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Alliances and Contestations in the Legal Production of Space: The Case of Bali

Abstract: The controversy over the provincial spatial planning regulation for Bali Province reflects the dynamic of Balinese society in the era of regional autonomy. The dynamic is polarised between expanding the tourism and real estate industry for economic reasons and constraining such expansion for the sake of protecting Bali's environment and culture. Thus, the law governing space becomes an essential means to intervene in crafting the relations between competing interests over space. The application of the law itself is also complicated by the condition of legal pluralism which provides different and sometimes conflicting sources of legality to be used to justify the interests of legal actors. This article aims at highlighting how space is produced in a pluralistic legal setting and examining whose interests are served by the condition of legal pluralism in contemporary Bali. Employing socio-legal methods with Lefebvre's conception of space and legal pluralism as an integrating analytical framework, the article contributes to the literature on spatial planning law in Indonesia that is dominated by "legal centralism" and a given notion of space.

Keywords: spatial planning, legal pluralism, socio-legal, Bali, tourism

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I. INTRODUCTION

In the reform era, Indonesia has experienced a dramatic shift in political structures from centralism to decentralism. Bali, a relatively small island province, is divided into eight districts and one municipality, which now have more power to regulate their territory to pursue economic development in particular. As Bali's economy has been dominated by tourism-related sectors, these sectors are continuing to expand facilitated by district governments. This is because tourism not only provides the main source of revenue for the district budget but also provides opportunity for private "rent-seeking" practices. As the tourism industry becomes more mature, the real estate and property businesses also grow simultaneously.

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