

# Conserving Bali's Heritage Sites: The Power of Unwritten Laws

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## Abstract

This study examines the efforts of heritage conservation in Bali Island in specific to heritage sites. The Global Sustainable Guidelines published by UNESCO were used in this study as areas of assessment as well as the benchmarks for results analysis. A total of 4 areas of conservation components introduced by UNESCO - Hoi An Protocols: 1) Identification and Documentation, 2) Safeguarding Tangible Aspects, 3) Safeguarding Intangible Aspects and 4) Heritage and the Community. This study applied 3 research techniques: (1) Secondary Data Analysis, 2) In-depth Interview, and (3) Site observation in collecting data pertaining to laws, policies, strategies, guidelines, perceptions, and tangible evidences of conservation efforts in Bali. Total of 12 reports pertaining to heritage governance in Bali, 5 local tourism experts, and 5 heritage sites were sampled for analysis, interview, observation and evaluation. Thematic analysis was conducted to indicates the performance of each heritage conservation areas followed by benchmarking analysis to conclude on the level of compliance against the standards suggested by UNESCO. Findings suggested that the conservation efforts vary according to areas, standardisation of laws and enforcement basically non-existence. Hence, the results indicate a concerning gap in law enforcement and execution of heritage conservation in Bali Island. Interestingly, the local community do not show much of concerns over heritage deterioration. They place great confidence over unwritten laws which were passed down from generations to generations concerning ways of conserving both tangible and intangible heritage. This study has contributed to the understanding heritage sites conservation in Bali Island. Moreover, this study provides practical and realistic implications that could improve the governance of site heritage conservation in Bali Island.

**Keywords:** Heritage Tourism, Cultural Tourism, Bali Tourism, Heritage Conservation, Sustainable Tourism.

## 1. Introduction

This study aims to explore the state of tourism development in Indonesia, looking specifically into the region of Bali. Bali is known for their spectacular sights and beaches as the region is surrounded by beautiful waters and nature. Despite that, a major factor that influences tourist' visitation to Bali are related to the cultural temples and site heritages (Bali Tourism Board, 2017). In the short span of year 2009 and 2016, there was a significant number of tourist growth in Bali. A massive 10.74% growth in tourists, amounting to 7,002,944 foreign visitors (Bali Tourism Board, 2017). This thus showcase the region of Bali as a major contributor to the tourism industry, one that has potential to grow further and be the main economic generator of the Republic of Indonesia.

Despite the rapid and often unanticipated changes, the radical effects towards tourism is not evident (Butler, 1999). However, as the nature of the industry cannot be accurately envisioned, governmental and non-governmental organizations (NGO) should embrace the concept of sustainable tourism to ensure stability. Principles of tourism sustainability invokes socio-cultural, economic and environmental forms of tourism progression while creating a stability among these areas to ensure long-standing sustainability (World Tourism Organization, 2015). The concept of sustainable tourism aspires the safety and preservation of living cultural heritage in efforts to reduce negative impacts from a social and environmental perspective. Sustainable tourism

holds a long-term perspective for the current and future generations. In light to this, ethical, cultural adaptation, ecological viability, and economical sensibility should be nurtured (UNEP, 2005).

One of the aspects of sustainable tourism that grasps the need for environmental, economic and socio-cultural nurturing is cultural heritage. Cultural heritage sites are some of the most heavily marketed tourism destination, while presenting their values to travelers, sustainable tourism strives to protect and conserve their authenticity and integrity. As more recent phenomenon with regards to threats to the heritage sites arise, the need to conserve these heritage sites has become more prominent (Pedersen, 2016). The Ahmad (2006) defines heritage conservation as the preservation of an integral heritage with the interrogation of scholastic and historical research to legislative, planning and technical intervention. There are certain guidelines, policies and regulations with regards to sustainable tourism have been developed by many establishments namely the World Tourism Organization and United Nations Environment Programme. The adaptation of these guidelines by governmental and non-governmental organizations (NGO) hope to achieve sustainability in areas of socio-cultural, environmental and economic within the context of heritage sites.

The world heritage centre (UNESCO) defined heritage as irreplaceable sources of life that inspires and belonged to all people in the world, respective to where it is located (UNESCO, 2017). Heritage is also considered as materials or substance that has been brought down from the past, and can hardly be replaced; signifies a personal/collective identity of a society, and conveys a message of self-respect (Lowenthal, 2005). These properties consist of historical record, that still present today as a witness to current generation and our responsibility to hand it down to next generation, with the same genuine authenticity (Vecco & Piazzai, 2015). According to Harrison (2010), a heritage site will be considered when it serves a collective memory and sets apart from others, and this comes to the relationship between perceived significance, importance to society and listing as heritage. The heritage engagement is an important driver for cultural tourism development because it conveys encouraging sub-urban economic and social life, and strengthening the destination's identity. Other than that, the growth of cultural tourism resulted from cultural heritage commitment could also indirectly facilitating harmony and understanding among the local community (Amended based on reviewer 1)

In 2012, UNESCO listed 4 World Heritage Site in Bali Island: 1) Subak Landscape of Pakerisan Watershed, 2) Supreme Water Temple Pura Ulun Danu Batur (Pura Batur Temple) and Lake Batur, 3) Royal Water Temple Pura Taman Ayun, 4) Subak Landscape of Catur Angga Batukaru (UNESCO, 2012). These Cultural Landscapes (Temple, Lake & Rice Terrace) all share similar characteristics of natural, man-made, dynamic engineering, all managed by a hydraulic system. Water is the main element that revolves the Tri Hita Karana Philosophy, whereby water is the key to life, nature and human being, which also ties humanity, spirit and nature, resulting prosperity in the environment (Hilde et al., 2016; MacRae 2014). Subak, a water system that throws back to the 9<sup>th</sup> century, that provides a sharing and a managed water distribution to all fields (19,500 hectares), which is the key to Bali's success in the listing of WHS and also rice growing (UNESCO 2012; Arndt 2014).

However, recent global phenomenon with regards to site heritage conservation is slowly surfacing. The problems may stem from mass tourism, climate change or even insurgency. Excessive tourist visitations have caused physical casualties to important heritage sites and culture in Bali. For example, the Lake Batur's and the Supreme Water Temple Pura Ulun Danu Batur's waters has been littered with a huge amount of waste (UNESCO, 2012); Massive development of hotels around heritage sides have caused a disruption in the water system, causing the lack of water in these heritage sites (Prajnawrdhi et al., 2015). Commercializing these heritage sites to an extent can lead to the loss of authenticity which acts as a catalyst to urbanization and modernization in losing the support of the local communities. This therefore poses a threat in terms of sustainability as the locals lose their sense of ownership towards these cultural heritages as they are threatened by secondary risks that arise during reconstruction (Yung & Chan, 2011). For instance, the illegal and uncontrolled repair or replacement process of heritage infrastructure have often violated cultural value of the existing architecture (Teo & Huang, 1995). Besides, improper management of financial assistance policies can also lead to the damaging of heritage buildings (Ka Leong, 2016). Even though that the international

guidelines and policies were introduced by the government of Bali in tackling the issues of sustainability pertaining to the use of heritage in tourism. However, the effectiveness of such guidelines was yet to be discovered. Hence, the purpose of this research is two folds: i) to evaluate the functions and perceptions of major stakeholders in conserving heritage sites in efforts to facilitate tourism activities in Bali and ii) to examine the efficacy of site heritage conservation in Bali against Global Sustainable Guideline.

## 2. Literature Review

The following literature review was presented with regards to 3 areas of research concerning heritage conservations: 1) The Importance of heritage conservation as part of tourism development and sustainable tourism practices, 2) The challenges faced in the process of heritage conservations, and 3) The factors affecting the success heritage conservations.

### *The Gaining Importance of Heritage Conservations*

Previous studies have emphasized the significance of site heritage conservations and the consequences of failing to uphold such practices. To begin with, Embaby (2014) contended that site heritage conservation is becoming more significant in modern times and conserving these important architectures should be taken upon the native communities. By having the locals take care of their heritage, there is an unlikely chance of interference of external factors that may impose threats onto their traditions and ruining the authenticity of their heritage (Roy & Kalidindi, 2017). Therefore, it is important that the natives themselves should involve in such initiatives given that their proximity to the traditions, value and cultural manifestations. Other than that, Kamel-Ahmed (2015) conceptualized the importance of heritage conservation by differentiating the heritage management into two main areas: i) preservation of 'tangible' (physical) remains which would be passed onto upcoming generations, and ii) managing alterations of the 'intangible heritage', which are essentially the occurrence of cultural activities during present-time in ensuring that it remains the same and the authenticity of it is preserved.

Specific literatures on the importance of tangible heritage conservation can be found in the work of Ka Leong (2016) and Archivolti (2014). Ka Leong (2016) reasoned that site heritage conservation is not just merely about preserving an exterior of a construction or trying to freeze a building in time. He suggested that choosing to reinstate a historic site rather than rebuilding it helps reserve the character, atmosphere, and the meaning of the sites. Most significantly, it creates a sense of distinction with the added antiquity. Heritage preservation even though is costly however this long-term investment could potentially bring endless benefits and inherit invaluable assets for the future generations (Xu et al., 2017; Ka Leong, 2016). Besides that, old constructions such as monuments act as a physical link to our past and aids foster a sense of pride within the communities (Archivolti, 2014). Archivolti (2014) reasoned how heritage conservation can be an important driver for tourism economy. Restoring old historical architectures also helps produce job opportunities for the communities. Besides, preserving and restoring old heritage sites can be seen as being eco-friendly and a step towards reducing carbon footprint by reducing construction waste and allows savings on resources (Archivolti, 2014).

### *Challenges in Heritage Conservations*

Past studies have suggested several issues in realising the effectiveness of heritage conservations. Yung & Chan (2011) pointed out 5 issues of build heritage conservation: 1) Inclinations concerning what is well-intentioned of preservation; 2) the absence of an operative community involvement mechanism and assimilated heritage protection method in the policymaking process; 3) the different and contradictory interests of many stakeholders; 4) publicity of the heritage importance; and 5) deficiency of heritage conservation awareness. In spite of the association among tourism and heritage, heritage tourism is still regarded as diverse from other tourism activities which with regards to revenue and cost of administration (Roy & Kalidindi, 2017; Garrod and Fyall, 2000). Thus, conflict of interest is common between tourism operators and conservationists (Soon, 2017; Ka Leong, 2016). There is also unwillingness by some tourism operators to admit that heritage tourism can be a rewarding and sustainable tourism segment. Garrod and Fyall (2000) pinpoint two key factors to such phenomena: 1) The connotation of pricing with commodification and that heritage cannot have a quantifiable profitable economic value (Ka Leong, 2016), 2) Tourists' visitation onto heritage sites should be reduced due to cost commitment (Liburd & Becken, 2017; Roy & Kalidindi, 2017).

Nevertheless, regardless of the cost challenges, the revenue generated from heritage sites is still prominent to many stakeholders (Soon, 2017; Ka Leong, 2016). Moreover, the dynamism of culture in its different forms finds both incentives and genuine support in tourism. Thus, the perceived shared benefits drive both segments

to mutual financial goals, and tourism offers the prospect to produce revenue for the indigenous community whereas concurrently supporting the conservation of its culture (Peters, 1999).

### *Factors Affecting the Success of Heritage Conservations*

Notable studies on factors determining the success of heritage conservations can be referred to the studies done by [Liburd & Becken \(2017\)](#), [Rasoolimanesh \(2017\)](#), Peters (1999) and Butler (1999). In general, a positive interdependent affiliation among heritage conservation and tourism activities requires greater involvement of stakeholders pertaining to development and management of cultural resource (Liburd & Becken, 2017; [Han et al, 2018](#)). Stakeholders' involvement is gradually gaining its significance in heritage development and governance, particularly possessing and guarding the heritage spots (Rasoolimanesh et al., 2017; Peters 1999; [Roy & Kalidindi, 2017](#)). It is necessary to include the community in the administration of heritage conservation especially in the area of reducing the probability of conflict, the feasibility of any comprehensive strategies, enhancing community's ownership of its heritage through education and awareness campaigns, and their confidence in heritage preservation (Han et al, 2018).

Besides that, channels of communication need to be created to avoid uncontrolled and destructive development (Liburd & Becken, 2017; Ka Leong, 2016; Peters, 1999). Butler (1999) recommends that heritage participation and decision making can be categorized into five stages: 1) imposition, 2) petition, 3) advice, 4) representation, and 5) equality. In addition, some studies emphasize the need to find a balance between conservation and commercialization of heritage sites for tourism. It is common belief that the development of a heritage site for tourism purposes generates cultural commodification is a major concern (Wall, 1997; Peter, 1999). For example, Tosun (2001) study suggests that site maintenance and management is often large and most of the revenue entry fees are finding ways to other government projects. This, coupled with a global economic change that reduces state revenue, causes the need to find additional revenue sources. Responding to these challenges, it was recommended that the nongovernmental and private sectors should play a greater role in participating the work of conservation (Ka Leong, 2016; Dudley & Stolton, 1999).

Despite that several studies were done to address the issue of heritage conservation, however, the understanding of the effectiveness of these universal guidelines suggested by past studies and international heritage governing bodies remain unclear. There is still a problem to optimize the economic benefits of the local community involved in heritage tourism. It has been questioned whether tourism really supports and contributes to the sources in which it depends (Soon later, 2017; Peters 1999). The involvement of stakeholders by local communities in the process of conservation of heritage is still seen as a major issue in fulfilling the overall ideology of involvement in Heritage conservation practices (Ka Leong, 2016; Yung & Chan, 2011, Russo, Boniface & Shoval, 2001). Hence, many scholars (e.g. Soon, 2017; Ka Leong, 2016; Yung & Chan, 2011; Liburd & Becken, 2017) have called for future research in examining the effectiveness of existing conservation models and frameworks. Through these validations, future improvement on the existing heritage conservation principles can be beneficial for more contextual applications.

## **3.0 Method**

### *Research Approach*

This study seeks to explore the existence of site heritage conservation and contrasting against the ideal site management practices. In view of this notion, this study involves many stakeholders who are participating in the process of site heritage conservation either direct or indirectly, such as the government body, non-governmental organizations (NGO), tourism bureaus, third party organizations and the community. This approach is important because these diverse stakeholders each play a role in the industry and requires a concise case study that focuses on issue pertaining heritage conservation within the context of Bali while using various source of evidence (Swanborn, 2010). Besides that, this study also integrates the use of site heritage management principles in order to examine the efficacy of site heritage conservation in the research area, Bali. To facilitate the heritage management assessment, this study referred and employed the four elements (refer

to Table 1) of preserving authenticity of monuments, buildings and structures developed by UNESCO (Hoi An Protocols) which is deemed to be the best conservation practice in Asia (Engelhardt & Rogers, 2009).

Table 1. UNESCO Heritage Conservation Standards (Hoi An Protocols)

Area of Assessment	Practical Guidelines/ Standards
Identification & documentation	<ol style="list-style-type: none"> <li>1) Establishing and documenting a set of laws as a basis to conserve cultural heritage.</li> <li>2) Documentation of progress meeting's minutes alongside monitoring records.</li> <li>3) Documentation of detailed historical research and present condition of the site in culmination of its significance.</li> </ol>
Safeguarding Tangible Aspects	<ol style="list-style-type: none"> <li>1) Volunteer labor for routine conservation measures that are carried out in cooperation with the local government.</li> <li>2) Maintenance of the temple are in the hands of the community who traditionally contribute funds and materials.</li> <li>3) Management Plan aimed towards social and economic tools to strengthen traditional systems and provide a framework for linking traditional practice with national priorities.</li> <li>4) Laws implemented towards the conservation on safeguarding tangible heritage.</li> </ol>
Safeguarding Intangible Aspects	<ol style="list-style-type: none"> <li>1. Enforcing a Bylaw on Cultural Preservation               <ol style="list-style-type: none"> <li>i) Guidelines for Execution of Duties and Responsibilities of local Government in Preservation of Culture</li> <li>ii) Draft Law on Expression of Traditional Culture / Management of Traditional Knowledge</li> <li>iii) Draft Law on Protection and Utilization of Intellectual Property</li> </ol> </li> <li>2. Revitalization of Management Institution (Content analysis)               <ol style="list-style-type: none"> <li>i) A document outlining policies that includes inventory of traditional customs, cultural, performances, traditional festivals, research on spiritual values, and traditional communities</li> <li>ii) Identification and recording of cultural materials for the Cultural Map.</li> <li>iii) Projects implemented in Conserving Intangible heritage.</li> </ol> </li> </ol>
Heritage & Community	<ol style="list-style-type: none"> <li>1) Re-empowering the community in the conservation and stewardship of their heritage for sustained property.</li> <li>2) Raising awareness of community on the importance of heritage conservation through education, training, public campaign and other persuasive approaches.</li> <li>3) Understanding and recognizing the rights and potentials of marginalized people.</li> </ol>

### *Research Instruments*

In view of the assessment model adopted from UNESCO (Hoi An Protocols), the data collection of this study requires combination of 3 different techniques namely: 1) content analysis in dealing with secondary data analysis in specific to policies, laws, statutory, guidelines, and reports pertaining to heritage conservations in Bali, 2) In-depth Interview in exploring comments, perceptions, strategies, plan and satisfactions among relevant stakeholders on the heritage conservation efforts in Bali, and 3) Sites observations in evaluating noticeable evidences which help to indicate the effectiveness of heritage conservation in Bali.

#### (i) Content Analysis

Content analysis was implemented to analyse written communication messages relating to heritage conservation in Bali (Elo & Kyngäs, 2008). The objective of content analysis in this research is to assess the effectiveness of Bali's Site Heritage conservation practices through the analysis of secondary data. Total of 12 published articles, reports, legal documents and agreements were analyzed. For instance, 1) the Law of Republic of Indonesia concerning Cultural Conservation 2010 encompass a rule that summarizes cultural heritage practices in the country, 2) Progress meeting records of local authority's plan for heritage preservation in Bali, 3) the report by the Ministry of Culture and Tourism of the Republic of Indonesia which encompass detail report regarding the condition of the site heritages in Bali, 4) Annual reports and strategies related to heritage management in Bali published by the Ministry of Culture and Tourism of the Republic of Indonesia, 5) UNESCO Cultural Heritage Laws Database, 6) Guidelines and law pertaining to the protection and management of property enforced by the Cultural Landscape of Bali Province, and 7) Sustainable plan for

heritage conservation issued by the Agriculture, Forestry, National Development Planning Agency in Bali. Results from the analysis were carefully coded and deliberated among a group of interpreters to increase the validity and trust worthiness of the result (Merriam 2009). Lastly, all respective themes were benchmark against the predetermined conservation standards to draw conclusive remarks on level of compliances.

### *Interviews*

5 Stakeholders were purposively sampled for a session of semi-structured interview: 1) Representative from tourism governing bodies, 2) Local tourism researcher, 3) Tour operator, 4) Tour guide, and 5) Chief of village (refer to Table 2). The findings from these interviews were used to explain the current satisfaction, strategies and perceptions of various stakeholders onto the effectiveness and progression of sites conservation efforts in Bali. Other than that, this information from the interview also helps to validate on data gathered through secondary data analysis and sites observation. The interview questions were formulated to explore areas pertaining to sites heritage governance as well as the current challenges and development in heritage conservation in Bali. Once data was gathered, preliminary interpretation of the replies were finalized in group to avoid interpretive bias (Patton, 2002). Then, thematic coding was carried out to summarize the responses to offers connotation following the research objectives guided by the 4 phases of thematic coding by Boyatzis (1998).

To increase the data trustworthiness, triangulation involving several sources justification was carried out to increase the accurateness of the understood information (Kolb, 2012). For example, field notes and photographs from the heritage sites observation and recent studies were used as other bases of data validation. Additionally, the interpretation of the data was carried out in group to avoid interpretation biasness and to promote the accuracy of the findings (Creswell, 2009; Decrop, 1999).

Table 2. List of stakeholders and brief description.

<i>Respondents</i>	<i>Brief Description</i>
ST-1	Senior representative from the Bali Tourism Bureau, a government agency that look after the governance, administration and promotion of Bali Tourism. He has more than 24 years of experience in administrating the work of Bali tourism. He also serves as the advisor from Travel Agent Association of Bali, Tour Guide Association of Bali and Transportation Association of Bali.
ST-2	Senior academic and researcher of the largest and oldest tourism school in Bali. She has more than 10 years of working experience with Bali Tourism Board before venturing into teaching and research work. Most of her recent research projects are pertaining to issues and challenges in administrating sustainable tourism in Bali.
ST-3	An individual with over 8 years of experience in Bali tourism industry. ST-3 is currently working as a tour guide under a travel agency. ST-3 has a deep understanding about the development and changes made to heritage sites due to heritage conservation governance has taken place in Bali.
ST-4	An individual with over 12 years of experience in running a tour agency in Bali. Vast experience in tour design and great involvement in promoting sustainable tourism and heritage tourism in Bali.
ST-5	A genuine Balinese and the chief of one of the villages that host a UNESCO site in Bali. He has been collaborating with the ministry of Bali tourism in areas related to conservation efforts. ST-5 has spent over 30 years in looking after his own village and administration issues pertaining to tourism within his village. ST-5 has seen how Bali tourism has evolved before and after UNESCO recognition has been given.

### *Site Observation*

Table 3 demonstrate a list of heritage sites that were purposively designated for observation audit. Through site observation, this study could observe and assess the coverage of heritage conservation and the degree of effectiveness of the existing preservation measures. A specification for the observation process were established based on the proposed conservation standards by UNESCO. The heritage sites were assessed on the evidence of (i) Written do's and don'ts, (ii) Penalties over vandalism, (iii) local involvement in safeguarding the sites, (iv) Monuments/ architecture free from sign of vandalism, (v) Capacity management and (vi) Restoration and maintenance. Data collected in the form of field notes, video recording, and photographs were studied using thematic coding with separation of non-verbal indications and verbal indications. Photos and video helps to stimulate critical reflection rather than a way to collect observational

data (Tobin & Hsueh, 2009). Group deliberation was implemented to understand these data and finalize with 8 themes. These themes were later benchmarked against the anticipated conservation standards to reflect the effectiveness of conservation efforts in Bali at its current stage.

Table 3. List of UNESCO heritage sites and brief description

<i>Sites</i>	<i>Brief Description</i>
S-1	<u>Pakerisan Valley</u> is a mystical river valley in <u>Gianyar Regency</u> which contain the remains of ancestors from ages ago. Within the cradle of this valley are prehistoric and pre- <u>Majaphahit</u> archaeological sites. This ravine, located between rice fields, is the home of magnificent stone carved shrines that <u>honor</u> 11th century royalty.
S-2	Taman <u>Ayun Temple/Mengwi Royal Temple</u> is located in <u>Mengwi Village</u> , Denpasar town. This temple goes all the way back to the 18th century <u>Mengwi Kingdom</u> , a historical royal dynasty in Bali. It is symbolic as a site of Bali's aristocratic history
S-3	<u>Gunung Kawi temple</u> is Bali's oldest and largest ancient monument. It spreads across the site of <u>Pakerisan river</u> . It comprises of 10 rock shrines that are carved to religious funeral monuments.
S-4	The <u>Jatiluwi Rice Terraces</u> are left alone by the crowds that throng other parts of Bali. Some of the rice terraces are thought to be created as long as 500 years ago, and indeed showcase one of the oldest and most complex systems of agriculture.
S-5	<u>Pura Ulun Danu Batur</u> is the second most important temple in Bali, after <u>Besakih</u> , due to its association with <u>Lake Batur</u> which supplies water to much of <u>Gianyar</u> and <u>Bangli</u> through a series of underground springs. The temple is dedicated to <u>Dewi Danu</u> , goddess of lakes and rivers and is completely surrounded by the lake.

#### 4. Findings and Discussion

The findings below are based on the UNESCO (Hoi An Protocols) for best conservation practice in Asia primarily focusing on tools for preserving authenticity in monuments, buildings and structures. Each relevant aspect in the model utilized were tabulated and the level of conformity for every aspect is developed. The results of each aspect are thus presented according to the level of compliance: (Amended based on reviewer 2)

- Weak (lack planning and/or execution)
- Moderate (adequate planning but less prominent execution)
- Strong (proper planning and high level of significance/execution)
- Conditional (differs depending on the distinct areas in Bali)

##### 4.1 Identification and Documentation

<i>No.</i>	<i>Assessed Area</i>	<i>Level of Conformity</i>
1	Establishment and documentation of laws as a basis to cultural heritage conservation	Moderate
2	Documentation of progress meeting's minutes and monitoring records	Moderate
3	Documentation of detailed historical research and present condition of the site heritages	Moderate

Findings through content analysis showed that there are specific laws established to conserve cultural heritage in Indonesia. Article 1 sub-section 1 of the Law of Republic of Indonesia concerning Cultural Conservation 2010 encompass a rule that summarizes cultural heritage, be it in forms of buildings, objects, structure, site or culture are all protected under the law (UNESCO Cultural Heritage Laws Database, 2011). Anything that falls under the category of cultural heritage are all protected by a set of laws. Despite that, the level of conformity is still rated as moderate. Findings from interviewing local stakeholders (ST) 1, 2, 3 reveals although the laws were established, the execution process may not be reflective of the level of strictness in implementation due to the lack of community initiatives. Documentations of several conferences and progress meetings pertaining to heritage conservation were documented alongside insightful information of future conservation plans. However, findings from stakeholder's interview (ST 2, 3, 5) indicates limited references were made for future



planning and development. This finding is also consistent with assessment results for documentation of detailed historical research and present condition of the site heritages.

Such findings seem to indicate that the enforcement of conservation laws and strategic plans in conserving site heritage in Bali was not properly carried out by authorities. The lack of law enforcement is also reflected on the existing Indonesian law enacted for cultural conservation (UNESCO Cultural Heritage Laws Database, 2011). The law highlights set of rules and procedures to follow as well as things that are forbidden when it comes to cultural conservation. However, there was no punishments or fine stated if individuals/organizations fail to comply with the law, showcasing a loophole of why the law isn't effective in its implementation. However, it was interesting to note that the governance of these heritage sites was heavily enforced by the chief of village as well as the involvement of the local communities (ST 2, 3, 4, 5) following their own unwritten laws. In small towns or villages, there are things that are guided or monitored inversely, including customs and social norms. In fact, different villages in Bali island have their own unwritten laws, usually insisting and passed down from many generations. Defilement of these rules will not be penalized or punished; these unwritten rules are most respected because they carry significant cultural value and it protects and maintained the social harmony between the villages (Amended based on reviewer 1&2). The official law or guidelines established by the government was not highly regarded and many times disobeyed by the communities and the guardians of the heritage sites. Findings also exudes that the level of conservation efforts vary drastically depending on areas which strongly associated with local mind-set towards the significant of heritage conservations. Examples can be seen in more commercialized areas such as Seminyak, the local communities choose to sell their heritage land to foreign investors freely without the interference of the government. In Ubud however, the buying and selling of land are very restricted with multiple sets of unwritten laws governing the heritage value of those land. The unwritten laws even govern the use of the land to avoid any possible jeopardy over their culture, beliefs and heritage (ST 3, 5).

#### 4.2 Safeguarding Tangible Aspects

No.	Assessed Area	Level of Conformity
1	Significance of third party organizations in aid to increase governmental efforts towards heritage site conservation	Strong
2	Maintenance of the site heritage by local communities	Moderate
3	Development of management plan catered to socio-economic needs and providing a framework of linking authenticity and national priorities	Conditional
4	Implementation of established laws to conserve tangible aspects	Weak

Findings show sufficient involvement in planning and high level of execution in organizing third parties in aiding Bali's governmental and non-governmental bodies to preserve heritage sites. For example, 1) The Coordinating Board of the Cultural Landscape of Bali Province, 2) Individual Academic, 3) University or Other Research Agencies, 4) Regional Governments and 5) Indonesian Department of Public Works were periodically invited for proposal building pertaining to heritage development. Other than that, the calling for continuous research proposals related to cultural landscape was also formed by 1) Office for Archaeological Research, Bali; 2) Office for Research on History and Traditional Values in Bali; 3) Individual Academic, 4) University or Research Agencies, and 5) he Coordinating Board of the Cultural Landscape of Bali Province. These strict management proposals must be submitted to UNESCO in ensuring that the process is well planned (Ministry of Culture and Tourism of the Republic of Indonesia, 2009). The management plan from third parties' perspective is prominent and is justified through interview with ST 2 and results from site observation.

Results from site observation suggest that the maintenance of site heritages by local communities is seems to be inadequate and less effective with multiple signs of deterioration were evidently found. Take Taman Ayun

Temple for example the site may have been well maintained but the temple structures were heavily covered in mould, slight vegetation growth on the compound walls were also observed, improper garbage disposal and obvious vandalism were also part of the factor. It is undeniable that there are maintenance efforts in preserving site heritages, ensuring that it is well-kept and maintained. In addition, restoration of sites was not done carefully in accordance to UNESCO standards. Examples, the materials used in the repairing of certain part of architecture were not similar to its original material, diluting the authenticity of the overall structure. Observation results indicate that the original brick used in certain part of the heritage sites visited were rough and made of cement, whereas the bricks used in the repairing process were clay bricks which differ in colour and texture. These variations indicate little commitment towards the UNESCO standards of heritage restoration where materials of restoration have to be as of the original/if not the closest alternatives (Amended based on reviewer 2).

There are management plans developed by the government catering to the socio-economic needs, preserving the authenticity and prioritizing national needs. This document can be found in the *Cultural Landscape of Bali Province 2009*, under Chapter 5: Protection and Management of the Property. According to ST 1 & 2, the standards established must be attained, and it is recommended for each region in Bali Island to comply to it. In terms of law enforcement in relation to conserving tangible aspect of the heritage sites, similarly the laws are properly established but there was no strict implementation. The spread of power within stakeholders when it comes to conservation may again differ in different site's context. Findings from ST 2, 3 and 4 shows that majority of the Balinese locals choose to stick to their own customs when it comes to conservation, as they feel that it is their responsibility to conserve. Therefore, the implementation of the formal written laws established by the authority may not be significant.

The overall findings on this section seems to suggest that the Balinese play a big role in keeping their authentic architecture alive. They can do so because of their strong believe in their customs that it even negates the common law which is set down by the government. This is shown when governments were required to work hand in hand with third party conservation organizations to get across to the community and to deliver the message of the importance of heritage conservation. This shows how difficult for the government of Bali in their law enforcement onto the villagers who owns a specific heritage site. Hence, the synergy between the government and villagers are yet to be seen in the context of heritage conservation.

#### 4.3 Safeguarding Intangible Aspects

No.	Assessed Area	Level of Conformity
1	Enforcement of a Bylaw on Cultural Preservation	Moderate
2	Revitalization of Management Institution	Moderate

Results showed that there has been a consistent enforcement of cultural and tourism bylaws, mainly to protect the region's culture and nature. Such bylaws strictly regulate the development near sacred sites. According to the interview with ST 1, the respondent stated that there are regulations in sustainable tourism. Likewise, ST 4 mentioned that cultural subjects are included in school's syllabus in ensuring cultural longevity. Other than that, there is written legal foundation in conservation, management and development of Bali's landscape. A compilation of provincial regulation plan has been developed in safeguarding Cultural Heritage of Bali (The Ministry of Culture and Tourism of the Republic of Indonesia The Government of Bali Province, 2009). Under Chapter 3,4 & 5 of the Management Plan Article, it has highlighted the key issues and challenges faced, and a management plan is developed to overcome it. There has been a successful cooperation between Ministries (Agriculture, Forestry, National Development Planning Agency) and non-governmental communities in balancing between high tourism needs and cultural preservation. In assisting the Governing Assembly, the Ministry of Education and Culture published a bilingual brochure on the depth understanding of the irrigation system of Bali, *subak* (UNESCO, 2012). Also, the effort of establishing of The Monument of Balinese

Struggle and Bali Museum are evidence in educating Balinese culture to the community. Despite, government efforts in preserving and revitalizing cultural value and heritage sites in critical urbanized areas, the local communities who owns most of their land and properties in urbanized areas will tend to ignore those initiatives. According to ST 1 & 2, although government has put multiple efforts in sustaining intangible culture, the communities themselves doesn't seems to care.

The socio-cultural factor here is prominent in determining the level of conservation involvement. When it comes to safeguarding intangible aspects, non-Balinese communities do not cherish authenticity and the Balinese culture, thus areas such as Denpasar and Kuta were culturally defaced by infrastructure developments and misrepresentation of ethnic culture represented by newly constructed buildings. That being said, since the local communities has such authority in conservation efforts, using the case of the commercialized Kuta against the well-preserved Ubud seems to affirm the importance of local initiatives and involvement in determining the success of heritage conservation.

#### 4.4 Heritage and the Community

No.	Assessed Area	Level of Conformity
1	Re-empowerment of the community in conservation efforts and supervision of their heritage for sustained property	Moderate
2	Raising awareness of community towards heritage conservation through education, training, campaigns, and various platforms	Strong
3	Understanding and recognizing the rights and potentials of marginalized people	Strong

The findings through site observation and interview show that the role of the local community in conservation process is quite significant. Findings from ST 2 and 3 portrays that the community as a main threshold to any conservation efforts, alongside the private owners of the heritage sites. Significant numbers of conservation acts are usually initiated by the local communities. Findings from ST 2 and 4 states that the local communities and the private owner of the heritage site even has the power to sell the land of their heritage sites and refrain any development around it. However, sadly it was inconsistent through the Bali Island. ST 1 and 4 explained that there are several educational campaigns conducted to educate villagers, and the government has also incorporated subjects related to cultural identity in schools. Efforts of local television programme promoting the heritage sites and educating the local community were evident. This results showcase strong dedication of various stakeholders in the aspect of raising awareness towards the importance of heritage conservation. Besides that, with regards to the understanding and acknowledging marginalized people in the heritage site conservation process, findings from this study suggested that the considerations and recognition are deemed to be strong as findings from ST 1,2 and 3 concludes that various stakeholders each has a role and their own rights when it comes to site heritage conservation. The circumstance of not having an obvious marginalized people is further proven from data collected from ST 2, where non-Balinese residents also has their own rights in the conservation process.

In affiliation of the authority own by the local community in the aspect of heritage conservation, there was no doubt that the government has empowered the community in the decision-making of heritage conservation. However, the conflicts imposed are whether the community are over-empowered. UNEP (2005) states that an effective leadership involves the commitment of various stakeholders. Hence, a balance of power between stakeholders should be sought after, to have a co-operative force to preserve heritage sites.

## 5.0 Conclusion and Implications

Overall, this study has addressed the roles of major stakeholders in conserving site heritage as discussed in the findings. In addressing the second research objective regarding the true existence of site heritage conservation in Bali, this research concluded that there are no generalized answers to the existence, but can be derived depending on the different regions in Bali. For example, more commercialized areas in Bali lack conservation efforts whereas the more culturally preserved areas such as Ubud is more competent in their conservation efforts. The results of this study provide an insight into the existence of site heritage conservation efforts in Bali. Furthermore, this study has extended existing literature on site heritage conservations that can be explored in various contexts, particularly in different research setting in order to develop a globally-effective solution to tackle issues regarding site heritage conservation. From a unique standpoint, this research not only addressed the existence of site heritage conservation efforts, but also gave a glimpse to what extent the efforts were regulated in specific criterions. By investigating the setting of Bali in this issue, it sets a benchmark from the context of a tourism industry led province, where the need for site heritage conservation is more prominent due to high visitors. However, this study can also be adopted for provinces/states that is not led by the tourism industry in order to come up with preventative measures. This study has clearly investigated the existence of site heritage conservation in Bali associated to having a more sustainable tourism development. In doing this, it offers implications and future undertakings for various stakeholders.

To sum up the overall findings of this paper, this research provides several managerial implications. A total of 4 key issues were addressed to help identify the flaws of the conservation work in Bali. These 4 issues must be solved intricately in order to improve site heritage conservation efforts ultimately achieving long term tourism sustainability in Bali.

Findings in 4.1 shows the extent of conservational efforts in relation to identification and documentation. From the managerial standpoint, the bylaws and legal policies were found to be weak in terms of punishments and consequences. This may be due to the anxiety from the government body towards the Balinese culture, practices and know-hows. These laws established were not effective and seem to be inefficient. In order to overcome this issue, the following are the suggested to ensure government attain success in law enforcement. Firstly, the Government should improvise the law and increase awareness towards the significant of the law. In order to have a balance between community, owner of site heritage, and the government body, a proper meeting has to be done in discussing all satisfied terms and condition, for the best of all stakeholders. The law should strike a balance between the power of governance and the community. Secondly, the UNESCO institute should raise their standards against Bali, in maintaining their title as a World Heritage Sites. Meaning, UNESCO should impose a flexible and yet firm standard to World Heritage Sites in Bali in the context of Rule, Regulations, Procedures and Policies.

Findings in 4.2 shows the government body have made cooperation with all possible third parties, including international and local to establish a better management plan on safeguarding the Heritage Site. Sadly, these management plans seem to be ineffectual when communities from different region of Bali do not take the management team seriously, and would prefer to manage the land themselves. Furthermore, majority of the heritage sites are privately owned, hence management body has no authority over these heritages. To overcome this socio-cultural factor, a deep research towards the understanding of each region/community's customs is needed. In the context of Bali, a general conservation law may not be significantly effective when every region/district has their own customs. To tackle this complicated circumstance, the Ministry of Culture and Education should gather all necessary Indonesian Department, such as Agriculture, Education & Environment, and all the Traditional Village Authorities in establishing a Regional law. These regional laws must respect the values and norms of each region, in order to satisfy everyone within Bali, yet still goes in line with the Law Requirements from UNESCO.

Findings in 4.3 shows that government body have put in significant effort in balancing tourism needs and cultural preservation. Government body has been working hand in hand with third parties and community leader in ensuring the cultural aspect remains authentic and truthful. Unfortunately, the cooperation with the community/site heritage owner has been unsuccessful. Communities would likely to prefer having revenue

from entrance fees than preservation works. It is important to educate communities about the importance of heritage conservation. The education given to the local Balinese since young ages would ease the impartment of culture in individual's life. Also, in creating awareness and reminder to the community, *banners, billboard, advertisement via television or smart phones* can be executed with the cooperation between Indonesia Department of Education, Environment, Public Works, and NGO such as independent technology company.

Findings in 4.4 shows that there is an unequal power between the government and the community. In the case of Bali, with the strong emphasis of unwritten laws in regions, government has little say on the implementation and enforcement of heritage conservation policies. Decisions and agreements towards the maintenance of the site heritage heavily relies on the communities, therefore the abuse of power has occurred. In this scenario, the community has eyes only for the monetary values, and overlooked the sustainability aspects of it. To overcome this issue, a well balance macroeconomy phenomenon in Bali should be achieved. Meaning, to prevent communities from involving themselves to jobs that are hurting the culture, government should offer alternative tourism jobs that ensures monthly income to community, yet embraces and showcases the culture of Bali (Cuisine, Traditional Dances, Art and Crafts, Land Keepers, Tour Guides.) This way the government can fully utilize local labour, knowledge from the communities, and enhancing the authenticity of heritage tourism in Bali.

The limitations of this study are: 1) The restricted focus of heritage conservation-mainly site/tangible heritage, 2) The limited sample size of respondent used in the study. Nevertheless, the findings obtained are still a significant contribution to the field of heritage conservation. In conducting this study, time span in the research setting was limited, hence it is recommended for future researchers to invest more time in Bali (e.g. ethnography approach) to identify more in-depth reasoning. The study on site heritage conservation in Bali is recommended to be duplicated, by applying different models in measuring the effectiveness of heritage conservation. Lastly, future research can be duplicated in different countries, within South East Asia.

**(6208 Words)**

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