

Reconstruction of regional regulations on the development of natural tourism and river water tourism in the Muria mountains based on sustainable tourism

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Abstract: The potential for developing nature-based tourism and water tourism in Kudus Regency has quite good potential, but its development is not yet in line with the principles of sustainable tourism. This is also supported by regional regulations that have not fully implemented sustainable tourism. This research uses normative research methods by conducting a study of the synchronization of legal regulations, namely regional laws and regulations with the principles of sustainable tourism and ecological justice. The first result of this research is the threat of environmental damage and a pollution crisis that will occur in the Mount Muria area, if it is not followed up with special regional regulations, second, ecological justice is needed in the substance of regional regulations based on sustainable tourism, third, the concept of new regional regulations must contains the substance of sustainable tourism, green economy and ecological justice.

Keywords: *Muria Mountains, Natural Tourism, Regional Regulations, River Water Tourism, Sustainable Tourism.*

1. Introduction

Good nature is one that still maintains biodiversity in accordance with its function, [1],[2] The reciprocal relationship between nature and biodiversity has an impact on human future, [3]. Indonesia is a country that has diverse biodiversity, [4], , unfortunately the threat to biodiversity is decreasing from year to year due to natural damage such as floods, [5], deforestation, [6], [7] and landslides, [8]. All of these disasters are the result of illegal human actions that change the natural landscape. Some activities that threaten nature are activities that are unilaterally profitable, such as nature-based tourism activities and river water tourism, [9].

Tourism is an activity that makes Indonesia famous in the world and from Indonesian tourism it has very good income for state income and has an economic impact on some people in Indonesia, [10] Unfortunately, tourism management that is not based on sustainable development has a negative impact on the surrounding nature. One area in Indonesia that has good nature is Kudus Regency. This is because Kudus Regency has highlands or mountains in the Pantura area (pantura of Java Island), these mountains are the Muria mountains. The location of these mountains is very unique because they do not have volcanic pathways on the island of Java. On the other hand, the Muria mountains have good nature and ecosystems.

The natural beauty that is still pristine is used by the local community for natural tourism, besides that, long before there was natural tourism, the Mount Muria area had tourism based on religion, namely the Sunan Muria grave tour. Natural tourism developed by local communities is tourism based on nature and water, where local communities use riverside areas to make restaurants to provide a special attraction for visitors. The water that flows along the Mount Muria river has very good water

quality and is still pure, unfortunately the presence of people who visit and bathe in the river has a negative impact, namely awareness of throwing rubbish in its place.

Kudus Regency has a regulatory basis for managing tourism in general. The basis for this is regional regulation number 2 about tourism masterplan. This regulation consists of several articles which are related to the development of tourism in Kudus Regency. In the hierarchy of rules that has been established by the Indonesian government, each region has the authority to make regulations based on the specifics of their respective regions because Indonesia is a country that adheres to regional autonomy. The regional regulations that underlie tourism regulations contain substance that regulates the procedures for managing, developing and developing tourism in Kudus Regency.

Regional regulations are made by regions throughout Indonesia to support higher regulations, namely laws. According to Maria Farida, the formation of regional regulations must go through several stages, including planning, preparation, discussion, ratification, promulgation and dissemination. Kudus Regency has also carried out the process of making regional regulations as stated by Maria Farida. One of them is regional tourism, [11]

This research aims to support sustainable nature and water tourism in Kudus Regency and provide a clear perspective of sustainable tourism in legal regulations. In previous research, there has been no research that specifically discusses water and nature tourism directly in empirical or normative research. Some studies in substance only examine the relationship between tourism and sustainable development. So this research will provide input on the relationship between nature protection, sustainable tourism and touch on sustainable development, because it has a correlation with sustainable tourism regulations. However, according to researchers, there is still a need to create regulations that underlie nature tourism and water tourism to give strength to regional regulations that have been created.

2. Methods

The method used in this research is research based on normative data, normative data comes from the 1945 Constitution, Indonesian Government Regulations, the Tourism Law and Kudus Regency Regulations regarding tourism. Normative data will be supported by a perspective on the role of ecological justice which has the function of solving the problem of the gap between environmental protection and the development of nature-based and water-based tourism in Kudus Regency. By using an ecological justice perspective, it is hoped that it will provide a new perspective on the situation that must be studied further, because several natural tourism and water tourism areas in Kudus Regency are experiencing the threat of natural disasters and new policies need to be made in accordance with sustainable tourism.

3. Result and Discussion

3.1. *The Paradox of Economic Growth And environmental Protection in the Muria Mountains*

Economic growth and environmental protection always have a gap. This is because most people always prioritize economic growth over environmental protection. deforestation, illegal mining, river waste pollution and marine plastic waste which threaten marine, [12], ecosystems are clear examples of the effects of brutal economic growth without looking at the side effects, [13]. Population growth continues to encourage innovation that gives humans the opportunity to survive and all countries in the world feel this, but the biggest effect is felt by Indonesia. Cases of environmental damage as discussed above have all been experienced by Indonesia, and in fact tend to increase due to Indonesia's population explosion which is also increasing.

Environmental damage in Indonesia is caused by policies that always change during each term of leadership, [14], During President Soeharto's era, Indonesian policy tended to be centralized, which then had a negative side, namely that the handling of environmental cases in the regions tended to be slow. After President Soeharto resigned, the policy changed towards semi-decentralization in the environmental sector, including the development of forest areas which were used as natural tourism and water tourism areas. The development of natural tourism and river and sea water tourism in Indonesia has become a special attraction for tourists from abroad and tourists from within the country, [15]. Some famous natural and water tourism destinations in Indonesia are Bali and Lombok. But apart from

Muria coffee producing villages. Muria coffee is one of the mainstays of village residents to earn income. Apart from that, the plantations and agriculture used in these two villages are directly adjacent to forest areas managed by the state.

On the other hand, landslides, flash floods and fires are always a threat every year in Rahtawu village, [16]. The disaster occurred in river areas and forest areas located in residents' plantation areas or residents' land bordering state forest areas. This incident is usually triggered by planting patterns that do not match the soil patterns of mountainous areas which tend to be sloping and the crop patterns planted are production crops such as corn. Meanwhile, the natural area of Colo Village and its river area tend to be safe from disasters, but the threat of damage is in the consciousness of tourism visitors who visit the Colo waterfall area who like to throw rubbish carelessly in the river area.

Conflicts over the use of forest areas, mountainous areas and river areas in Indonesia are indeed prone to the threat of damage, including in Kudus Regency. The presence of developing tourist areas does have a good impact on maintaining the people's economy and provides another perspective on the use of nature as a tourist area, but this understanding cannot stop at economic growth alone. Development and nature protection must go together because excessive human activity is a threat, [17], [18]. According to Giacomo, humans and nature are two sides of the earth's inhabitants that cannot be separated from each other and each has a good role if carried out correctly.

Sustainability and protection of the Muria mountain area is the key to maintaining a good quality environment for every citizen in Kudus Regency in the future. Tourism development in this area should be oriented towards the principles of sustainable tourism which is implemented properly and correctly, [19], namely by maintaining the natural status of the surrounding environment and maintaining river water quality that does not exceed the quality standards set by the Indonesian government. Likewise, providing education to visitors so that they maintain their attitudes and support the success of the sustainable tourism area. The tourism development journey that has been carried out by the Kudus district government should receive support and receive criticism in order to provide benefits in the future. Sustainable tourism is the key that can be used as a middle way and to maintain the principle of ecological justice which has been established in Indonesian presidential regulation number 11 of 2022 concerning sustainable development.

3.2. Environmental Justice as A Middle Way

Pancasila is an ideology implemented by Indonesia. In Pancasila there are recommendations for the state to be fair to the people and natural resources in Indonesia, [20]. In reality, the Pancasila ideology has not been implemented one hundred percent properly and correctly by the Indonesian government, from the next period to the next period it continues to produce records of environmental crises. injustice is caused by policies that only favor the interests of political groups and not the interests of the welfare of the people. The position of environmental justice is urgently needed to support the future and sovereignty of the nation.

The dynamics of environmental justice are not always a national topic and are not interesting to study further, the proof is that the birth of the Job Creation Law during the Covid era and this law has the aim of making business investment easier for entrepreneurs is clear evidence that the Indonesian government is not serious about making improvements. environment. Other evidence is that there are still environmental violations caused by entrepreneurs but the sanctions that have been stipulated in law are not given. The weakness of ecological justice is a symbol of the weak position of the Indonesian government in maintaining Indonesia's sovereignty in the future, [21]. The strength of national politics has an impact on regional politics. Kudus Regency has the same tendency as the dynamics of environmental justice at the national level, the Kudus Regency regional government's neglect of environmental protection makes the environmental conditions of Kudus Regency quite bad, one of which is waste management and management of final waste which is discharged directly into Kudus Regency's rivers. Garbage and waste have become a problem that has not been resolved from year to year, making it a real threat to Kudus Regency in the future. The problem of rubbish and waste is a real threat but is not controlled properly. The explosion in numbers and awareness of attitudes that love the environment are supporting environmental damage in Indonesia, including in Kudus district.

The threat of not establishing ecological justice in the holy city will have an impact on natural tourism areas and water tourism. This impact is a non-compliance with the sustainable tourism criteria set by the UN and the Indonesian Government. One of the indicators of sustainable tourism is that tourism destinations must be free from rubbish and waste which causes damage to the environment

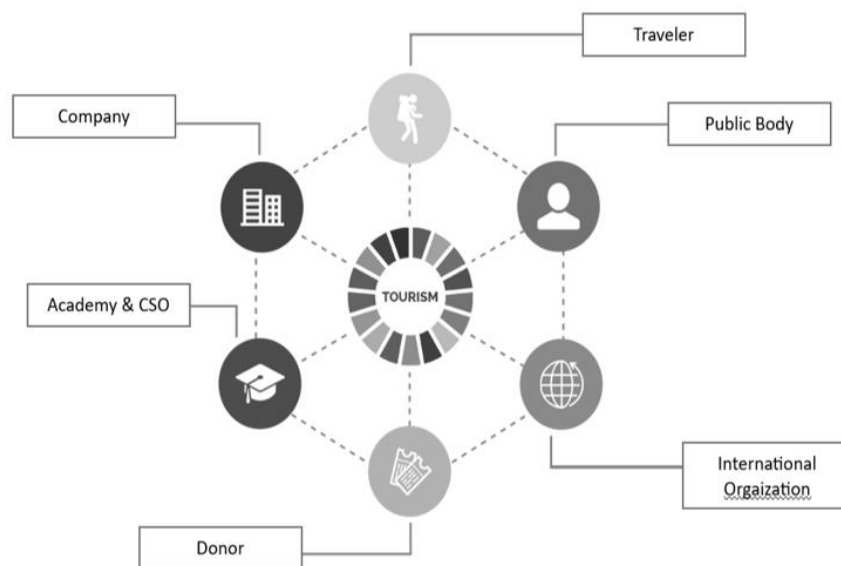


Figure 2.
Element sustainable tourism.

The image above is an image officially released by the United Nations regarding the relationship between SDGs 2030 and several elements related to SDGs 2030 and one of them is travellers. The meaning of a traveler also has a correlation with sustainable tourism. The traveler logo section explains that there are several criteria that must be complied with by travelers to care for tourist areas to turn them into tourism based on sustainable tourism. If understood in depth, efforts to protect natural areas from damage caused by tourists are part of efforts to support ecological justice, [22].

Ecological justice has been established in policy instruments in several large countries such as America with EIA, [23] (environmental impact assessment) or European countries with WFD (Water Framework Development), as well as Indonesia which has indirectly created instruments based on ecological justice such as AMDAL, [24], environmental quality standards. and KLHS (strategic environmental studies). At the regional level, ecological justice has been included in several articles in regional regulations. In Kudus Regency, several regional regulations have adopted the objectives of ecological justice, namely regional regulations on waste, regional regulations on the environment, regional regulations on waste management, regent regulations on green open spaces. Some of these regional regulations were made specifically to overcome environmental problems in Kudus Regency. Unfortunately, some of these regional regulations have not been effective in overcoming existing problems, such as river pollution from tofu waste, rubbish and spatial planning patterns that are not based on green open spaces. The future of nature-based tourism areas in Kudus Regency depends on the local government. Regional governments should have started thinking about ecological justice to maintain a balance between development and environmental protection. The benefits of ecological justice can be felt by regions or countries that have implemented it well and correctly. Natural balance needs to be realized to safeguard the future of this earth. Because without this earth, the future of humans will also be a question mark or it could be said that the future of humans will become extinct.

3.3. Ideal Regional Regulations for Natural and Water Tourism in the Muria Mountains Based on Sustainable Tourism

Public policies that are not in accordance with the root of the problem will have a negative impact on certain problems, including environmental problems [25]. This is exacerbated by low knowledge about environmental protection. The impact is uncontrolled environmental damage and natural disasters that continue to occur. Public policies that emerge in Indonesia take various forms, one form of public policy in Indonesia is regional regulations. Regions will make regulations according to needs, including regulations relating to the environment and tourism. Regional regulations made for tourism in Kudus Regency are still general in nature and do not really emphasize the elements of sustainable tourism, even though there are articles discussing the green economy and sustainable tourism in one article, according to our analysis this is not the case. but respond to needs according to the problems that occur. The paradigm shift regarding climate change and carbon reduction that is occurring in western countries should be responded to by the Indonesian government and continued to regional governments to be followed up into regional regulations.

Regional regulations in Indonesia should start making substantive changes that address the sustainability of the environment, [26]. Then these changes can be synchronized with programs based on environmental protection. Rights and guarantees for a decent, healthy life and a healthy environment are actually written in the Indonesian constitution. In this case, the regional government needs to make a deeper analysis taking into account the protection of forest areas, mountain areas, sea areas and river areas, then it can be continued with a study of non-environmental needs. Indonesian tourism has attracted world attention and has become a leading destination, unfortunately it is only focused on certain places such as Bali, [27], Lombok, Raja Ampat, Komodo Island, [28], and Labuan Bajau. On the other hand, other places also have natural beauty, such as Kudus Regency, with beautiful biodiversity in the Mount Muria area, and destinations other than natural tourism must also be developed, such as religion-based tourism in several areas such as Kudus Regency.

Good regional regulations are regional regulations that are formed based on existing problems in the region, then discussed at the regional government and regional legislative levels and the final step is formulated as a legal basis. One region in Indonesia has a regional regulation that specifically addresses sustainable tourism. The area is West Lombok Regency which is in West Nusa Tenggara Province. The district has prepared regional regulations based on sustainable tourism. With regional regulations based on sustainable tourism, all that remains is to carry out law enforcement in accordance with the directions of the regional regulations. regional regulations that have been implemented by other regions and obtained effective results, such as in Sesaot village, West Lombok, other regions in Indonesia can emulate and develop them in their respective regions, including Kudus Regency. Even though Kudus Regency already has regional regulations regarding tourism master plans, there is still an opportunity to create new regional regulations specifically for nature-based tourism areas and water tourism in mountainous areas.

Even though there is an opportunity to develop regional regulations based on sustainable tourism, such as in Lombok district, these regulations can be collaborated with regional needs or local wisdom from Kudus Regency. The ideal regulatory concept that will be developed by researchers is regional regulations on tourism that are based on sustainable tourism and do not conflict with the Indonesian constitution (1945 Constitution) and do not conflict with sustainable development. The concept of regional regulations will be offered to the Kudus Regency government to get attention to be continued in future studies with the aim of managing natural tourism and water tourism based on sustainable tourism. Below is the concept.

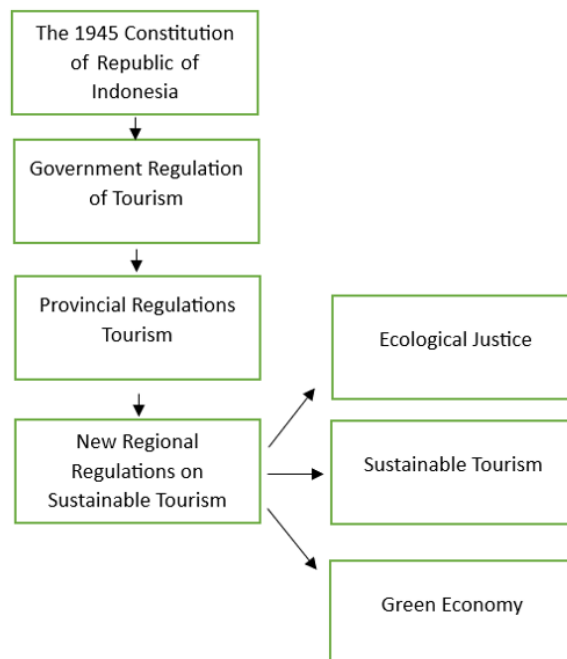


Figure 3.
Concept of new regional regulations on sustainable tourism.

The concept of new regional regulations will contain several elements, including environmental justice, the position of environmental justice is really needed by several countries that cannot control environmental damage and have a poor record regarding environmental protection. Environmental justice also has the benefit of being a middle way to support environmental protection with spatial planning patterns that have been implemented in a particular area, [29]. Next is the main problem, namely regarding shifting or updating new regional regulations to encourage sustainable tourism as a support for creating sustainability and not reducing the economic opinion of local residents as tourism actors. Sustainable tourism has a very important position in the current era because it has the aim of protecting the environment in the long term. The concept of sustainable tourism has been established by the United Nations as a supporter of sustainable development in every country. Lastly is the green economy, the substance of regional regulations must be based on the green economy, because the green economy also has an important role as a control of economic development which always benefits entrepreneurs only and does not look at the impact on environmental damage, [30]. The green economy should also be socialized to all elements of society in Kudus Regency to reduce the imbalance between economic growth and environmental damage caused by massive industrialization. The green economy can be developed as an instrument for environmental protection if the Kudus district government is serious about enforcing regulations.

4. Conclusion

Regional regulations regarding tourism in Kudus Regency actually already exist, namely regional regulations regarding the tourism master plan for Kudus Regency. Even though there is an article in it that discusses sustainable tourism, according to researchers, this still cannot be used as a strengthening instrument for enforcement if there are violations of tourism development. nature and water that is not based on sustainable tourism. Furthermore, problems will arise because these substances are not synchronized with law enforcement, so there needs to be new regulations made in Kudus Regency, namely new regional regulations. In these regional regulations, elements of ecological justice must be included as a middle way to overcome existing problems, namely the problem of waste and the threat of landslides. The future of the Gunung Muria area is indeed very vital for Kudus Regency, but also the

area has the potential to be developed as a nature-based tourism area and based on river water tourism. Therefore, the concept of a new legal basis is a solution for the future of the Mount Muria area to protect nature and rivers in the area.

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