.

Discussion

Legal Assistance in the Drafting of Village Regulations (Perdes) That Regulate the Role of Bumdes and Pokdarwis for the Management and Development of Tourism Village Potential in Bongan Village, Tabanan, Bali

Legal assistance in the preparation of Village Regulations (Perdes) plays a crucial role in the management and development of tourist villages in Bongan Village, Tabanan, Bali. Bongan Village has great tourism potential that can be optimally developed through village institutions, such as Village-Owned Enterprises (BUMDes) and Tourism Awareness Groups (Pokdarwis). With a strong and comprehensive Perdes, these institutions can synergize to improve the local economy and community welfare. Legal assistance ensures that the drafting of Perdes is in line with national legal principles and the principles of village autonomy, as stipulated in Law No. 6/2014 on Villages. With clear and appropriate regulations, the development of tourism villages can run effectively and sustainably.

One of the main focuses of legal assistance is to ensure that the Perdes contains the principles of good governance and involves active community participation. Legal assistance helps village officials and communities understand the process of drafting local policies, including how to proportionally define the roles and responsibilities of BUMDes and Pokdarwis. Thus, the resulting policy not only has legitimacy, but is also accepted by all interested parties. According to Soekanto (2007), good regulations should be able to provide legal protection and certainty for all stakeholders.

BUMDes and Pokdarwis have complementary functions in the development of tourism villages. BUMDes play a role in managing the village economy, including the management of existing tourism assets. On the other hand, Pokdarwis is tasked with increasing community awareness and capacity on the importance of sustainable tourism. With legal assistance, the roles of these two institutions can be clearly regulated in the Perdes, so that there are no overlapping tasks and authorities. view that law functions as a social engineering tool. Through good law, the community can be directed to actively participate in the management of tourism villages (Mochtar Kusumaatmadja's ;2002).

Legal assistance also aims to educate village officials and the community about the rights and obligations of village institutions. In drafting Perdes, a good understanding of the principles of law and village autonomy is essential so that the resulting policies reflect justice and local interests. According to Mahfud MD (2010), good local policies must pay attention to aspects of justice and community participation. With legal assistance, Bongan Village can formulate Perdes that are fair, transparent, and able to accommodate the interests of the entire community.

In addition, legal assistance plays an important role in minimizing potential conflicts between village institutions. Conflicts often arise due to unclear roles and authorities in the management of tourism villages. Good regulations must clearly regulate the division of tasks and cooperation mechanisms to avoid conflicts and overlaps (Kurniawan; 2019). With legal assistance, Perdes can be designed to create harmony and efficiency between BUMDes and Pokdarwis. This is important to ensure that tourism village management can run smoothly and productively.

Legal assistance also ensures that the Perdes supports the principle of village autonomy. Law No. 6/2014 guarantees the right of villages to regulate and manage their own interests based on community initiatives and aspirations. With strong village autonomy, policies can be made that are more in line with the needs and characteristics of local communities. Legal assistance helps village officials understand these autonomy rights and formulate them into effective and effective regulations. That way, the management of tourism villages can be carried out independently and in accordance with the aspirations of the local community.

Furthermore, legal assistance plays a role in ensuring that the policies made can improve the welfare of the community. A well-managed tourist village can become a new source of income for the community through the development of the tourism sector. According to Sutoro Eko (2015), the success of village development is highly dependent on active community participation and strong village institutions. With legal assistance, Bongan Village can develop Perdes that support community participation, create jobs, and improve welfare in a sustainable manner.

Legal assistance also helps villagers understand how to design regulations that are inclusive and oriented towards the common interest. This process ensures that all elements of society, including marginalized groups, benefit from tourism village development. With an inclusive Perdes, tourism village development in Bongan Village can run fairly and sustainably. Legal assistance helps ensure that no group is left behind in the development process, so that welfare can be enjoyed equally.

In addition, legal assistance ensures that regulations are aligned with national legal policies. By combining local and national legal principles, Bongan Village can have a strong legal foundation in developing a tourism village. Legal assistance provides guidance so that the Perdes does not conflict with higher regulations, thus providing legal certainty for all parties involved. This legal certainty is important to encourage investment and cooperation in developing the village's tourism potential.

With legal assistance, Bongan Village can optimally and sustainably develop its tourism potential. The drafting of Perdes that regulates the roles of BUMDes and Pokdarwis is a strategic step to support effective tourism village management. This process ensures that local policies reflect the principles of village autonomy, justice and community participation. Thus, Bongan Village can develop into a tourist village that is independent, prosperous, and able to provide benefits to all villagers.

Legal Assistance in the Preparation of a Written Cooperation Contract on Business Management and Marketing Strategies Between Bumdes, Pokdarwis for the Management of Tourism Villages in Bongan Village, Tabanan, Bali

Legal assistance in the development of tourism villages plays an important role in ensuring transparency, accountability, and legal certainty in every cooperation carried out by Village-Owned Enterprises (BUMDes), Tourism Awareness Groups (Pokdarwis), and third parties. Effective legal assistance includes the process of drafting a clear written cooperation contract that complies with applicable laws and regulations. The cooperation contract should include the rights and obligations of all parties, dispute resolution mechanisms, and legal protection for the village (Rahardjo; 2009). Legal assistance should be proactive, helping people understand the legal consequences of any agreements they make.

In the context of Bongan Village, Tabanan, Bali, legal assistance involves not only the process of drafting cooperation contracts but also ensuring that the interests of the village and local communities are protected. Legal experts emphasise the importance of the principles of fairness and sustainability in cooperation involving village assets (Sumardjono; 2017). A good cooperation contract must be made through a deliberative process involving all stakeholders, including the village community, to prevent potential conflicts in the future. One effective form of legal assistance is to provide regular legal training for BUMDes and Pokdarwis administrators.

This training can equip them with a basic understanding of treaty law, business law, and tourism law. A good understanding of the legal aspects will help reduce the risk of disputes and increase the success of the cooperation. Legal assistance can also take the form of direct assistance from legal consultants in every stage of negotiations with third parties (Sudikno Mertokusumo: 2008).

In drafting cooperation contracts, the aspects of transparency and openness are very important. This is in line with the principles of good governance expressed by Mardiasmo (2006). This principle emphasises the need for accountability, participation, and transparency in the management of tourism village businesses. By applying these principles, the potential for corruption and abuse of authority can be minimised. In addition, the optimisation of tourism village business management also requires legal assistance in the preparation of internal policies. These policies include the governance of village assets, revenue management, and profit-sharing arrangements between BUMDes, Pokdarwis, and the community. (Eko Prasajo; 2015), good business management must be supported by clear regulations and effective monitoring mechanisms. This is important to maintain the sustainability of the tourism village business and increase public trust in village institutions.

An effective marketing strategy is also an important component of tourism village management. For this reason, legal assistance is required in the formulation of marketing policies that comply with consumer protection laws and intellectual property rights. For example, the promotion of tourist villages must pay attention to business ethics and avoid practices that violate the law. As stated by Philip Kotler and Keller (2016), an effective marketing strategy must be based on the principles of honesty and transparency. Furthermore, cooperation with third parties, such as investors or tourism agents, requires agreements that include clauses on environmental protection and local culture. This approach is in line with the concept of sustainable development proposed by Emil Salim (2003). By paying attention to environmental and cultural aspects, tourism villages in Bongan Village can develop sustainably while maintaining local identity.

Optimising the role of village institutions is also an important part of legal assistance. Village institutions such as BUMDes and Pokdarwis must have clear and professional organisational structures. According to Law No. 6/2014 on Villages, village institutions should function as the driving force of village

development. With legal assistance, village institutions can ensure that all tourism village business activities are carried out in accordance with applicable laws. Effective legal assistance for tourism village development in Bongan Village includes the drafting of written cooperation contracts that are clear, transparent, and equitable. In addition, this assistance must be accompanied by the optimisation of business management and the implementation of marketing strategies that are in accordance with the law. With strong legal support, tourism village management can run more effectively, professionally, and sustainably, and provide maximum benefits for the village community.

Conclusion

This research shows that tourism development in Bongan Village, Tabanan, Bali, faces challenges stemming from a lack of legal understanding and unprofessional management. The lack of village regulations related to BUMDes, and Tourism Awareness Groups (Pordarwis) is a major obstacle in the management of the village's tourism potential, which is not well organised. In addition, the absence of clear cooperation contracts between related parties, such as BUMDes, Pordarwis, and tourism vendors, increases legal uncertainty that can lead to disputes. Legal assistance efforts carried out by the Community Service Team of the Faculty of Law, Warmadewa University have had a positive impact in providing an understanding of regulations as well as training on the preparation of MoUs and tourism marketing.

The sustainability of sustainable tourism development in Bongan Village requires strategic steps, including the preparation of Village Regulations that regulate the roles and responsibilities of BUMDes and Pordarwis. This will provide a strong legal foundation for community empowerment and tourism development programmes. In addition, it is critical to immediately draft a written cooperation contract (MoU) between the BUMDes, Pordarwis and tourism vendors to reduce legal uncertainty and avoid potential disputes in the future. The authorities and relevant agencies should provide legal assistance in the process of drafting these contracts to ensure clear and legal agreements.

To improve the professionalism of tourism management, intensive training in management and marketing needs to be introduced, focusing on digital marketing and the use of social media, as well as transparent and efficient reporting systems. This training will strengthen the capacity of managers to face the challenges. In addition, village communities should be actively involved in the process of developing tourism villages through discussion forums and training, to increase awareness and ownership of tourism potential. Collaboration with educational institutions and more experienced tourism industries can also enrich the capacity of managers in applying the best practices in tourism management and services. With these steps, it is hoped that Bongan Village can optimise its tourism potential, improve community welfare, and ensure sustainable management.

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