



The Existence of Subak in The Legal Politics of Development Program in Bali

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Info Artikel

Submitted : 12th December 2021

Accepted : 21st December 2021

Published : 28th December 2021

Keywords :

Subak, Legal Policy, Regional Development.

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DOI :

10.24843/KP.2021.v43.i03.p02

Abstract

This study aimed to analyze the legal policies of Bali regional development planning in providing protection for the existence of Subak sustainability in development. This study employed a normative legal research method with a statutory approach, and analytical conceptual approach. The results indicated that the existence of Subak has been recognized as a model of management irrigation in Bali that has been inherited by ancestors, which is protected by the 1945 Constitution. However, the direction of regional development planning within the framework of autonomy, places the agricultural sector as the preferred government affair of the regional government authority. Hence, it causes the agricultural sector does not become the leading sector in development planning, and beside the priority of the agricultural budget from the portion of planning and regional economic development, which is still below 2% (two percent). There are also a lack and difficulties in synergizing regional development in agriculture with efforts to protect Subaks across districts/cities in the province of Bali.

1. Introduction

Bali has been known as a small island with an area of 5,636.66 Ha or 0.29% of the area of Indonesia.¹ It has been recognized as one of the largest foreign exchange earners of tourism in Indonesia.² The development of tourism in Bali can be categorized into 4 (four) phases, inter alia: Introductory Phase (1902-1913), Reaction Phase (1914-1938), Institutional Phase (1950-2011), which can also be classified into Institutional I (1950-1968), Institutional II (1969-1990), Institutional III (1991-2011), and the current phase is

¹ General Description of Regional Conditions in the Bali Provincial Regulation No.2 of 2019, p.10

² Antara, M., & Sumarniasih, M. S. (2017). Role of tourism in economy of Bali and Indonesia. *Journal of Tourism and Hospitality Management*, 5(2), 34-44. doi: <https://doi.org/10.15640/jthm.v5n2a4>.

known as Compromise Phase (2012-2017).³ According to these phases, it is known that the rapid development in tourism sector in Bali started in 2000. The development also put Bali as one of the best tourist destinations in the world. Hence, the tourism sector has had a significant impact on Bali.⁴

In order to develop Bali as tourist destination, the regional government has regulated several regulations regarding the regional development related to tourism in Bali. It has been done since 1970 through the implementation of Five-Year Development Plan I and II (Rencana Pembangunan Lima Tahun I dan II). In accordance with the development of tourism in Bali, the regional government issued a Presidential Instruction No. 9 of 1969 on Tourism Development, which followed by Law No. 9 of 1990 concerning Tourism. After the enactment of Law No. 9 of 1990 concerning Tourism, the regional government then issued Bali Provincial Regulation No. 3 of 1991 on Cultural Tourism, which has been amended into Bali Provincial Regulation No. 2 of 2012 on Bali Cultural Tourism (*hereinafter* Bali Provincial Regulation No. 2 of 2012 concerning Bali Cultural Tourism). The enactment of Bali Provincial Regulation No. 2 of 2012 concerning Bali Cultural Tourism confirms the concept of tourism in Bali as Cultural Tourism.

The concept of cultural tourism shows that the ideal development of tourism in Bali shall provides prosperity to its society as well as maintaining the value, traditions and culture in Bali as its identity.⁵ It put the cultural identity in Bali as a local wisdom that shall be maintained in order to be run in synergy with the current tourism development pattern to support the life and welfare of the people in Bali.

During its development, the tourism sector in Bali had experienced fluctuations as a result of the Bali I Bombing in 2002 and the Bali II Bombing in 2005. However, it didn't affect the investor to keep investing in Bali. In fact, Bali tourism bounced back and developed faster after the Bali Bombings.

On the other side, the rapid development of tourism in Bali implicates in the needs of spaces to build facilities to support the tourism itself. It leads to an increase in the need for land both in terms of area and economic value.⁶ The need for land in the tourism sector causes the transfer of land functions, which includes the productive lands such as agricultural lands switch its function to be the facilities of tourism.

³ Anom, I Putu, Suryasih, I. A., Nugroho, S, dan Mahagangga, I G. A. Oka (2017). *Turismemorfofis: Tahapan selama seratus tahun perkembangan dan prediksi pariwisata Bali*, Jurnal Kajian Bali, Volume 7(2), p. 61-62. doi: <https://doi.org/10.24843/JKB.2017.v07.i02.p04>.

⁴ Wardana, A. (2015). Debating spatial governance in the pluralistic institutional and legal setting of Bali. *The Asia Pacific Journal of Anthropology*, 16(2), 106-122. doi: <https://doi.org/10.1080/14442213.2014.997276>.

⁵ Mudana, I. G., Ernawati, N. M., & Voda, M. (2021). Analysis Of The Evolving Cultural Tourism Implementation In Bali Indonesia. *Multicultural Education*, 7(6). doi: 10.5281/zenodo.5035637

⁶ Yasa, P. G. A. S. ., Sudiarawan, K. A. ., Dwijayanthi, P. T. ., & Pranajaya, M. D. . (2021). Legal Politics of Land Rights Certification in The Indonesian Context: Between Agrarian Conflicts and Demands for Legal Certainty. *International Journal of Criminology and Sociology*, 10, 897-905. <https://doi.org/10.6000/1929-4409.2021.10.106>.

Socio-culturally, the existence of agricultural land in Bali is closely related to the existence of Subak.⁷ Subak is a model of management of irrigation system in Bali that has been inherited by ancestors as a manifestation of social, cultural, political and religious life symbolized by the philosophy of life, *Tri Hita Karana* (three causes of virtue).⁸

As a model of management irrigation in Bali that has been inherited by ancestors, Subak which identical with the landscape of Bali has been acknowledge as a World Cultural Heritage (*hereinafter* WCH). On 29 June 2012, Subak was enlisted as WCH by the United Nations Educational and Cultural Organization (*hereinafter* UNESCO).⁹ The enlistment of Subak as WCH brings its own challenges for the people in Bali who face the rampant conversion of agricultural land nowadays.

In the midst of rampant conversion of agricultural land in Bali, the existence of Subak in the future turned out to be a fairly severe challenge. According to the research from Sutawan, there are several challenges are being faced, *inter alia*:¹⁰

- a. There is an intense competition in the marketing of agricultural products;
- b. Shrinking of the irrigated rice fields due to transfer of lands function;
- c. Water availability is decreasing;
- d. Environmental damage, especially water source pollution;
- e. Handover of irrigation management responsibilities to farmers;
- f. Less interest from young generation to work as farmers.

Through the research, Sutawan also elaborates several weaknesses of Subak which indirectly might eliminate its existence in the management of agricultural land in Bali. The weaknesses are stated as follow:¹¹

- a. There is no legal entity owned by most of Subak in Bali;
- b. The narrowness of the area of Subak member farmers and most of them are being sharecropping;
- c. Lack of capital ownership and limited access to credit owned by farmers of Subak;
- d. Weak bargaining position of farmers because they act as individual in the procurement of production facilities and marketing of agricultural products;
- e. Limited ability of farmers in terms of non-rice cultivation technology ranging from production process to post-harvest process.
- f. Limited ability of management and entrepreneurship within the farmers;

⁷ Sanica, I. G., Wiagustini, L. P., SEDANA, I., & ARTINI, N. (2019). Internalization of Intrinsic Value of Trust in Financial Accountability: A Study of Subak Jatiluwih Bali Indonesia. *International Business Research*, 12(1), 99-109. doi: <https://doi.org/10.5539/ibr.v12n1p99>.

⁸ Wardana, A. (2019). The Making of World Heritage Landscape. In *Contemporary Bali* (pp. 129-161). Palgrave Macmillan, Singapore. <https://doi.org/10.1080/14442213.2014.997276>.

⁹ Ardika, I. W. (2018). The implementation of Tri Hita Karana on the world heritage of Taman Ayun and Tirta Empul temples as tourist attractions in Bali 1. In *Decolonising Heritage in South Asia* (pp. 195-218). Routledge India.

¹⁰ Sutawan, Nyoman (2001). Eksistensi Subak Di Bali: Mampukah Bertahan Menghadapai Berbagai Tantangan, *Denpasar: Jurnal Sosial-Ekonomi Pertanian SOCA Udayana*, Vol.1 (2), p.2-4

¹¹ *Ibid*, p.6

- g. Weak control of farmers over market information, especially those related to quantity needed, price, time, quality, payment system, etc;
- 1) Lack of knowledge and mastery of technology in the field of conservation of natural resources, especially water resources.
 - 2) There are still several Irrigation Areas which are a physical amalgamation of irrigation systems but do not yet have a coordination forum between Subak within the Irrigation Area concerned.

This condition implies that the sustainability of Subak needs to get more attention and without the role of the government, its existence will undoubtedly disappear along with the loss of agriculture in Bali's regional development planning priorities. Based on BPS data as a flashback of the decade of development in Bali, agricultural land in Bali continues to decline every year. In 2011 to 2015, agricultural land (paddy fields and non-paddy fields) decreased in total area, namely, overall, from 63.05% or 355.399 Ha in 2011 to 62.76% or 353.802 Ha in 2015¹². Then in 2017 from the data update as of January 17, 2019, it was seen that the area of agricultural land consisting of paddy fields and non-rice fields (gardens, fields and plantations) also experienced a decrease in area of around 324.527 hectares or 57.57% of the total area of the province of Bali¹³.

Other problems related to the existence of Subak also arise, including the presence of a helipad (helicopter landing place) in the middle of Subak Jatiluwih, Tabanan Regency which threatens Subak's status as WHC because it has changed the original form of Subak;¹⁴ There was a water crisis experienced by Subak Tengaling, Pejeng Village, Tampaksiring District, Gianyar Regency;¹⁵ The case of Subak Anggabaya, which is one of the subaks in urban areas located in Pinatih Village, North Denpasar District, which is threatened due to the conversion of agricultural land;¹⁶ Development of villas and restaurants in the area of WCH Catur Angga, Batukaru;¹⁷ The plan to build a parking lot that utilizes productive paddy fields in the Subak Jatiluwih area;¹⁸ and it is possible

¹² Badan Pusat Statistik Provinsi Bali. *Luas lahan Kabupaten/ Kota di Provinsi Bali Tahun 2015*. Available from <https://bali.bps.go.id/index.php/pencarian?keywordforsearching= lahan+pertanian &yt1=Cari>, diakses pada 29 Oktober 2021.

¹³ Badan Pusat Statistik Provinsi Bali. *Luas Lahan Per Kabupaten/ Kota Menurut Penggunaannya di Provinsi Bali*. Available from <https://Bali.bps.go.id/statictable/2018/04/11/72/ luas-lahan-per-kabupaten-kota-menurut-penggunaannya-di-provinsi-Bali-2017.html>, accessed on 2 November 2021.

¹⁴ Media Indonesia. *Status Warisan Dunia Subak Terancam Dicabut*. Available from <https://mediaindonesia.com/read/detail/230162-status-warisan-dunia-Subak-terancam-dicabut>, accessed on 2 November 2021.

¹⁵ Kompas. *Tatkala Subak Kehilangan Sumber Air*. Available from <https://regional.kompas.com/read/2013/03/13/02383574/Tatkala.Subak.Kehilangan.Sumber.Air?page=all>, accessed on 2 November 2021.

¹⁶ Eka Suwarnata, Anak Agung (2014). *Keberlanjutan Sistem Subak Di Perkotaan, Kasus Subak Anggabaya, Di Kawasan Kelurahan Penatih, Kecamatan Denpasar Utara, Kota Denpasar*, Seminar Nasional Riset Inovatif II, Tahun 2014, Available from <eproceeding.undiksha.ac.id/index.php/senari/article/download/573/404/>

¹⁷ Kabar Dewata. *Ancaman Boikot Jatiluwih Kepala Disbudpar Tabanan Bereaksi Seperti ini*. Available from <http://kabardewata.com/headlines/ancaman-boikot-jatiluwih-kepala-disbudpar-tabanan-bereaksi-seperti-ini.html#.W6m9CfkzblU>, accessed on 3 November 2021).

¹⁸ Republika. *Puluhan Subak Bali Terancam*. Available from <https://republika.co.id/berita/koran/didaktika/15/10/05/nvqoi31-puluhan-Subak-Bali-terancam>, accessed on 3 November 2021.

that other similar cases will emerge in the future if there is no firm and strategic policy from the local government.

As one of the local wisdoms, the existence of Subak has been recognized and protected constitutionally as a part of special regional government units which regulated in the 1945 Constitution of the Republic of Indonesia (*hereinafter* the 1945 Constitution) in Article 18 B paragraph (2), which is reaffirmed in Article 28 I paragraph (3) that local wisdom is part of cultural identity whose manifestation is protected by human rights.¹⁹ In national development planning, local wisdom is also used as one of the principles of national development as regulated in Article 2 Paragraph (1) of Law No. 25 of 2004 concerning the National Development Planning System (*hereinafter* the National Development Planning System Law).

Within the framework of national development, Bali with its characteristics has been designated as part of the National Strategic Area (*hereinafter* KSN). The implementation of KSN refers to the provisions in Article 21 paragraph (1) of Law No.26 of 2007 concerning Spatial Planning and Article 123 paragraph (4) of Government Regulation No.26 of 2008 concerning National Spatial Planning, which is further stipulated specifically in the Presidential Regulation. No.45 Year 2011 jo. Presidential Decree No. 51 of 2014 concerning Spatial Planning for Denpasar, Badung, Gianyar, and Tabanan urban areas, and based on its tourism characteristics, Bali is also designated as part of the National Tourism Strategic Area (KSPN) whose determination is based on PP No. 50 of 2011.

However, the Bali development planning as in its implementation refers to a number of regulations abovementioned, consisting of National Strategic Areas and National Tourism Strategic Areas as in which there are Protected Areas, Cultivation Areas and Buffer Areas, one of which is tourism development. In fact, there is also Subak which is a Cultural Conservation as well as WCH. It is an irony when cultural heritage which is a place or area in which its use should be protected from any disturbance by the government, on the other hand, has to deal with the development of tourism land which is identical with economic interests. Both of these are interests that must be mutually facilitated and difficult to deny their existence. On the one hand, Subak is local wisdom that is identical to representing the interests of the farming community who are part of the marginalized, on the other hand the economic interests of tourism development are income for Regional Original Income (*hereinafter* PAD) identical to the interests of investors who are part of the capitalist pattern.

It shall be noted later that in Bali development planning, it is carried out by only pursuing income for Regional Original Income/PAD without being able to guarantee protection for people's lives and environmental sustainability, including Subak in it. This condition causes the decline in the existence of Subak, eliminates the function of agricultural land, and reduces green open space which functions to maintain the quality and quality of the environment.

¹⁹ Parwata, A. G. O., Harimini, A. A. N., Jayantiari, I. G. A. M. R., Laksana, I. G. N. D., & Pranajaya, D. (2021). SUBAK MANAGEMENT IN COVID-19 PANDEMIC TO REALIZE COMMUNITY-BASED TOURISM. *International Journal of Entrepreneurship*, 25, 1-11.

The important thing that the government needs to do in formulating regulatory policies and legal protection is the existence of pluralism in the social structure. This plurality certainly has an impact on the plurality of legal substances needed to regulate each community group, meaning that modern law established by the state must be built on the principle of equality for each person or group, but in that similarity, the law must also be able to accommodate the differences that exist in society. Because if not, the law can actually be a source of injustice for community groups whose social values are not the same as the social values contained in the substance of the modern legal system.²⁰

Based on the abovementioned, it is important to examine legal issues, namely the legal policy of Bali regional development planning in providing protection for the existence of Subak sustainability in development. This paper will systematically discuss the relevance of legal politics in development, the direction of development planning in Bali, as well as legal policies related to Bali development planning and their relevance in efforts to maintain the sustainability of Subak in development.

Compared to some previous studies, this research has similarities in terms of topics, namely discussing legal politics in Bali especially the existence of Subak, but with a different study focus. This paper emphasizes on the the existence of Subak in the legal politic of developing program in Bali.

Previous study was carried out by Suprpto, P.A. in 2017 which examined “*Kajian Politik Hukum Terhadap Pembentukan Daerah Bali Nomor 2 Tahun 1972 tentang Irigasi Daerah Provinsi Bali*”.²¹ In this study, the author focus was on a general overview the comparison of Subak organization before and after the implementation of Bali Provincial Regulation No. 2 in 1972. In 2014, Herlina Tarigan and Pantjar Simatupang examined “*Dampak Undang-Undang Sumber Daya Air Terhadap Eksistensi Kelembagaan Subak di Bali*”.²² In this study, the author focus was to analyze the impacts of the act on the subak indigenous irrigation institution and agricultural sector.

2. Research Method

This paper used a normative legal research method with a statutory approach and a conceptual approach (analytical conceptual approach), which is formulated by reviewing primary legal materials, namely related laws and regulations, which are supported by related literatures. in the form of secondary and tertiary legal materials obtained from books, dictionaries, magazines, journals and the internet. In its presentation, this paper has a qualitative descriptive nature, where all legal materials are collected through a literature study, then the results of the study are described systematically.

²⁰ Nurhasan Ismail (2008). *Perkembangan Hukum Pertanahan Pendekatan Ekonomi-Politik (Perubahan Pilihan Kepentingan, Nilai Sosial dan Kelompok yang Diuntungkan)*. Yogyakarta: Huma dan Magister Hukum UGM, p. 10.

²¹ Suprpto, P. A. (2017). *Kajian Politik Hukum Terhadap Pembentukan Peraturan Daerah Bali Nomor 2 Tahun 1972 Tentang Irigasi Daerah Provinsi Bali*. *Soshum: Jurnal Sosial dan Humaniora*, 6(2), 167.

²² Tarigan, H., & Simatupang, P. (2014). *Dampak undang-undang sumber daya air terhadap eksistensi kelembagaan subak di Bali*. *Analisis Kebijakan Pertanian*, 12(2), 103-117. doi: <http://dx.doi.org/10.21082/akp.v12n2.2014.103-117>.

3. Result and Discussion

3.1. The Relevance of Legal Politics in Development

Before discussing Subak in Bali's regional development planning, it is important to understand the definition of legal politics. Several experts have expressed the meaning of legal politics. Referring to Padmo Wahyono's ideas, legal politics is a basic policy that determines the direction, form, and content of the law to be formed²³; Furthermore, referring to Mahfud MD's thoughts, legal politics is a "legal policy or official line (policy) of the law that will be enforced either by new legal acts or by replacing old laws, in order to achieve state goals"²⁴.

The same thing was also expressed by Satjipto Rahardjo who gave a view of legal politics as an activity of choosing and the method to be used to achieve social goals with certain laws in society.²⁵ Similar thoughts are also seen in the thoughts of Sunaryati Hartono who see legal politics as a tool or means and steps that can be used by the government to create the desired national legal system and with this national legal system the ideals of the Indonesian nation will be realized.²⁶ Referring to some of the experts abovementioned, it can be understood that legal politics is a tool used in formulating basic policies by the state or government administrators in formulating the form and content of the law to be used and its enforcement to realize state goals.

Legal politics includes various state policies regarding what law will be needed in directing the administration of government to be in accordance with the goals aspired to by the state, hence the law must be adapted to the social realities that exist in society.

Referring to Mahfud MD's thoughts, the study of legal politics covers at least three things, namely: First, state policies (official lines) regarding laws that will be enacted or not enforced in order to achieve state goals; Second, the political, economic, social, cultural background for the enactment of legal products; Third, law enforcement in the field reality.²⁷ Referring to Mahfud's thoughts, it seems that the relevance of legal politics in development plays a role in providing policy directions, as well as a means that functions to regulate society from social changes that arise as a development effect, while at the same time providing certainty of protection for all elements in order to create justice in the administration of government in order to achieve goals and objectives. development goals.

In terms of development, the law is needed to provide a basis as well as a guide and safeguard in every development activity. The law, including the norms in it, are obeyed and applied as a guide, hence the planning and implementation of development runs in accordance with the main objectives of development. Sjachran Basa stated that the legal substance as a means of development must be able to:

²³ Padmo Wahyono (1986). *Indonesia Negara Hukum Berdasarkan Atas Hukum*. Jakarta: Ghalia Indonesia, Cetakan II, p.160.

²⁴ Mahfud, MD (2017). *Politik Hukum di Indonesia*. Jakarta:Rajawali Press, Cetakan ke-7, p.1.

²⁵ Satjipto Raharjo (2000). *Ilmu Hukum*. Bandung:Citra Aditya Bakti, p.35

²⁶ Sunaryati Hartono (1991). *Politik Hukum Menuju Satu Sistem Hukum Nasional*. Bandung :Alumni, p.1

²⁷ Mahfud, MD. *Op.Cit.*,p.3-4.

- a. Provide direction on the course of government and development and its results (directive);
- b. Fostering national unity and integrity (integrative);
- c. Maintain, safeguard and secure development and its results (stabilitative);
- d. Improving the attitude of state administration and citizens (perfective);
- e. Correcting the attitude of state administration and citizens (corrective).²⁸

Sjachran Basa's opinion is in line with the theory of development law which emphasizes that the function of law in a developing Indonesian society is not sufficient only to guarantee certainty and order. The legal function to be achieved in development is expected to be more than that. The law is expected to be a tool of social engineering or development facilities, where there are 2 (two) dimensions which are the core of the Legal Development Theory, namely²⁹ :

- a. Order in the context of renewal or development is something that is desired, even considered absolute;
- b. Law in the sense of legal rules or regulations can indeed function as a regulatory tool or a means of development in the sense of channeling the desired direction of human activity towards renewal.

Referring to the abovementioned, it can be understood that in the dimension of legal politics and all developments, including in the planning and implementation stages, are regulated by law. This normatively binds all components of the state related to the implementation of development, so that all citizens and government administrators as implementers of development within the framework of the Republic of Indonesia are obliged to participate in the successful implementation of development. Development planning is not merely a question of efficient instrumentation of goals, but also a process that might lead people to find their future.³⁰ Therefore, as a conceptual unit of development law politics, national development is based on Law No. 25 of 2004 concerning the National Development Planning System (*hereinafter* the National Development Planning System Law) which is described in the Long-Term Plan (*hereinafter* RPJP), Medium Term (*hereinafter* RPJM). and the Government Work Plan (*hereinafter* RKP) in national development which provides binding obligations for both central and regional governments.

3.2 The Direction of Bali Regional Development Planning

The position of regional development in national development is stated in the provisions of Article 1 Paragraph 3 of the National Development Planning System Law stated that: "*The National Development Planning System is a unified development planning procedure to produce long-term, medium-term and annual development plans carried out by*

²⁸ Sjachran Basah (1986). *Perlindungan Hukum Terhadap Sikap-Tindak Administrasi Negara*. Orasi Ilmiah Dies Natalis XXIX Universitas Padjajaran, Bandung 24 September 1986, p.13-14.

²⁹ Lilik Mulyadi, Teori Hukum Pembangunan Prof. Dr. Mochtar Kusumaatmadja, S.H., LL.M., Sebuah Kajian Deskriptif Analitis, Makalah Lepas. Available from https://badilum.mahkamahagung.go.id/upload_file/img/article/doc/kajian_deskriptif_analitis_teor_i_hukum_pembangunan.pdf, p. 4-5

³⁰ Corallie Bryant dan Louise G. White (1989). *Manajemen Pembangunan untuk Daerah Berkembang*, Jakarta: LP3ES, p.307.

elements of state and community administrators at the Central and Regional levels". The provisions in this article emphasize the scope of the region as a conceptual unit with national development.

Regional development is carried out as an integral part of national development where in each development planning policy it is directed to utilize local wisdom, potential, innovation, competitiveness, and creativity to be able to participate in achieving national goals. This conception is accordance with the provisions in Article 18 paragraph (2) of the 1945 Constitution which essentially stipulates that development autonomy is carried out by the Provincial, Regency and City governments based on the principles of decentralization, deconcentration and assistance tasks (*medebewind*) within the scope of the Republic of Indonesia, which is hereinafter regulated specifically in Law Number 23 of 2014 concerning Regional Government (*hereinafter* the Regional Government Law).

The implementation of regional development as the authority to regulate and manage its own government in Article 260 jo. Article 263 of the Regional Government Law is carried out by compiling regional development plans as an integral part of the national development planning system.

The regional development planning is compiled in a document consisting of the RPJPD (Regional Long-Term Development Plan) which is an elaboration of the vision, mission, policy directions, and main targets of long-term regional development for 20 (twenty) years, RPJMD (Term Development Plan Regional Intermediate) which is an elaboration of the vision, mission, and program of the regional head containing the objectives, targets, strategies, policy directions, regional development and regional finance, as well as regional and cross regional apparatus programs accompanied by an indicative funding framework for a period of time. 5 (five) years and the RKPD (Regional Government Work Plan) is an elaboration of the RPJMD which contains the draft regional economic framework, regional development priorities, as well as work and funding plans for a period of 1 (one) year.

In preparing the RPJPD, RPJMD and RKPD documents, they are always guided by the RPJPN, RPJMN, National and Regional Spatial Plans and Government Work Plans and national strategic programs determined by the Central Government. If sorted based on the scale of the scope of regulation in the development plan document abovementioned, the RPJPN is the *lex generalis* of the RPJMN and the RKP is the *lex specialis* of the RPJPMN, likewise the RPJPD is the *lex generalis* of the RPJMD and the RKPD is the *lex specialis* of the RPJMD.

Then further regarding the direction and legal politics of Bali's development as an integral part of the national development planning, it can be seen that Bali has compiled the Regional Long-Term Development Plan (RPJPD) into the Bali Provincial Regulation No. 6 of 2009 concerning the Bali Province RPJPD 2005-2025. to respond to the conception of a national development planning system as regulated in Law No. 25 of 2004 and the National RPJP in Law No. 7 of 2017, however this regional regulation was repealed and replaced with a provincial regulation of Bali No. 2 of 2019. Then for the Regional Medium Term Development Plan (RPJMD) periodically Bali has also stipulated it into the Bali Provincial Regulation No. 9 of 2009 concerning the Bali

Provincial RPJMD for 2008-2013, the Bali Provincial Regulation No. 1 of 2014 concerning the 2013-2018 Bali Provincial RPJMD and the Bali Provincial Regulation No. 3 2019 concerning the Mid-Term Development Plan of the Bali Province Planned Region for 2018-2023, and the Work Plan the Regional Government (RKPD) which is stipulated in the Regulation of the Governor of the Province of Bali every year.

The revocation of the Bali Provincial Regulation No. 6 of 2009 concerning the Bali Province RPJPD 2005-2025, which was replaced with the Bali Provincial Regulation No. 2 of 2019 concerning the Long-Term Development Plan of the Bali Province Planned Regional Development Plan 2005-2025, indicates that there is a change in the vision mission, the direction of Bali's regional development policies or something is wrong and has not been regulated in the RPJPD in Perda No. 6 of 2009. According to the elected Governor of Bali Wayan Koster, the background of the change is based on a fundamental change in the direction of policies and priorities for regional development in Bali which refers to the The Vision and Mission of the Regional Head as a result of the simultaneous election of Regional Head and Deputy Regional Head in 2018 which based on the results of the evaluation of the implementation of the Bali Province RPJPD 2005-2025, the direction of the Policy and Main Targets of the Bali Regional Development Bali Provincial Regulation No. 6 of 2009 is not in accordance with the conditions current regions, and the process of formulation and substance of the Provincial RPJPD nsi Bali Year 2005-2025 must be adjusted to the stages and procedures for the preparation of regional development plans regulated in the Minister of Home Affairs Regulation Number 86 of 2017³¹.

Based on Minister of Home Affairs Regulation No. 86 of 2017 which revoked Ministerial Regulation Number 54 of 2010 concerning the Implementation of Government Regulation Number 8 of 2008 concerning Stages, Procedures for Compiling, Controlling and Evaluation of the Implementation of Regional Development Plans, namely in the provisions of Article 342. Referring to the provisions of this article it is understood that Changes to the RPJPD can be made if the results of control and evaluation show that the substance formulated is not in accordance with the Ministerial Regulation, and the formulation process is not in accordance with the stages and procedures for the preparation of the Regional development plan with the Ministerial Regulation, there are fundamental changes (natural disasters, political shocks), economic crisis, socio-cultural conflicts, security disturbances, regional expansion, or changes in national policies). In the provisions of Article 342 paragraph (2) letter (a) it is stated that regarding the effectiveness of the period of time, changes to the RPJPD cannot be made if the remaining validity period of the RPJPD is less than 7 (seven) years unless there is a fundamental change.

If criticized, if the amendment to Perda No. 6 of 2009 is based on a fundamental change in the direction of policies and priorities for regional development in Bali which refers to the Vision and Mission of the elected Regional Head, then this is not appropriate because it refers to Article 5 of the National Development Planning System Law, it has been mentioned that the RPJPD contains the vision, mission, and direction of regional development that refers to the RPJPN, meaning that the Bali RPJPD which was previously regulated in the Bali Provincial Regulation No. 6 of 2009 is still relevant and

³¹ Redaksi Bali. *Revisi RPJPD dan RPJMD Gubernur Ingin*. Available From <http://www.redaksiBali.com/2019/01/revisi-rpjpd-dan-rpjmd-gubernur-ingin.html>., accessed on 2 November 2021.

appropriate because in the process of its formation it has referred to the RPJPN regulated in the Law. 17 of 2007 concerning the National RPJP of 2005-2025. However, if the changes are based on the results of an evaluation of the implementation of the 2005-2025 Bali Provincial RPJPD which states that the direction of the policy and the main objectives of the Bali regional development are not in accordance with the current regional conditions, then it is not mandatory then Regional Regulation No. 6 of 2009 was revoked because in the course of Bali's development, indeed should not stagnate. The development of the direction and orientation of Bali's development continues to change with the times but must remain within the framework of national goals.

On the other hand, the reasons for the fundamental changes as referred to in Article 342 Paragraph (3) of the Minister of Home Affairs Regulation No. 86 of 2018 has also not been fulfilled considering that in Bali so far there have been no natural disasters, political shocks, economic crises, socio-cultural conflicts, security disturbances, regional expansion which have implications for changes in national policies as stated in Law No. 17 of 2007 concerning the National RPJP of 2005-2025.. This illustrates that the National RPJP is still a reference and has not been changed until now.

In the event that development priorities refer to the vision and mission of the elected regional head, this can still be done by making adjustments to the next RPJMD as referred to in Article 5 Paragraph (2) of the the National Development Planning System Law, meaning that the basis for weighing is stated in the Bali Provincial Regulation No. 2 of 2019 is not yet strong enough to revoke Regional Regulation No. 6 of 2009, but if the main reason is politics in the change of regional leadership power where every change of power gives birth to new policies and development directions, it is acceptable, however if it happens continuously without a strong policy orientation basis, gradually the direction of regional development policies, especially in Bali, will become unclear. Changes will continue to change along with changes in regional leadership.

Judging from the vision for the development of the Bali RPJPD in Perda No. 6 of 2009 it has been stated that the vision for the development of the Bali Region is "*Bali Dwipa Jaya Berlandaskan Tri Hita Karana*", but because this regional regulation was changed to regional regulation no. 2 of 2019, the vision of Bali's development was changed to "*Nangun Sat Kerthi Loka Bali*" through the Planned Universal Development Pattern. In the Appendix to Regional Regulation No. 2 of 2019 it is explained that the vision for regional development of the Province of Bali in the Regional Regulation No. 6 of 2009 is deemed necessary to be adjusted so that it becomes sharper, actual and factual with philosophical foundations, geographical conditions, socio-cultural, and strategic issues that faced by Bali, both now and in the future.

If analyzed, these two RPJPD broadly have similarities in goals and formulate a pattern of development directions, but in the Semesta Planning RPJPD, what we want to highlight is to promote and strengthen Balinese customs, traditions and culture in every stage of development in accordance with its vision. The Bali Provincial Regulation No. 2 of 2019 also uses the concept of the Universal Development Plan, which is a development concept that is identical to one island one management, development that uses a one-region policy approach, namely 1 (one) island, 1 (one) pattern, and 1 (one) governance pattern, which is carried out in a patterned,

comprehensive, planned, directed, and integrated manner, however, this development concept still needs to be clarified and elaborated in a policy program package as well as the development direction of Bali's future development.

Furthermore, seen from the historical direction of Bali's development journey, it appears that in the last 2 (two) decades the development development has increased rapidly and is none other than due to the massive growth of tourism. This is because since the 1990s the leading sector that is considered the most responsive to investment and increasing regional income is the tourism sector. Therefore, from the perspective of the market and the economic interests of local governments and policy makers, it can be understood that the direction of regional development policies tends to be the development of the tourism and service sectors.

The direction of Bali's development which tends to be tourism development is also because nationally Bali tourism is the largest foreign exchange contributor which can be seen in the 2011-2016 period, the average foreign exchange earned by the tourism sector in Bali reached US\$4.13 billion per year. The average growth in foreign exchange earnings reached 18.59% per year and its contribution to the total foreign exchange for Indonesian tourism was quite large in that period. The average contribution reaches one third, to be exact 38,90%.³² Then, the economic structure of the Province of Bali is still supported by the tertiary sector (tourism) seen from the largest contribution in the formation of GRDP, the average distribution of GRDP at Current Prices in the period 2005-2018, namely the primary sector 17.55 percent, the secondary sector 15.73 percent, and the tertiary sector 66.68 percent, this figure shows that the primary sector (agriculture) and the secondary sector (industry) tend to be balanced, but this is not the case with the tertiary sector which tends to be dominant.³³

In terms of local government policies, the development of Bali's development direction which tends to be pro-tourism development can be seen from several existing local government policies such as the establishment of the Bali Provincial Regulation No. 3 of 1991 concerning Cultural Tourism which has now been changed to the Bali Provincial Regulation No. 2 of 2012 concerning Cultural Tourism, Bali Provincial Regulation No. 7 of 2007 concerning the Provision of Tirta Tourism Facilities, Bali Provincial Regulation No. 5 of 2008 concerning Tour Guides, Bali Provincial Regulation No. 1 of 2010 concerning Tourism Travel Services, Bali Provincial Regulation No. 10 of 2015 concerning the Master Plan of Bali Province Tourism Development for 2015-2029 (also known as *Ripparda*) and many other local government policy products that regulate tourism.

Besides that, from the level of national policy, although the mission of tourism development had begun long before the New Order era, during the last 2 (two) decades, several national policies also had a significant influence on the development of tourism in Bali. These national policies include Government Regulation No. 26 of 2008 concerning the National Spatial Plan which was changed to Government Regulation No. 13 of 2017 which further stipulates the Denpasar - Badung - Gianyar -

³² Valid News. *Menjaga Konsistensi Sumbangan Devisa Bali*. Available from <https://www.validnews.id/index.php/Menjaga-Konsistensi-Sumbangan-Devisa-Bali--ljk>, accessed on 3 November 2021.

³³ General Description of Regional Conditions in the Bali Provincial Regulation No.2 of 2019, *Op.Cit.*, p.47.

Tabanan (Sarbagita) Urban Area as a National Strategic Area, Law No. 10 of 2009 concerning Tourism, Government Regulation Number 50 of 2011 concerning the National Tourism Development Master Plan (Ripparnas) of 2010-2025 which stipulates National Tourism Destinations (DPN) and National Tourism Strategic Areas (KSPN) in Indonesia, Presidential Regulation Number 45 2011 which was later changed to Presidential Regulation of the Republic of Indonesia Number 51 of 2014 concerning Spatial Planning for Denpasar, Badung, Gianyar, and Tabanan urban areas as well as Presidential Regulation No. 32 of 2011 which was later changed to Presidential Regulation No. 48 of 2014 concerning MP3EI (Masterplan Acceleration and Expansion of Economic Development Indonesia).

The things that are noted are as described in the Attachment to the Bali Provincial Regulation No. 2 of 2019 regarding the main and fundamental problems faced by Bali in mapping the current and future development directions. These problems include:

- a. Problems related to agriculture, Subak, and environmental problems;
- b. Problems with the quality of human resources at Balinese or *Krama* Bali;
- c. The existence of Balinese Culture which includes customs, religion, traditions, arts and culture, as well as local wisdom.

In addition to the 3 (three) problems mentioned above, another problem that is quite prominent in the direction of mapping Bali's development is the issue of equitable development. In the course of time to date, the South Bali Region, which includes Badung, Denpasar, Gianyar, and Tabanan, has better infrastructure and is the area most affected by development than the East, North and West Bali regions. This is because the South Bali region is a central area of tourism development, so it is not wrong that the people of North, East and West Bali flocked to South Bali to leave their basic livelihood activities to seek a decent living from the tourism sector.

The main issue of the Bali development problems abovementioned is due to the lack of equitable distribution of infrastructure, as well as local governments that are too focused on the tertiary sector (tourism services), without balancing development and protection policies in the primary sector (agriculture) and the secondary sector (industry). The balancing of these development policies should be done by paying more attention to APBD expenditures on the agricultural sector which is identical to the culture and traditions of agrarian and other industrial sectors through regional regulatory policies that are pro-protection and development of these two sectors. One of the discourses that later emerged and needed to be considered was the regional government budget politics that needed to be changed where the allocation of development balancing funds aimed at the regions as the implementation of decentralization which was originally for the Regency/City was moved to the Province to create equitable development, however, this is contrary to Law No. 23 of 2014 concerning Regional Government, meaning that a special regulation is needed that regulates special autonomy in the Province of Bali whose implementation is in line with the Regional Government Law.

3.3. Bali Development Planning Legal Policy Relevance to Efforts to Maintain Subak Sustainability in Development

From the development and existence, no one knows for sure when Subak and Subak abian in detail appeared later, but the existence of Subak *abian* and Subak in Bali has been known since the existence of dry land farming culture (*parlak*) and wetlands (*huma/sawah*) namely in the year 600, and according to Goris in 1072 there had been Subak, so by Purwita then it was concluded that wetland agriculture (rice fields) existed before the 11th century³⁴. However, the existence of Subak as a traditional organization of indigenous peoples in the management of agricultural land is very important because in the management of agricultural land in Bali the spirit is agrarian culture whose values are reflected in Subak, therefore Subak can be said to have agrarian socio-technical nature religious.

In relation to the role of Subak in agricultural development in the research of Graeme S. MacRae and I Wayan Alit Arthawiguna, it was explained that Subak has the potential to be included in various forms of agricultural development programs that are adapted to their form and function in the future and this is a challenge for Subak in changing patterns of ideas and traditional activities through their open nature to accept various forms of development, where the related environmental, social and economic consequences can be distributed and balanced in various ways. This can happen if the government changes its pattern of approach from the approach that 40 (forty) years ago only used the Subak system as a green revolution tool to become Subaks who are able to empower themselves to become active partners to make changes based on local knowledge and sustainable principles³⁵.

Subak's position as an institution as well as a system that plays an important role in agriculture in Bali, in the course of history of its existence and position is regulated in various regulations, including Law no. 11 of 1974 concerning Irrigation, there are also other related regulations such as Government Regulation No. 23 of 1982 concerning Irrigation, Government Regulation no. 121 of 2015 concerning Water Resources Management, and Regulation of the Minister of Public Works No.23/PRT/M/2015 concerning Management of Irrigation Assets, and also specifically institutionally Subak is also regulated in Regional Regulation No.02/Pd/Dprd/1972 concerning Irrigation In the Province of Bali which was later changed to the Regional Regulation of the Province of Bali No. 9 of 2012 concerning Subak. Constitutionally, the existence of Subak gets recognition and protection as the special and special regional government units regulated in the 1945 Constitution Article 18 B Paragraph (2), which is reaffirmed in Article 28 I paragraph (3) that local wisdom is part of identity culture whose embodiment is protected by human rights.

Talking about how the local government policies in strengthening the existence and sustainability of Subak in Bali, of course, cannot be separated from the role of the state in agricultural development as a whole, where as one of the economic sectors that plays an important role in realizing prosperity and a decent life, agricultural legitimacy is legitimized. in national development is absolutely the responsibility of the state. This can be seen from the mandate of Article 28 letters (A), (C) and Article 33 of the 1945 Constitution and Law No. 5 of 1960 concerning Agrarian Principles (*hereinafter* UUPA).

³⁴ Windia Wayan dan Alit Artha Wiguna Wayan (2013). *Subak Warisan Budaya Dunia*. Denpasar: Udayana University Press, Cetakan I, p. 7

³⁵ Graeme S. MacRae dan I .W.A. Arthawiguna (2011). Sustainable Agricultural Development in Bali: Is the Subak an Obstacle, an Agent or Subject?, *Springer:Human Ecology*, Vol. 39 (1), p. 11-20. doi: 10.1007/s10745-011-9386-y.

In the 1945 Constitution and the UUPA, the meaning is implied which states that, the State as the highest authority organization granted legitimacy by the people has an obligation over the earth, water and other state assets in it to be controlled, regulated, utilized and used for the greatest prosperity of the people, wherein the economy is structured as a joint effort so that it can provide a decent living guarantee for the fulfillment of the basic needs of all Indonesian citizens. For this reason, in national development planning, agricultural development and revitalization programs as one of the priorities for economic development, as stated in the vision and mission in the RPJPN 2005-2025 which was later described in the RPJPMN, agriculture is still one of the important sectors in strengthening and realizing national economic competitiveness towards a more prosperous society.

Based on the abovementioned, that in the context of realizing food independence, resilience and sovereignty in the framework of creating sustainable prosperity for all Indonesian people, the state then issued various laws and regulations including Law No. 41 of 2009 concerning Protection of Sustainable Food Agricultural Land, Government Regulation of the Republic of Indonesia Number 1 of 2011 concerning Determination and Transfer of Functions of Sustainable Agricultural Land, Government Regulation of the Republic of Indonesia Number 12 of 2012 concerning Incentives for Protection of Sustainable Food Agricultural Land, Government Regulation of the Republic of Indonesia Number 25 of 2012 concerning Information Systems for Sustainable Food Agricultural Land; and Government Regulation Number 30 of 2012 concerning Financing for the Protection of Sustainable Food Agricultural Land.

Furthermore, based on the direction of the Bali development planning legal policy in the Bali Provincial Regulation No. 2 of 2019 concerning the Long Term Development Plan of the 2005-2025 Bali Province Planned Regional Development (RPJPD), it is stated that the vision of Bali's development is "*Nangun Sat Kerthi Loka Bali Melalui Pola Pembangunan Semesta Berencana Menuju Bali Era Baru*", which means that maintaining sanctity and harmony of Bali's nature to create a prosperous Bali. In this vision it is stated that in every stage of Bali's development, culture is placed as the upstream development along with agricultural development which is positioned as the main pillar in building the Balinese economy.³⁶

From the Semesta Planning RPJPD, it appears that the local government's efforts to maintain the sustainability of Subak are in one of the priority programs for development in the food sector. In this field, the efforts to strengthen Subak institutions are integrated with superior programs to support food security, especially for handling post-harvest agricultural products in the form of Farmers' Cooperatives. Bali.³⁷

In addition to the priority priority programs, there are also supporting programs in the field of legislation, where for the national legislation program, the Bali Provincial Government has a program to fight for changes to the Taxation Law to exclude the imposition of taxes on green line land, such as sustainable/eternal rice fields, sustainable Subak/eternal Subak, and Sustainable Food Agricultural Land (LP2B) and for the regional legislation program, the local government plans to establish a

³⁶ Perda Provinsi Bali No.2 Tahun 2019, *Op.Cit*,p.108.

³⁷ *Ibid*, p.113-114.

Provincial Regional Regulation on Sustainable Subak/Eternal Subak³⁸. Then it can be seen from the Bali RPJMD in the Bali Provincial Regulation No. 3 of 2019 concerning the Medium Term Development Plan of the Bali Province Planned Region 2018-2023, that the 5 (five) year regional development goals and objectives for strengthening Subak institutions are realized in Mission 2 (two) namely, Mission 12 (twelve) and Mission 17 (seventeen) regional development.

In Mission 12, the strengthening of Subak which is handled by the Culture Service which in 2020 is budgeted at Rp. 5.5 billion with an annual increase of Rp. 2.2 billion until 2023 is aimed at empowering and strengthening the position, duties and functions of Subak in *Palemahan* activities, *Parahyangan* and *Pawongan* in Bali with one of the indicators the goal is to increase the percentage of Subak who have written *awig-awig* and/or *perarem*³⁹. Mission 17 is carried out with the target of the Subak institutional development program as a Farmers' Cooperative, which the provincial government of Bali targets 1 (one) year for the formation of 1 (one) cooperative with a budget of Rp. 500 million with the person in charge of the regional apparatus being the Cooperatives and SMSEs Service⁴⁰. While in Mission 2, namely realizing food self-sufficiency, increasing added value and agricultural competitiveness and improving farmers' welfare, the strategy implemented is to make the Subak system the backbone of irrigation for rice fields and the policy direction is realized by empowering and fostering communities/institutions/organizations to meet the needs of the community. the need for irrigation channels in order to increase the productivity of paddy fields⁴¹.

In addition to the targets of the policy program for developing and strengthening Subak in the current RPJPD and RPJMD of Bali Province, there are also several regional regulations aimed at supporting the synergy of agricultural policies in the government of Governor Wayan Koster. The regulatory policy is contained in the Governor of Bali Regulation No. 99 of 2018 concerning Marketing and Utilization of Bali's Local Agricultural, Fishery and Industrial Production, Bali Provincial Regulation No. 8 of 2019 concerning organic farming systems, Bali Governor Regulation No. 11 of 2019 concerning Supervision of the Abuse of Hazardous Materials in Food and Bali Governor Regulation No. 1 of 2020 concerning Governance of Fermented Drinks.

If studied further, there are several things that need to be noted in regional agricultural development that are in line with efforts to maintain the sustainability of Subak, which are based on the authority of regional government affairs as regulated in Article 12 Paragraph (3) of Regional Government Law juncto Article 7 Paragraph (4) Government Regulation no. 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Regional Governments, that the position of the regional agricultural sector is no longer a mandatory business for autonomous regions but is an optional government affair from the concurrent nature of regional government authorities, so it is not wrong then the sector Agriculture is then not a leading sector in regional development planning. Furthermore, that the agricultural sector is not a priority in the regional development planning of the Bali Province can be seen from the portion of regional economic planning and development on a priority scale of regional development planning perspective since the reformation

³⁸ *Ibid*, p.129-130.

³⁹ *Ibid*, p. 477.

⁴⁰ *Ibid*, p.479

⁴¹ *Ibid*, p.462-463.

period from the 2000s as outlined in the Bali Regional Budget, which in fact is generally partly 75-80% of the regional budget is allocated for indirect costs such as expenditures for civil servants and building maintenance, while the remaining approximately 20-25% of APBD funds are allocated for direct expenditures or capital expenditures which include the allocation of education, health, infrastructure and the last designation is on agricultural development⁴². The priority of the agricultural budget from the portion of regional economic planning and development which is not a priority and is far from adequate for developing Bali's agricultural potential is evident from the budget for the agricultural sector in the Bali Provincial Budget 2020 which is still below 2% (two percent).⁴³.

Reflecting on the various events mentioned above, the government should need to make improvements to the current orientation of Bali's economic development by balancing development policies in sectors such as agriculture as the existing primary sector. This policy balancing can actually be done by paying more attention to the APBD spending policy in the agricultural sector and regional regulations that are protective and developing this sector.

From the side of the spatial plan for the Province of Bali, that as mandated by Article 23 jo. Article 25 concerning the stipulation of Sustainable Food Agriculture Areas (KP2B) in Law No. 41 of 2009 concerning Protection of Sustainable Food Agricultural Land, although in the previous RTRW of the Province of Bali, namely the Bali Provincial Regulation No. 16 of 2009 the stipulation of this KP2B area has not been carried out. Changes in the RTRW Regional Regulation are regulated through the Bali Provincial Regulation No. 3 of 2020, especially regarding the determination of this KP2B Area which has been regulated in Article 60 Paragraph (6), namely by determining an area of approximately 67,668 hectares (sixty seven thousand six hundred sixty eight hectares). or 12, 10% (twelve point one zero percent) of the total area spread over the entire Regency/City Area, and the map of the area is regulated in Article 60 Paragraph (7) and Attachment XIV.C.

Unfortunately, the Regional Regulation No. 8 of 2015 concerning the Direction of the Provincial Zoning System Regulation, which still refers to the Provincial Regulation No. 16 of 2009 has not yet been amended, as well as special regulations in the form of Provincial Regulations that regulate information systems, financing systems, incentives, disincentives, along with tax exemptions for the protection of sustainable food agricultural land across districts/cities in the form of provincial regulations regarding the protection of sustainable food agricultural lands have not been realized. Even though most of the regencies/cities in Bali already have a Regional Regulation on the Protection of Sustainable Food Agriculture, but the Detailed Spatial Planning (RDTR) of each Regency/City in Bali which regulates this has not yet materialized, so

⁴² Tri Pranadji dan Rita Nur Suhaeti (2012,) Masa Depan Pertanian-Perdesaan di Bali Dalam Perspektif Perencanaan Pembangunan Daerah (The Future of Bali's Rural-Agriculture in a Regional Development Planning Perspective), *Jurnal Analisis Kebijakan Pertanian*, Volume 10 (3), p.228. doi: <http://dx.doi.org/10.21082/akp.v10n3.2012.225-238>

⁴³ Bali Tribun News (2020). *APBD Provinsi Bali untuk Sektor Pertanian di Bawah 2 Persen Ini Jawaban Sekda Dewa Made Indra*, Available from <https://bali.tribunnews.com/2020/11/30/apbd-provinsi-bali-untuk-sektor-pertanian-di-bawah-2-persen-ini-jawaban-sekda-dewa-made-indra>., accessed on 4 November 2021.

conclusions can be drawn. while that the Bali Provincial Government still needs to increase efforts to respond to policies from the central government's national program, even though the protection of sustainable food agricultural land can play a synergistic role in supporting the preservation of Subak which incidentally is also agricultural land spread throughout the province of Bali, and the difficulty of efforts to synergize regional development in the field of agriculture with efforts to protect Subak across districts/cities in the province of Bali is also due to the development carried out in all areas of Bali at the provincial and district/city levels throughout Bali tend to run independently and less integrated.

4. Conclusion

Based on the explanation above, it can be understood that local government policies in strengthening the existence and sustainability of Subak in Bali, of course, cannot be separated from the government's role in overall agricultural development, however, the orientation of tourism development as a priority in regional economic development has taken over the role in supporting the economy. Bali. This factor has later become one of the triggers for the priority of agricultural development that has not been worked out optimally, as a result gradually there is a lot of conversion of agricultural land, which has directly undermined the existence of Subak as a bastion of Balinese culture. The direction of regional development planning within the framework of autonomy as stated in Article 12 Paragraph (3) of Regional Government Law Jo. Article 7 Paragraph (4) Government Regulation No. 38 of 2007 concerning the Division of Government Affairs between the Government, Provincial Governments, and Regency/City Regional Governments, places the agricultural sector as a preferred government affair from the concurrent nature of regional government authorities, so it is not wrong then the sector Agriculture is then not a leading sector in development planning, and this can also be seen from the priority of the agricultural budget from the portion of regional economic planning and development which is still below 2% (two percent) in the 2020 Bali Provincial Budget. Synergizing regional development in agriculture with efforts to protect Subaks across Regencies/Cities in Bali Province also because development carried out throughout Bali at the Provincial and Regency/City levels throughout Bali tends to run independently and is less integrated. Therefore, local governments should need to make improvements to the current orientation of Bali's economic development by balancing development policies in sectors such as agriculture as the primary sector, balancing these policies can actually be done by paying more attention through APBD spending policies on the agricultural sector and regional regulations that are pro on the protection and development of the existing Subak.

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- Bali Provincial Regulation No. 2 of 2019 concerning the Long-Term Development Plan of the Bali Province Planned Regional Development Plan 2005-2025
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