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Original Research

COVID-19 PANDEMIC IN PERSPECTIVE OF THE STATE OF DANGER OF CONSTITUTIONAL LAW

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Abstract

Covid-19, which attacked Indonesia at the end of 2019, made the situation even more threatened, to limit the spread of Covid-19 and to overcome various countries issued several policies, especially Indonesia. The policies issued by the government are in the form of PSBB, to other policies contained in the Presidential Decree. However, through existing policies, the government tries to interpret that the crisis caused by the Covid-19 virus is not in the form of an emergency condition where it arises due to security barriers. This is strengthened without the operationalization of emergencies according to Article 12 of the 1945 NRI Constitution.

Keywords

Covid-19, PSBB, Emergency

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# STRENGTHENING THE PROMOTION OF BALINESE CULTURED TOURISM BASED ON LOCAL WISDOM AS A TOURISM DEVELOPMENT STRATEGY AFTER THE COVID-19 PANDEMIC

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## Abstract

Bali as a region in Indonesia is one of the international tourist destinations with the concept of tourism culture having made the tourism industry a major sector in the economy of the Balinese people. However, with the emergence of the Covid-19 Pandemic, Tourism, which was initially experiencing rapid growth, now seems to be weakening and experiencing a very drastic decline. With the end of the Covid-19 Pandemic, Bali tourism, which was initially very weak and experienced a drastic decline, has begun to increase gradually, although it has not returned to normal. Therefore it is necessary to have a policy effort to strengthen the promotion of culture in Bali as one of the post-Covid-19 development strategies. This research is to analyze the strengthening of cultured tourism promotion based on local wisdom as a post-Covid-19 tourism development strategy. This research was designed using a qualitative approach, namely data collection using document study guidelines where all data collected from both primary and secondary data will be processed and analyzed by systematically compiling data. During the Covid-19 pandemic, Bali tourism was initially very weak and experienced a decline. Drastically, began to experience a gradual increase even though it has not returned to normal. Therefore it is necessary to have a policy effort to strengthen the promotion of culture in Bali as one of the post-Covid-19 development strategies. Research conducted in relation to this writing is included in the category/type of empirical legal research, which is research on social facts of society or facts of the enactment of law in society. This research highlights problems related to the implementation of cultured tourism in promoting tourism in Bali after Covid-19. As for data collection techniques. In this study the data collection techniques used were (1) in-depth interviews, informants were selected purposively (2) observation, and (3) documentation study. During the Covid-19 pandemic, Bali tourism, which was initially very weak and experienced a drastic decline, has begun to increase gradually, although it has not returned to normal. Therefore it is necessary to have a policy effort to strengthen the promotion of culture in Bali as one of the post-Covid-19 development strategies

**Keywords:** Tourism, Local Wisdom, Covid-19

## I. BACKGROUND

Tourism is one of the most developed industries around the world. Many countries rely heavily on the tourism industry as a source of taxes and income for many parties who directly or

indirectly sell services to tourists. Indonesia is one of the countries that has natural potential in the form of a variety of plants and animals, has many historical heritages, various ethnic groups and languages, cultures and arts that make it a capital in building a tourism industry. Tourism is a journey from one place to another that is temporary, carried out by individuals or groups, as an effort to find balance and happiness with the environment in the social, cultural, natural and scientific dimensions.<sup>1</sup>

Indonesia has a huge diversity of tourist destinations, where all tourism development activities cover a very wide range of aspects that concern various aspects of people's lives ranging from transportation, accommodation, food and beverages, souvenirs and services (service). Otto Soemarwoto stated that tourism development is a complex activity, concerning tourists, activities, infrastructure, objects and attractions, supporting facilities, environmental facilities and so on.<sup>2</sup>

Tourism is also something that is familiar in the community in Indonesia, both from urban and rural communities. Tourism is not only a fun activity and enjoying the beauty presented in tourist locations; tourism is also one of the country's foreign exchange earners and can introduce the natural potentials possessed by a country or an area to local people and foreign communities. In this case, it is commonly said to be domestic tourists and foreign tourists. Development in a country, the tourism sector will certainly not be left behind, because the tourism sector is one of the economic sectors to increase a country's foreign exchange. That way, in the tourism sector, of course, there must be good development and management, and must receive special attention from various elements of society. Sustainable tourism development according to Weaver, sustainable tourism development is tourism development that meets the needs of the present without reducing the ability of future generations to meet their own needs.<sup>3</sup>

The concept of sustainable development is based on three basic principles that include:<sup>4</sup>

- a) Principles of environmental preservation, in development to be adapted to the maintenance of ecological, biological and biodiversity resources.
- b) The principle of social and cultural sustainability is the development that is adapted to traditional values and the strengthening of the identity of the community as well as the development of culture that is adapted to the cultural values of the community community.
- c) The principle of economic development, using costs and resources effectively to manage with the goals of current and future generations.

Before the Covid-19 pandemic, tourism had been the largest industry and always showed consistent growth from year to year. The World Tourism Organization estimates that in 2020 there will be an almost 200% increase in the current number of world tourist visits. Modern tourism today is also accelerated by the process of world globalization, causing interconnections between fields, between nations and between individuals in the world. The development of information technology has also accelerated the dynamics of world

globalization, including the development of entertainment, recreation and tourism.

Bali as an area in Indonesia is one of the international tourist destinations with the concept of cultural tourism has caused the tourism industry as the main sector in the economy of the Balinese people. As one of the tourism industry areas on an international scale, it has resulted in a very rapid change in Balinese society as a result of the interaction of the Balinese people with tourists, tourism industry players from various countries. However, with the emergence of the Covid-19 Pandemic, tourism, which at first experienced very rapid growth, now seems to be weakening and experiencing a very drastic decline, this can be seen in the statistics center data which in 2019 foreign tourist visits reached 6,275,210 people, but there was a decrease due to the outbreak of the Covid-19 virus in 2020 to 1,069,473 people and in 2021 to only 51 people. The decline in the tourism sector for the time being will not be addressed until the Covid-19 virus outbreak finds a bright spot for its solution.

With the end of the Covid-19 Pandemic, Bali tourism, which was initially very weakened and experienced a drastic decline, began to increase gradually even though it has not returned to normal. Therefore, there is a need for a policy in strengthening the promotion of culture in Bali as one of the development strategies after Covid-19. Cultural tourism is a type of tourism that in its development uses regional culture (Bali) imbued with Hindu religious values as the most dominant regional potential, which implies an ideal of mutual relationship between tourism and culture so that the two can increase in harmony, harmony, and balance. Thus, culture is very important for tourism. Culture is not only enjoyed, but at the same time as a medium to foster mutual understanding, tolerance, and respect between nations.

## **II. PROBLEM FORMULATION**

Related to the background mentioned above, the problem studied is how to strengthen the promotion of cultural tourism based on local wisdom as a strategy for developing tourism after Covid-19?

## **III. RESEARCH METHODS**

This research is designed with a quality approach, namely data collection using document study guidelines in which all data collected from both primary and secondary data, will be processed and analyzed by systematically compiling data. Research conducted in relation to this writing is included in the category / type of empirical legal research is research on the social facts of society or the facts of the enactment of law in society. This research highlights problems related to the implementation of cultured tourism in promoting tourism in Bali after Covid-19. As for data collection techniques. In this study, the data collection techniques used were (1) in-depth interviews, informants were selected purposively (2) Observation, and (3) Documentation studies.

## IV. RESULTS OF RESEARCH AND DISCUSSION

### 4.1. Tourism Promotion Strategy After Covid-19 Pandemic

The Covid-19 pandemic has hit the tourism industry and creative economy in Indonesia. No kidding, since February 2020 the number of foreign tourists entering Indonesia has decreased very drastically, and the peak occurred in April 2020 with the number of tourists only as many as 158 thousand. 192 In total, throughout 2020 the number of foreign tourists entering Indonesia was only around 4.052 million people. Arguably, this figure is very concerning, because of this total only about 25% of the number of tourists entering Indonesia in 2019. This also has an impact on state revenue in the tourism sector. The existence of large-scale social restrictions and the closure of access in and out of Indonesia caused a decrease in state revenue in the tourism sector by Rp 20.7 million. With the end of the Covid-19 Pandemic, tourism that initially fell can return to normal with strategies developed to attract tourists to come back, one of which is by marketing or promoting tourism.

Promotion or marketing is a process used to deliver information data to the target market, regarding matters related to the product, price, and place of the product being sold by carrying out an invitation or persuasion aimed at making the target willing to carry out the purchase.<sup>5</sup> Basically, the purpose of the word promotion or marketing is to inform, persuade or remind more deeply.<sup>6</sup> Promotion or marketing is the activity of communicating the advantages of a product and persuading target consumers to buy it.<sup>7</sup> Promotion or marketing is a communication activity that seeks to disseminate information, influence and remind the target market and its products in order to be able to receive, buy and be loyal to the products offered by related companies.<sup>8</sup> The main purpose of the activity is to persuade, inform and remind consumers about the company and its marketing. In essence, promotion is related to an effort to control a consumer to be able to know the company's product that is then impressed with the product so that it ends up buying and still remembering the product. Promotional activities are more effectively carried out through various media, both print and electronic, on an ongoing basis that can reach the intended target. Tourism promotion is related to communication activities and publications aimed at building an image of tourism. Tourism products are something that can be offered to tourists both local and foreign.

In tourism promotion activities, Morizka explained the role of promotion in the tourism sector, namely to stimulate the purchase of tourist products by buyers and increase sales effectiveness in a short time and the company is able to attract new potential consumers.<sup>9</sup> With tourism promotion, tourist destinations that have the potential can be disseminated using various publication media that attract tourist visits. The tourism promotion techniques include:

1. Advertising is an impersonal communication activity used by companies in the field of goods and services to increase consumer information about the services or goods offered.
2. Sales promotion is a promotional activity that encourages the effectiveness of consumer and seller purchases using promotional tools such as brochures, catalogs and exhibitions.

3. Personal selling is the persistence of communication between producers represented by salespeople and potential consumers that involves thoughts and feelings by dealing directly with buyers.
4. Public relations is a set of information about the products and services of a company or individual that is disseminated to the public through mass media without supervision from sponsors.<sup>10</sup>

Based on these definitions and concepts, the definition of marketing for services, especially tourism, has a different meaning from marketing products that are not service products. In the case of the marketing mix for service products, Tjiptono formulated eight aspects of service marketing, that is:

1. Products: a form of service organization offering aimed at achieving the goals of the organization through the satisfaction of customer needs and desires. The product mix that service marketers face is very different from that faced by marketers of goods.
2. Pricing: intangible characteristics cause price to be a significant indicator of quality. This causes complexities in the pricing of services.
3. Promotion: broadly speaking, the promotion mix for goods is the same as for services, service promotion requires a certain emphasis on efforts to increase the appearance of service tangibility.
4. Place: distribution decisions concern ease of access to services for potential customers. These decisions include physical location decisions, decisions about the use of intermediaries to improve service accessibility for customers (e.g. whether to use the services of an agent or market vacation packages to consumers themselves), and non-location decisions that are determined for the availability of services.
5. People: people are a vital element in the marketing mix, any service organization (especially those whose level of contact with customers is high) must clearly determine what is expected of each employee in interaction with customers. To achieve the established standards, methods of recruitment, training, motivation and performance appraisal of employees.
6. Physical Evidence: intangible characteristics of a service cause potential customers to be unable to assess a service before consuming it. This physical evidence can be in the form of, for example, holiday package brochures, photos of tourist sites, and others.
7. Process: the production or operation process is an important factor for high-contact services consumers, for example restaurant customers are greatly affected by the way staff serves them and the length of waiting.
8. Customer service: in the service sector, customer service can be interpreted as the total quality of services perceived by customers.<sup>11</sup>

The basic goal of a tourism strategy is to align the company's strengths with market opportunities. A strategy is impossible to implement at once (simultaneously), but stages of

action are needed so that the strategy executed is successfully effective. According to Yoeti, the steps in determining the tourism marketing strategy are as follows:

1. Identifying markets, in the form of countries or regions that are potential markets, social classes, education levels and ways of life of certain people, those who have free time, families who do not have much responsibility, those who have choices about a product of the tourism industry.
2. Identifying market needs (potential tourists). If you already know what a particular market wants, then products are deployed according to what potential tourists want.
3. Determine the factors that affect this part of the market, namely price, product, impression of the product, guaranteed necessary services, and other related factors.
4. Preparing products for various customers (market segmentation), in the tourism industry marketing activities are aimed at two kinds of customers, namely intermediary merchants (travel agents, tour operators and retailers) and end consumers (tourists).
5. Adapting marketing elements to buying decisions by customers. Price, skill and product quality go a long way towards price policy.
6. Establishing price policy and the factors affecting it.<sup>12</sup>

Some important elements of a marketing plan for tourism, namely setting marketing priorities by setting the time period, as well as monitoring and evaluating marketing plans that have been designed so that the marketing strategy runs well. Ten possible strategies in tourism marketing according to Yoeti:

1. Develop a new product wisdom, create new objects and attractions. Don't let people come to a place or area that is seen as just that.
2. Offering as many products as possible, objects and attractions in tourism should be created varied.
3. Maintaining old products, such as tourism objects that have historical value, should be restored.
4. Build and improve tourism infrastructure.
5. Creating a flight policy, because air transportation is one of the most widely used transports because it saves more time.
6. Creating a sustainable relationship with tour operators, whether a national, regional, local tourism organization or hotels, needs to be maintained with travel agents and tour operators at home and abroad.
7. Formed a tourist information center, as a place tasked with coordinating, planning tours and promoting tourist destinations.
8. Preparing educated personnel in the field of tourism.

9. Prepare and create good and up to date promotional tools that describe tourist destinations.
10. Participate in the activities of national and international tourism organizations.<sup>13</sup>

Based on the foregoing, in improving Bali's tourism industry after Covid-19, a strategy is needed in handling tourism that can be done with three strategies is:

### **1. Short-term strategy**

This term strategy is carried out through several things, including the government with its policies can provide support to the tourism industry in Bali, especially financial support or stimulus to operational costs, make SOPs for mitigating tourism disasters including the Covid-19 outbreak by making health protocols, especially in the new normal era, strengthening information on cleanliness and health of the destination environment, strengthening destination management organizations (DMO) especially towards the management of tourism villages, improving the process of tourism destination management operations starting from managing information to conducting feedback from tourists, innovating products by creating digital tourism programs and improving the value chain, namely how to manage internal customers and become loyal so that they can provide the best service to tourists who in the end tourists are satisfied and become loyal.

### **2. Medium-term strategy**

Medium-term strategy through pentahelik strategy which is a collaboration strategy between Academic, Business, Government, Customer and Media (ABGCM). The application of this strategy will be optimal if each has a balanced role in their respective fields so that they can collaborate well and produce extraordinary strengths.

### **3. Long-term strategy**

This strategy can be done by designing an operation management system for the tourism industry. In the operation management system in the tourism industry, it is necessary to pay attention to several important elements, namely inputs, processes, outputs and outcomes.

With the strategies outlined above, the uniqueness of Bali as a province that has local wisdom values that consistently maintain local wisdom values, has made Bali an area with a different character from other regions. Local wisdom is used by the community as a controlling characteristic of daily life in family relationships, with fellow relatives, as well as with people in the wider environment.<sup>14</sup>As for the characteristics of local wisdom, that is:<sup>15</sup>

1. Must incorporate knowledge of virtues that teach people about ethics and moral values;
2. Local wisdom should teach people to love nature, not to destroy it; and
3. Local wisdom must come from older members of the community.

Therefore, based on the interview, the strategies needed to be described in three important aspects of Bali's tourism recovery after the Covid-19 pandemic. (Interview with Mr. Tjokorda Oka Artha Ardana Sukawati as Deputy Governor of Bali) the first thing to do is to build market confidence in safe and comfortable Bali tourism, both with high vaccination rates and falling



Covid-19 spread rates. Supported by complete data, this is a promotional material to convince tourists that Bali is a safe and comfortable area, so as to build market trust in Bali. Second, the commitment of the Bali Provincial Government to make Bali a green island, with the use of clean renewable energy will also be a great attraction for tourists and provide positive value for Bali as a world tourism destination. And third, in addition to promotion, another thing that is a concern is how to sell Bali so that tourists choose Bali over other regions. Various policies such as the granting of free Visa on Arrival (VoA) for 86 countries to enter Bali, second home visas and the opening of a number of direct flights to Bali are important factors in attracting tourists, in order to choose Bali as their vacation destination.

#### **4.2. Strengthening the Promotion of Cultured Tourism based on Local wisdom After Covid-19**

The development of national tourism and its promotion refers to the idiosyncratic foundations, namely religious values and Pancasila as well as constitutional foundations, namely the 1945 NRI Constitution and Law Number 10 of 2009 concerning Tourism, which is operationally implemented by the main actors of tourism development. These main actors drive tourism activities that rely on the movement of aspects of ideological, political, economic, socio-cultural resilience and security defense that dynamically support national tourism, Law No. 10/2009 becomes the legal basis for the freedom to travel and utilize leisure in the form of travel, which is part of human rights.

In addition, based on the results of the interview, in Bali Provincial Regulation Number 5 of 2020 concerning Standards for the Implementation of Bali Cultural Tourism (hereinafter referred to as Perda Bali No. 5/2020) in chapter IV of Article 14 and Article 15 and Article 17 which provides an operational description along with the components of the system referred to as stakeholders consisting of Provincial Governments, Regionally Owned Enterprises, Baga Utsaha Padruwen Traditional Village, Cooperatives, private; and society.<sup>16</sup> Baga Utsaha Padruwen Desa Adat abbreviated as BUPDA is a business unit owned by an Indigenous Village that carries out business activities in the field of real economy, services and/or public services, except businesses in the financial sector, which are organized based on customary law and with modern governance to improve the welfare and independence of Krama Desa Adat and the private sector here is a private organization in this provision including the Regional Tourism Promotion Agency, and the Indonesian Tourism Industry Association including organizations/associations that are members. The relationship and interaction process of each stakeholder is integrated both structurally and privately between one another. As a result of these relationships and interaction processes, the actual working mechanism of Bali's tourism promotion system was revealed. The working mechanism of the system consists of several types of promotion, that is:<sup>17</sup>

1. Promotion of destinations and products is distinguished by the stages and content of the promotion.
2. Direct and indirect promotions are distinguished by their promotional media.
3. Offline and online promotions are distinguished by internet usage; and

4. Formal and informal promotions as both are distinguished by their validity in the eyes of applicable laws or regulations.

Based on the foregoing, related to further strengthening the promotion of cultured tourism based on local wisdom after Covid-19, several efforts are needed is:

### **1. Community Participation**

In community participation, related to its implementation can be analyzed from 3 (three) aspects, namely participation in the development of local wisdom, participation in the preservation of local wisdom values and participation in the implementation of local wisdom values. In this case, tourism development based on local wisdom in Bali Province is still colored by the dominance of local governments alone. Forms of consultative, passive and flowing participation from above. Therefore, related to the preservation of values and the implementation of local wisdom values in tourism in Bali Province, it must be concretely realized from the role that can be played by the community, including re-inventorying these values, understanding, teaching and practicing them in life.

### **2. Facilities and infrastructure in promoting tourism after Covid-19**

Institutionally, programs to promote cultural tourism based on local wisdom remain the domain of the government through the Bali Provincial Tourism Office in coordination with private promotional agencies in Bali such as the Bali Regional Tourism Promotion Agency and the Bali Tourism Board (BTB). However, activities in order to increase the promotion of Local Wisdom in Bali Province as a potential asset for tourism are not carried out regularly and sustainably so that the impact caused by the existence of local wisdom-based cultural tourism has not been significant for the government, private sector and the community as beneficiaries of these activities. Thus, further efforts can be made to be able to better implement cultural tourism based on local wisdom after the Covid-19 Pandemic is where the government and private promotional institutions are required to coordinate more with the community, especially with the increasing number of new tourism industries formed or new tourist villages formed. With this coordination, it is hoped that the promotion efforts will be carried out into 1 (one) source based on local wisdom.

### **3. Development of New Tourism Destinations**

According to Law Number 10 of 2009 concerning tourism, tourist destinations, hereinafter referred to as tourism destinations, are geographical areas that are specific to one or more administrative areas in which there are tourism activities and are equipped with the availability of tourist attractions, public facilities, tourism facilities, accessibility, and interrelated communities. In addition, other components in strengthening tourism development are the environment, natural resources and socio-culture. This component is a basic potential that is already available and owned by an area and community, for example, beautiful natural panoramas, lakes, natural forests, plantations and large agricultural land, cool weather and climate, situ, art and cultural legends, customs and community life that are distinctive as well as distinctive local wisdom.<sup>18</sup> The next component is local wisdom which is one of the

components that can bridge the interests of rural tourism development which emphasizes a community-based paradigm with sustainable development.<sup>19</sup> With this, the development of new tourist destinations is a series of efforts to realize integration in the use of various tourism resources and integrate all forms of aspects outside of tourism that are directly or indirectly related to the continuity of tourism development.

In addition to the above, to be able to strengthen cultural tourism based on local wisdom, it is certainly necessary to synchronize with the values that have been landed in Bali is:

1. The value of Tri Hita Karana wisdom, which is a cosmopolite value about the harmonization of human relations with God (Parhyangan), human relations with fellow mankind (Pawongan) and harmonization of human relations with the natural environment (Palemahan). The value of local wisdom has been able to maintain and organize the pattern of community social relations that runs very dynamically.
2. The value of local wisdom of Tri Kaya Parisudha is as a form of balance in building human character and identity, which is by uniting elements of thoughts, words and deeds. The embedding of the value of local wisdom has been able to give birth to humans with character, consistency and accountability in carrying out social obligations.
3. The value of local wisdom Tatwam Asi which means You are Me and I am You, this value provides a fibration for attitudes and behaviors of acknowledging existence while respecting others as much as respecting oneself. This value is a wise basis in building the modern democratic civilization that is currently being promoted.
4. The value of Sanglung Sabayantaka or Paras Paros Sarpanaya is a social value about the need for togetherness and equal cooperation between one another as a social unit that respects and respects each other.
5. The value of Bhineka Tunggal Ika is a social attitude that is aware of togetherness in the midst of differences, and differences in togetherness. This spirit is very important to actualize in the multicultural order of social life.
6. The value of local wisdom Menyama Braya, which contains the meaning of equality and brotherhood and social recognition that we are brothers. As a social unit of brotherhood, attitudes and behaviors in viewing others as brothers and sisters should be invited together in joys and sorrows.

## V. CONCLUSION

Strengthening the promotion of cultured tourism based on local wisdom as a strategy for developing tourism after Covid-19 can be done with several efforts, namely Community Participation with participation in the development of local wisdom, participation in the preservation of local wisdom values and participation in the implementation of local wisdom values, facilities and infrastructure in promoting tourism after Covid-19 and the development of New Tourism Destinations that provide a new nuance by being synchronized with local

wisdom values in Bali such as, the wisdom values of Tri Hita Karana, Tri Kaya Parisudha, Tatwam Asi and others

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